

DATE: September 21, 2023

TO: City Council

FROM: Melissa R. Marsh, City Manager

SUBJECT: Agenda Comments for the Regular Council Meeting of Tuesday, September 26, 2023

The following are my comments on items appearing on the agenda of the Regular Council Meeting on Tuesday, September 26, 2023.

REPORTS:

AGREEMENT FOR ELECTION SERVICES – EARLY VOTING SITE

With the passage of Proposal 22-2, early voting is now a requirement in the State Constitution. Oakland County is taking the lead in most of the facilitation of the early voting sites in the county, along with purchasing any necessary equipment and training of election workers. The local communities are responsible for the cost of staffing and public notifications, along with the joint administration of the early voting site when it opens. There are financial incentives to communities for signing a joint agreement, including the County picking up the cost of equipment through a State grant accessible to county governments. This level of funding is not available to communities that have a stand-alone early voting site.

The cities of Madison Heights and Royal Oak have been partnered for an early voting site. The early voting site will be the Royal Oak Senior/Community Center at 3500 Marais Avenue (north of 13 Mile Road, east of Crooks). Both Royal Oak and Madison Heights City Clerks, City administrators, and Oakland County preliminarily agreed upon this location. This location is convenient to both communities' residents, has adequate parking, is handicap accessible, has proper data infrastructure, is available as a dedicated location, and allows each city to share the load when administering early voting for each election. In addition, another early voting site will be offered to all participating communities' voters at the Waterford Oaks Activity Center, which Oakland County is overseeing.

Early voting will be for nine days, beginning the second Saturday prior to each election. The hours will be 8:30 a.m. to 4:30 p.m. every day except on Thursdays when the hours will be Noon to 8:00 p.m.

Due to the upcoming election and Oakland County's desire to hold early voting this October, staff and I recommend that the City Council approve the Election Services agreement between Oakland County, Madison Heights, and Royal Oak. The City Attorney has reviewed and approved the contract language.

BID AWARDS/PURCHASE:

DEQUINDRE STREETLIGHTING

In the 2018 Goal Plan, City Goal E - identified ways to improve pedestrian safety on Dequindre Road, particularly the residential corridor between 11 and 13 Mile Roads. This goal was prompted by several pedestrian safety incidents, and at 45 miles per hour north of 11 Mile, Dequindre has the highest posted speed limit of the City's surface streets, making it a priority for safety management and improvements.

Through this process, it was also recognized that this section of Dequindre has no streetlights on the Madison Heights side, except for one or two that were added over the years between 11 and 12 Mile. Adequate street lighting is a primary driver of both vehicular and pedestrian safety in a high-density suburban environment. Upon recognizing the significant savings that the LED conversion had afforded the City, the addition of streetlights on Dequindre Road was included in the Capital Improvement Plan and funded in the 2024 Budget.

Staff reached out to DTE Community Lighting and were provided three cost options: decorative "teardrop" fixtures on decorative poles, standard "cobra" fixtures on a steel pole with a concrete foundation, and a direct-bury fiberglass pole with a standard roadway luminaire. This third option was the most cost-effective and satisfied two primary requirements: it is traffic-safe, providing the necessary breakaway if hit by a car, and it is a standard stock option for DTE, meaning they provide replacement and reinstallation at no additional cost in the event of an accident. The plan was developed to provide 53 evenly spaced streetlights on Dequindre Road between 11 and 13 Mile.

Staff recommends that the Council adopt the following motions:

- To approve a Budget Amendment in the amount of \$12,397 to account 202-474-987-0000. This would require a vote of super-majority (5 out of 7)
- To approve the installation of streetlighting on Dequindre Road at a cost of \$232,397 as presented, and authorize the City Manager to request and execute an Agreement for Municipal Street Lighting through DTE.

RECYCLING CART GRANT AGREEMENTS – EGLE and RECYCLING PARTNERSHIP

As part of the 2023-24 Strategic Plan, the City Council approved – directing staff to work on a recycling grant to provide residents with a universal rollout of recycling carts. This item was not included in the 2023-24 budget as it was only to be completed if the grant was awarded.

After the strategic planning meeting, Staff began researching funding opportunities to purchase Recycling Carts. Staff found two funding opportunities: one from the Recycling Partnership, which is a non-profit that offers technical assistance to communities that implement recycling programs, and the other funding opportunity from the Michigan Department of Environment, Great Lakes, and Energy (EGLE) Materials Management. On August 30, 2023, Staff were notified that we were awarded \$403,200 to purchase recycling carts. The grant comes with two stipulations: 1. that the

City offers a 20% match for the grant and 2. that we do a universal rollout of Trash Carts. In addition to this EGLE grant, the Recycling Partnership Awarded the city \$105,600. These funds will cover the 20% match as well as some costs to print the infographic sheet, which will be attached to each cart informing residents of recycling best practices. The City would be responsible for purchasing the Trash Carts and paying for the Assembly and Distribution of both Trash and Recycling Carts at an estimated cost of \$540,000.

Should the council not want to allocate \$540,000 in the FY 2025 Budget, we will have to decline the grant awards at this time. This project will cost \$1,036,800, \$509,200 will be grant-funded, and \$540,000 will come from the City's General Fund.

Pending council approval and availability of carts, we plan to roll out this program in the Summer of 2024. Before this roll-out, Staff will develop an opt-out program for residents who have already purchased trash and recycling carts.

Therefore, staff and I recommend that the Council accept both grant awards of \$403,200.00 from Michigan EGLE and \$105,600 from the Recycling Partnership and allow the City Manager to sign the grant agreement on behalf of the city. Staff also recommends that the council allocate \$540,000 to be added to the FY 2025 Budget to cover the costs of Trash Carts and Assembly and Delivery of 19,200 Carts to 9,600 Households.

ORDINANCE NO. 2196 MEDICAL MARIHUANA FACILITIES AMENDMENT

In accordance with the Council's motion 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. If Council approves the first reading, the second reading will be scheduled for the October 23, 2023 meeting.

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 the Second Reading of the ordinance amendments via a separate authorizing resolution.

ORDINANCE NO. 2197 MARIHUANA LICENSING AMENDMENT

In accordance with the Council's motion 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. If Council approves the first reading, the second reading will be scheduled for the October 23, 2023 meeting.

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