

City Council Regular Meeting
Madison Heights, Michigan
October 13, 2025

A City Council Regular Meeting was held on Monday, October 13, 2025 at 6:30 PM at City Hall - Council Chambers, 300 W. 13 Mile Rd.

PRESENT

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

OTHERS PRESENT

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

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

CM-25-150. Addition to the Agenda.

Motion to add Police Department Update from Sergeant Schram to Agenda under presentations.

Motion made by Councilman Fleming, Seconded by Councilor Wright.

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

Motion carried.

PRESENTATIONS:

Sergeant Schram reported that the Mass Heights Police Department is holding an open house to recruit new members for the reserve program on Wednesday, October 15th, 6:00 p.m. to 8:00 p.m., at the Police Department (280 West 13 Mile).

CM-25-151. Alley Vacation Request # PEE 25-01 - 17 ft.-wide alley between 601 W. 12 Mile Rd. and 28767 Dartmouth St. – PUBLIC HEARING

City Manager Marsh reviewed the alley vacation request PEE 25-01 for a 17 ft.-wide alley between 601 W. 12 Mile and 28767 Dartmouth St.

Mayor Grafstein announced that the Public Hearing would still be held for anyone in attendance that wanted to speak; however, since the related Special Land Use was rescheduled for the October 27, 2025 City Council meeting, pending the results of a traffic study being conducted at the recommendation of the city and Oakland County Road Commission, any action on the alley vacation would be postponed until the October 27, 2025 as well.

Mayor Grafstein opened the public hearing at 6:34 p.m.

Seeing no one further wishing to speak, Mayor Grafstein closed public comment at 6:49 p.m.

Motion to postpone action on the public hearing for the Alley Vacation Request #Pee 25-01 until the October 27, 2025 City Council meeting.

Motion made by Councilor Rohrbach, Seconded by Councilman Mier.

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

Motion carried.

MEETING OPEN TO THE PUBLIC:

Kathy Sepia, resident, commented on the perceived disdain that the developer has towards the residents who spoke on the alley vacation, emphasizing that these individuals are directly affected by this development request.

CM-25-152. Consent Agenda:

Motion to approve the Consent Agenda excluding the Resolution Condemning Political Violence in the United States.

Motion made by Councilor Wright, Seconded by Councilman Fleming.

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

Motion carried.

CM-25-153. Resolution Condemning Political Violence in the United States.

Mayor Grafstein read the Resolution Condemning Political Violence in the United States.

Motion to adopt the Resolution Condemning Political Violence in the United States, as follows:

MADISON HEIGHTS CITY COUNCIL RESOLUTION CONDEMNING POLITICAL VIOLENCE IN THE UNITED STATES

WHEREAS, on September 10, 2025, conservative political activist Charlie Kirk, the cofounder of Turning Point USA, was assassinated while answering questions from

college students attending Utah Valley State University in Orem, Utah. The assassin has been arrested and is awaiting trial; and,

WHEREAS, on June 14, 2025, Minnesota State Representative Melissa Hortman (Democrat) and her husband Mark Hortman, were shot and killed, by an assassin disguised as a police officer, in a targeted, politically motivated attack at their Minneapolis home. Just prior to the attack on the Hortman's, the assassin shot and wounded Minnesota State Senator John Hoffman (Democrat) and his wife Laura Hoffman, at their home. The assassin has been arrested and is awaiting trial; and,

WHEREAS, on April 13, 2025, Pennsylvania Governor Josh Shapiro's official residence was firebombed by a would-be assassin, who scaled a security fence, broke windows, and threw homemade Molotov cocktails into the residence at 2:00 a.m., while the Governor, his wife and their family were asleep inside. The firebombing caused significant damage to the official residence requiring millions of taxpayer dollars to repair. The would-be assassin and arsonist is awaiting trial; and,

WHEREAS, on December 4, 2024, Brian Thompson, the CEO of United Health Care, was assassinated in Midtown Manhattan, New York, as he was entering a building for a company meeting, by a masked assailant. The assassin fled the scene but was arrested five days later and is currently awaiting trial; and,

WHEREAS, on September 15, 2024, an attempted assassination occurred of Republican Presidential candidate Donald Trump at his golf course in West Palm Beach, Florida. The would-be assassin was found guilty of all charges, including the attempted assassination of a major presidential candidate, along with a range of firearm offenses; and,

WHEREAS, on July 13, 2024, an attempted assassination occurred of Republican Presidential candidate Donald Trump, during a campaign rally in Butler, Pennsylvania. One bullet grazed and bloodied candidate Trump's ear and another killed a rally attendee. The Secret Service killed the assassin; and,

WHEREAS, on October 28, 2022, Paul Pelosi, the 82-year-old husband of U.S. Representative Nancy Pelosi (D-California) was attacked during a break-in of their home and was struck in the head by a hammer, causing a skull fracture and other serious injuries, by an attacker who intended to hold Nancy Pelosi hostage. The attacker was convicted of both state and federal charges and sentenced to 30 years in federal prison; and,

WHEREAS, on July 19, 2020, Daniel Anderl, the twenty-year-old son of U.S. District Court Judge Esther Salas, was murdered, and Mark Anderl, the husband of Judge Salas, was seriously wounded, at their home by a disgruntled lawyer and self-proclaimed "anti-feminist," posing as a FedEx delivery driver. The assassin was found dead of a self-inflicted gunshot wound the next day; and,

WHEREAS, in October 2020, government authorities uncovered a domestic terror plot to kidnap and murder Michigan Governor Gretchen Whitmer (Democrat), by conspirators angered by Whitmer's covid restrictions and their anti-government beliefs. The two men accused of leading the plot were found guilty and sentenced to lengthy

prison terms; two other defendants pleaded guilty; and three other defendants were acquitted; and,

WHEREAS, on October 27, 2018, a man, expressing hatred for Jewish people and opposition to assisting immigrants, attacked the Tree of Life Synagogue in Pittsburgh, Pennsylvania, killing eleven worshippers. The assassin has been convicted and sentenced to death; and,

WHEREAS, on June 14, 2017, U.S. Representative Steve Scalise (R-Louisiana) was shot and critically wounded, at a baseball field in Alexandria, Virginia, while practicing with other Republican members of Congress for the annual Congressional Baseball game. Also wounded in the attack were several U.S. Capitol Police Officers, a Congressional aide and a lobbyist. The assassin was killed in a shootout with police; and,

WHEREAS, on June 17, 2015, an assassin targeted the Mother Emanuel AME Baptist Church, a historically African American congregation in Charleston, South Carolina, murdering nine parishioners during a bible study session, including Pastor Clementa Pickney. The assassin has been convicted and is awaiting imposition of the death penalty; and,

WHEREAS, on January 8, 2011, U.S. Representative Gabrielle (Gabby) Giffords (D Arizona) was shot in the head at point-blank range by an assassin, outside of a supermarket near Tucson, Arizona, during an event for her constituents. Six people were killed, and twelve others were wounded in the shooting. After an intensive and long rehabilitation process for a severe brain injury, Giffords resigned from Congress in 2012 to focus on her recovery. The shooter was convicted and is serving multiple life sentences in a federal prison; and,

WHEREAS, only days after this Resolution was drafted, on September 28, 2025, a gunman killed four and wounded eight worshippers, during church services at the Mormon Church, in Grand Blanc Township, Michigan, while setting fire to the church building. Although the investigation has not yet been completed, preliminary reports indicate that the gunman supported the current administration and had expressed anti-Mormon feelings. The gunman was killed by the police in a shoot-out in the church parking lot; and,

WHEREAS, the above referenced bloodshed unfortunately fits into a long history of political violence in this country, including the assassinations of Presidents Abraham Lincoln, James Garfield, William McKinley, and John F. Kennedy, the attempted assassinations of Presidents Theodore Roosevelt, Franklin Delano Roosevelt, Harry Truman, Gerald Ford, Ronald Reagan, George H.W. Bush and George W. Bush, and the assassination of Civil Rights Leader Martin Luther King, Jr. and Senator and Presidential candidate Robert F. Kennedy; and,

WHEREAS, the above referenced shootings fail to mention the appalling and numerous incidents of school shootings in this country, including but limited to the Church of the Annunciation School in Minneapolis, Minnesota (August 27, 2025), Oxford High School in Oxford Township, Michigan (November 30, 2021), Sandy Hook Elementary School in Newtown, Connecticut (December 14, 2012), Robb Elementary School in Uvalde, Texas (May 24, 2022), Marjory Stoneman Douglas High School in Parkland, Florida

(February 14, 2018), Virginia Tech University in Blacksburg, Virginia (April 16, 2007), Columbine High School in Jefferson County, 3 Colorado (April 20, 1999), and University of Texas at Austin (August 1, 1966), among many others; and, WHEREAS, political violence, as indicated above, is a feature of both the political left and the political right; and the recitation of violent incidents herein was not intended to cover every single incident of political or school violence in this country.

WHEREAS many of the perpetrators often have mental health issues, but their actions seem to be driven or shaped by heightened political polarization, a decline in democratic norms, the normalization of hostile rhetoric, social media spreading anger, distrust and conspiracy theories, and easy access to deadly weapons; and,

NOW, THEREFORE, BE IT RESOLVED that the Madison Heights City Council unequivocally condemns and opposes (i) political violence (or violence of any kind) against our nation's elected and appointed officials, religious leaders, business managers, students and their teachers, or those who exercise just and rightful authority; (ii) the demonization and dehumanization of political rivals; (iii) political leaders who use aggressive, hateful and extreme language; (iv) the weakening of our democratic institutions and norms; (v) social media (or parts thereof) interested in spreading anger, distrust and conspiracy theories and/or promoting violent radicalization and mobilization; (vi) the lack and availability of mental health facilities for those in need of treatment; and (vii) the widespread availability of high-capacity weapons to those who should not have such weapons.

BE IT FURTHER RESOLVED copies of this Resolution shall be forwarded to President, Donald J. Trump, U.S. Senator, Elissa Slotkin, U.S. Senator, Gary Peters, U.S. Representative, Haley Stevens, Michigan Governor, Gretchen Whitmer, Attorney General, Dana Nessel, Secretary of State, Jocelyn Benson, State Senator, Stephanie Chang, State Representative Mike McFall, State Representative, Tom Kuhn, Oakland County Chief Executive, David Coulter, and Oakland County Commissioner Ann Erickson Gault.

Motion made by Councilor Wright, Seconded by Councilman Fleming.

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

Motion carried.

CM-25-154. Resolution Recognizing Indigenous Peoples' Day.

Motion to adopt the Resolution Recognizing Indigenous Peoples' Day, as follows:

RECOGNIZING INDIGENOUS PEOPLES' DAY
IN THE CITY OF MADISON HEIGHTS

WHEREAS, the City of Madison Heights acknowledges that the land now known as the City of Madison Heights is the ancestral homeland of Indigenous peoples who have stewarded this land for generations prior to colonization, including but not limited to the

Anishinaabe peoples of the Ojibwe, Odawa, and Potawatomi nations, known collectively as the Three Fires Confederacy; and

WHEREAS, Indigenous Peoples have made and continue to make invaluable contributions to the social, cultural, economic, spiritual, and environmental life of our region, our state, and our country; and

WHEREAS, the celebration of Indigenous Peoples' Day provides an opportunity to honor and reflect upon the rich histories, traditions, and wisdom of Indigenous communities, and to promote equity, inclusion, and historical accuracy in our shared civic narrative; and

WHEREAS, recognizing Indigenous Peoples' Day in place of or alongside Columbus Day acknowledges the true history of colonization, displacement, and cultural erasure that Indigenous communities have endured, and affirms our commitment to justice, healing, and reconciliation; and

WHEREAS, many cities, states, and institutions across the United States have formally adopted Indigenous Peoples' Day in recognition of the enduring presence and contributions of Native peoples.

NOW, THEREFORE, BE IT RESOLVED, that the Madison Heights City Council does hereby proclaim the second Monday of October as Indigenous Peoples' Day in the City of Madison Heights, and encourages all residents, schools, organizations, and institutions to honor Indigenous heritage, celebrate Indigenous cultures, and support the contemporary and sovereign rights of Indigenous peoples.

BE IT FURTHER RESOLVED, that the City of Madison Heights commits to promoting greater awareness of Indigenous history and culture through education, dialogue, and community engagement.

Motion made by Councilor Wright, Seconded by Councilman Fleming.

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

Motion carried.

CM-25-155. City Council Regular Meeting Minutes of September 29, 2025.

Motion to adopt the City Council Regular Meeting Minutes of September 29, 2025, as printed.

Motion made by Councilor Wright, Seconded by Councilman Fleming.

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

Motion carried.

CM-25-156. Scheduled Replacement Ambulance #710.

Motion to approve the purchase of a Road Rescue ambulance from Emergency Vehicle Plus in the amount of \$361,681.

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

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

Motion carried.

CM-25-157. Pavilion C Roof Replacement.

Motion to award the bid for the Pavilion C Roof Replacement project to Sterling Construction and Roofing of Livonia, in a project amount not to exceed \$35,000.

Motion made by Councilman Mier, Seconded by Councilor Rohrbach.

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

Motion carried.

CM-25-158. Rosie's Ballfield Backstop Replacement – BUDGET AMENDMENT.

Motion to approve a Budget Amendment in the amount of \$7,884 to account 101-752-987-0000.

Motion made by Councilman Mier, Seconded by Councilor Rohrbach.

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

Motion carried.

CM-25-159. Rosie's Ballfield Backstop Replacement.

Motion to award the bid for the Ballfield Backstop Replacement project to New Edge LLC., of Brighton, in the project amount of \$82,884.

Motion made by Councilman Mier, Seconded by Councilor Rohrbach.

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

Motion carried.

CM-25-160. Ordinance #2206 - Second Reading - Zoning Ordinance Text Amendment ZTA #25-01 - Non-Conforming Residential Driveways.

Motion to approve on second reading Ordinance No. 2206 (ZTA 25-01), Non-Conforming Residential Driveways, as follows:

**Ordinance 2206
City of Madison Heights
Oakland County, Michigan
Zoning Text Amendment 25-01**

AN ORDINANCE TO AMEND ORDINANCE 2198, BEING AN ORDINANCE CODIFYING AND ADOPTING A NEW ZONING ORDINANCE FOR THE CITY OF MADISON HEIGHTS, BY AMENDING APPENDIX A, SECTION 7.03.10 – “USE SPECIFIC STANDARDS” – “DETACHED ONE-FAMILY DWELLINGS”; SECTION 10.02.1 – “VEHICLE PARKING REQUIREMENTS” – “PARKING OF MOTOR VEHICLES IN RESIDENTIAL DISTRICTS”; AND SECTION 13.01.6 – “NONCONFORMING SITE ELEMENTS” TO ADD STANDARDS TO PERMIT THE IN-KIND REPLACEMENT OF CERTAIN NON-CONFORMING RESIDENTIAL DRIVEWAYS.

The City of Madison Heights ordains:

Section 1. SECTION 7.03.10 (USE SPECIFIC STANDARDS – DETACHED ONE-FAMILY DWELLINGS) is hereby amended as follows:

10. DETACHED ONE-FAMILY DWELLINGS

[...]

C. DRIVEWAYS

- (1) Minimum driveway width at the right-of-way line: 9 feet.
- (2) All driveways or approaches within the public right-of-way shall be paved with concrete and all other driveways shall be paved with asphalt or concrete.
- (3) Driveways shall be set back a minimum of one (1) foot from side and rear lot lines, except in cases where the driveway is accessed from a rear alley or where a driveway

is shared between two or more properties. Driveways shall not be permitted in front of the residential dwelling, except as permitted within this Section.

- (4) Driveways leading to an Attached Garage: A driveway providing access to an attached garage shall be no wider than 20 feet at the front or street side lot line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin a minimum of five (5) feet from the property line adjacent to the street and shall be angled no greater than forty-five (45) degrees. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of living spaces above the garage.
- (5) Driveways leading to a Detached Garage: A driveway that provides access to a detached garage shall be no wider than twelve (12) feet in width at the property line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin in the side or rear yard and shall be angled no greater than forty-five (45) degrees. In no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of accessory dwelling living spaces above/within the detached garage.

On a corner property, a driveway leading to a detached garage facing a side street shall be no wider than 20 feet at the side street property line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin a minimum of five (5) feet from the side street property line. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of accessory dwelling living spaces above/within the garage.

- (6) Driveways on Properties without a Garage: Where no garage exists, a driveway shall be no wider than twelve (12) feet in width at the property line but may taper to a maximum of twenty (20) feet in the side and rear yard. In no case shall any part of the driveway be located directly in front of the residential dwelling.
- (7) Circular Driveways: A circular driveway with two approaches on the same street, or one per street on a corner lot, is permitted on parcels containing 200 feet or more of combined lot width.
- (8) Ribbon Driveways: Ribbon driveways are permitted for residential driveways, subject to the same dimensions and paving standards for standard driveways.

Individual ribbons shall only be permitted within the boundary of the lot and shall not be less than eighteen (18) inches or more than thirty (30) inches wide.

- (9) Additional Parking Pad: One (1) additional parking pad for parking and turnarounds, no greater than 18 x 20 feet, is permitted adjacent to a permitted driveway within a side or rear yard. Parking pads shall be set back a minimum of one (1) foot from side and rear property lines.

For properties fronting an arterial or collector street, as denoted within the Master Plan, one (1) parking pad, no greater than 18 x 20 feet, may be located within a required front or street side yard setback to allow for safe vehicular turnaround. Such parking pad shall be screened from the abutting street with plant materials or an alternative screening method approved by the Planning and Zoning Administrator, and shall be set back a minimum of five (5) feet from the street right-of-way line.

- (10) Non-conforming Residential Driveways: The following types of non-conforming residential driveways may be repaved or reconstructed in-kind without the need to seek a dimensional variance, but in no case shall the extent of the existing non-conformity increase:

- (a) A driveway, or a portion of a driveway, which is non-conforming due to a failure to meet the one (1) foot side-yard setback requirement of paragraph (3), above, may be repaved or reconstructed in-kind, irrespective of non-conforming driveway width at the property line, if at least one of the following conditions are met:

i) The existing parcel features a lot width of 40 feet or less.

ii) The non-conforming portion of the driveway to be repaved or reconstructed is ten (10) feet wide or less.

- (b) A driveway, or a portion of a driveway, which is non-conforming due it extending directly in front of a residential dwelling may be repaved or reconstructed in-kind, irrespective of non-conforming driveway width at the property line. However, in no case shall the portion of the driveway extending in front of the dwelling exceed five (5) feet in width.

A. DETACHED ONE-FAMILY DWELLINGS IN N-P DISTRICT. Detached one-family dwellings within the N-P, Natural Preservation and Recreation District, shall only

be permitted upon parcels with a minimum area of one acre, and shall require Special Land Use approval.

Section 2. SECTION 10.02.1 (VEHICLE PARKING REQUIREMENTS - PARKING OF MOTOR VEHICLES IN RESIDENTIAL DISTRICTS) is hereby amended as follows:

1. Parking of Motor Vehicles in Residential Districts.

- A. Such parking shall be limited to passenger vehicles and commercial vehicles of the light delivery type, such as a van or pick-up truck, not to exceed a three-quarter ton manufacturers rating.
- B. Not more than one commercial vehicle shall be permitted per dwelling unit. Parking of commercial vehicle, trailer or truck over three-quarter-ton manufacturer rating on private property within the R-1, R-2, R-3 and R-MN residential zoning districts, may be permitted as a special land use.
- C. The parking of any other type of commercial vehicle, limousine, taxi, or bus, except for school or religious institution owned vehicles parked on the school or religious institution's property, is prohibited in a residential zone. Parking spaces for all types of uses may be provided either in garages or parking areas conforming with the provisions of this Ordinance. Recreational Equipment, including motorized homes and travel trailers, shall be permitted in accordance with Chapter 18 of the Madison Heights Code of Ordinances.
- D. Off-street parking facilities and driveways for detached one-family dwellings, duplexes, multiplexes, and townhomes shall be designed in accordance with the use-specific standards for said uses contained within Section 7.03.

Section 3. SECTION 13.01.6 (NONCONFORMING SITE ELEMENTS) is hereby amended as follows:

6. Nonconforming Site Elements.

- A. Nonconforming site elements pertaining to Article 7 (Standards Applicable to Specific Uses), Article 8 (General Provisions), Article 10 (Parking, Loading, and

Access Management), and Article 11 (Landscaping) shall be brought into compliance when one (1) or more of the following situations occurs

- (1) A proposed site modification requires Major Site Plan approval, per Section 15.04; or
- (2) Major change of use classification (per use table). (i.e., commercial to residential); or
- (3) Other actions deemed necessary to bring the site into compliance as determined by the Planning and Zoning Administrator.

- B. For non-residential or multi-family residential sites with legal nonconforming site elements, the Planning and Zoning Administrator, Technical Review Committee, or other reviewing/approving body may reduce the requirements of any numerical standard by up to 25% if it is found that full compliance with site element requirements is not feasible, or that alternative compliance would satisfy the intent and spirit of the standard.
- C. Certain non-conforming residential driveways may be replaced in-kind in accordance with Section 7.03.10, *Use-Specific Standards for Detached One-Family Dwellings*.

Section 4. 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 5. Severability

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

Section 6. 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 7. Effective Date

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

Section 8. Enactment

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 12:30 p.m. and 4:30 p.m. on regular business days.

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

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

Motion carried.

**CM-25-161. Ordinance No. 2207 - Second Reading - Requirement for Recycling and
Trash Carts.**

Motion to approve the revised Ordinance No. 2207 requiring the use of City-approved trash and recycling carts on second reading, as follows:

**Ordinance No. 2207
City of Madison Heights
Oakland County, Michigan**

**AN ORDINANCE TO AMEND ORDINANCE NO. 517, BEING AN ORDINANCE
CODIFYING AND ADOPTING A NEW CODE OF ORDINANCES FOR THE
CITY OF MADISON HEIGHTS BY AMENDING CHAPTER 14, SECTIONS 14-
10, 14-11, AND 14-16 OF THE CODE OF ORDINANCES, CITY OF MADISON
HEIGHTS, MICHIGAN, TO ESTABLISH A REQUIREMENT FOR TRASH AND
RECYCLING CARTS FOR CITYWIDE RUBBISH PICK-UP.**

Section 1. Amendment.

**That Chapter 14, Section 14-10, 14-11 and 14-16 of the Code of Ordinances, City of
Madison Heights, Michigan, are hereby amended to read as follows:**

Sec. 14-10. Authorized recyclable materials.

- (a) Residents or occupants of any house, home, dwelling, apartment building or structure of any kind or description whatsoever, intended as a place where people live in the city (collectively "premises"), shall separate authorized recyclable materials and place them in an authorized container at the curb on their normal garbage pickup day and in the manner set out in this chapter, or for multiple

dwelling or apartment buildings, at approved locations on the site in authorized containers.

- (b) Due to the rapidly changing technology in the area of refuse and recycling, authorized recyclable materials and authorized containers may change from time to time based upon available markets, transportation vehicle sizes, and pickup methods. To keep the public informed of the current authorized recyclable materials and authorized containers, the city shall on a regular basis distribute in newsletter form, or to be included with other information in an appropriate newsletter, details and listings of the then current authorized recyclable materials and authorized containers. In addition, the city shall provide a leaflet containing a list and details of the current authorized recyclable materials and authorized containers, which leaflets shall be available for pickup by the public at the city clerk's office, the information desk at City Hall and the department of public services.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-11. Deposit in required receptacles; kind; placement, use.

- (a) All yards, alleys, streets, vacant lots or other places in the city shall be kept free from garbage, bulky waste and rubbish. Garbage, bulky waste and rubbish shall be deposited in an appropriate container or placed for collection as set out in this chapter.
- (b) The residents or occupants of any premises shall have and use approved containers compatible with the city-authorized mechanical handling equipment., for receipt of garbage and rubbish, but not compostable material. All garbage and rubbish (with the exception of bulky waste) shall be placed in the container for collection
- (c) For composting purposes, compostable materials will not be collected by the city from any premises unless it is placed in a container approved by the director of the department of public services or his or her designee.
- (d) All containers shall be placed in a convenient location for collection at the proper time. The city shall not collect bulky waste or containers holding garbage, bulky waste, rubbish or compostable which weigh over 200 pounds.
- (e) No containers, rubbish, bulky waste or other materials to be disposed of shall be placed in any public street, alley or other public place, or in front or side yard, prior to 12 hours before the regular collection time, and said containers shall be removed from said places not later than 12 hours after collections are made.
- (f) Containers and bulky waste on collection day shall be placed between the curb and the sidewalk unless otherwise authorized..
- (h) Small tree limbs, two inches and less in diameter, shall be collected only if they have been cut into lengths not to exceed three feet in length and tied securely into bundles not to exceed three feet in length and tied securely into bundles not to exceed three feet in girth. In lieu of this paragraph, brush-chipping services are available as specified under subparagraph (i) of this section.

- (i) The city will provide brush-chipping services upon request of the landowner or occupant of the premises. The fee for brush chipping services has previously been established by resolution of the city council. The individual making the request for services will be billed after the services are rendered.
- (j) If payment is not received within 30 days after the services are billed, the director of the department of public services shall make a sworn statement of said account and deliver the same to the city clerk. The city clerk shall certify them forthwith to the city treasurer. The city treasurer shall then enforce payment for those services as prescribed in this chapter for the collection of special assessment.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-12. Garbage to be drained of liquids.

No resident or occupant shall place in any garbage container any materials that have not been well drained of all liquids.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-13. Scavenging of authorized recyclable materials prohibited.

Recyclable materials placed appropriately at the curb in accordance with this chapter shall become the exclusive property of the city or the city's authorized recycler. There shall be a presumption that the residents or occupants intended to recycle materials under this chapter if the authorized recyclable material is placed at curbside as provided in this chapter.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-14. Unauthorized collection prohibited.

No resident or occupant shall dispose of any bulky waste, rubbish or garbage except to an authorized collector of the city.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-15. Vehicles.

Any vehicles used for the purpose of conveying bulky waste, rubbish or garbage shall be constructed, covered and equipped so as to prevent any of the contents thereof from leaking, spilling, falling or blowing off, and any such vehicle, when not in immediate use, shall not be stored or parked in any street, alley or public place so as to become offensive or a hazard to any person.

(Ord. No. 2139, § 1, 5-28-19)

Cross reference(s)—Traffic and motor vehicle code, Ch. 26.

Sec. 14-16. Burning restrictions.

- (a) Burning of rubbish, garbage, paper, wood, leaves, branches, or any other waste material shall be prohibited within the city.
- (b) A person shall not kindle or maintain any bonfire nor shall it be maintained on any premises without having obtained a permit or other proper authorization from the fire chief or his or her designee. Provided, however, that such permit shall only permit burning in accordance with the International Fire Code as heretofore adopted by the City of Madison Heights.

(Ord. No. 2139, § 1, 5-28-19)

Cross reference(s)—Air pollution prevention, Ch. 3; fire department and fire prevention and protection, Ch. 12.

SECTION 2. Repealer.

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

SECTION 3. Severability.

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

SECTION 4. Savings.

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

SECTION 5. Effective Date.

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

SECTION 6. Inspection.

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

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

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

Motion carried.

COUNCIL COMMENTS:

Councilman Mier stated that he appreciates all public comment this evening. He looks forward to the results of the traffic study, noting that the property is dilapidated, the alley is ugly, and the site has been empty for a long time. The Downtown Touchdown and Fall Festival were huge successes. He thanked Sergeant Schram for his work with the reserve officers. There is a lot of fun stuff going on in the city, including at the library and with Parks and Recreation, etc. so please check it out. Please remember to be good neighbors and help each other.

Mayor Pro Tem Bliss noted that the move to a 6:30 PM meeting time led to more resident attendance. He advocated for promoting the trash cart assistance program to maximize participation among the elderly. He thanked city officials, including the late Bob Corbett, for securing city ownership of the 11 Mile and John R property, calling it a "huge opportunity" for downtown creation.

Councilor Wright requested staff investigate potential smaller trash cans for seniors and the feasibility of installing a speed bump on Dartmouth Street due to high traffic and child safety concerns. He acknowledged October as Breast Cancer Awareness Month, Domestic Violence Awareness Month, and National Youth Substance Prevention Month.

City Attorney Burns encouraged resident participation in master planning process. He highlighted the Fire Department's new program for residents to provide house information (pets, mobility) for emergency assistance a Reported progress on creating a special mental health treatment court for Hazel Park and Madison Heights.

City Manager Marsh praised the successful Downtown Touchdown and Harvest Festival at Rosey's Park, noting they both were well attended, and she appreciates the efforts made to hold events in the parks within the city.

Deputy City Manager/City Clerk Rottmann stated that early voting for the November 4, 2025 election begins Saturday, October 25th at the Royal Oak Senior Center located at 3500 Marais Avenue. Voting hours are daily from 8:30 to 4:30, except for Thursday, October 30th, when the hours are 12 p.m. to 8 p.m. Absentee ballots are available at the Clerk's office and ballots can be returned by mail, via our secure mailbox in the back of city hall or in-person at the Clerk's office.

Councilor Rohrbach reported the Environmental Citizens Committee (ECC) has composted 12,041 pounds of food waste this year. She announced the ECC is creating the Madison Mix native flower seed packets to expand native pollinators and acknowledged the day as Indigenous People's Day.

Councilman Fleming had no comments this evening.

Councilman Soltis had no comments this evening.

Mayor Grafstein announced that Cass Community Social Services is open to help federal employees affected by the shutdown. She reminded the public that council regular meetings are

now at 6:30 p.m., though due to the tree lighting event on November 24th, council will meet at 7:30 p.m.

ADJOURNMENT:

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