

DATE: July 2, 2024

TO: City Council

FROM: Melissa R. Marsh, City Manager

SUBJECT: Agenda Comments - Regular Council Meeting of Monday, July 2, 2024

The following are my comments on items appearing on the agenda of the Regular Council Meeting on Monday, June 8, 2024.

PRESENTATIONS:

DIRECTOR OF PUBLIC SERVICES – PRIORITY WASTE PRESENTATION

A representative from Priority Waste is scheduled to attend the Council meeting to provide background on their company and its acquisition of the GFL residential contracts in this region.

PUBLIC HEARINGS:

CED DIRECTOR – SPECIAL APPROVAL PSP 24-03 – WASH POINTE CAR WASH

The applicant and property owner, Steve Gunn, requests a modification to a previously approved Special Approval application for Wash Pointe Car Wash, located at 28245 John R Road. The applicant owns and operates the auto wash and revised their request to increase the number of exterior vacuum spaces from four (4) to eight (8). The property is zoned B-3, General Business.

The applicant intends to remove their existing vacuums and install a total of nine (9) “VACUTECH” vacuums, which will be accessed via eight (8) parking spaces. The additional vacuum will allow patrons on the end to vacuum either side of their vehicle. Based on the revised orientation of the proposed vacuuming parking spaces, two-way vehicle circulation is now possible.

This special approval was originally heard on May 28th, when City Council voted to postpone action on the requested special land use modification to allow the applicant time to address concerns related to noise, trash control and dumpster location, and traffic circulation.

Noise - The applicant has provided a noise study showing the sound level meter readings from various distances from the turbine/generator. Per the study, at a distance of 20 feet, the turbines produce a sound level of approximately 54 decibels. Based on a chart provided by the Federal Aviation Administration (FAA), below, this is similar to the sound produced by a conversation in a living room. At a distance of 30 feet, the turbines produce a sound level of approximately 38 decibels, similar to that of the background noise in a library.

Trash Control/Dumpster Location - Per the applicant, the modified vacuums include trash canisters that restrict the ability to place obscure, larger items inside. The applicant claims that there will be no increase in trash as a result of the new vacuums. While the site does feature a dumpster enclosure and dumpster pad in the northwest corner (approved as part of the original site plan), the dumpster itself has been moved to an unimproved area in the southwest corner of the site adjacent to the public alley. Per Section 10.510(B)(8), all dumpsters shall be located on an eight-inch-thick

concrete pad and completely screened from view. The new dumpster area should be brought into conformance as part of the Special Approval process.

Traffic Circulation - Based on the ninety-degree orientation of vacuuming parking spaces, two-way circulation is proposed adjacent to the vacuums. The previous submittal depicted angled parking spaces, which would have required patrons to proceed through the car wash after utilizing the vacuums. Per the applicant, the ninety-degree orientation allows for applicants to exit the site after using the vacuums. Staff recommend and the applicant removed from their original submittal the northern-most vacuum parking space due to its proximity to the pay kiosks, and brought the total spaces back down to eight (8) (Nine (9) total vacuums) as originally proposed and as advertised in the public notice.

If City Council moves to approve the requested modifications to the Special Approval use, staff recommends including the following conditions of approval relating directly to the site layout and operation of the proposed vacuums, in accordance with Section 10.201(4)(k), to fulfill the spirit and purpose of the Zoning Ordinance and the intent of the B-3 zoning district:

1. Provide a dumpster pad and screening enclosure (either masonry wall or landscaping, or combination) for the dumpster, in coordination with the Community and Economic Development Department. Alternatively, move the dumpster back to the originally approved dumpster pad/enclosure.
2. Vacuums shall be turned off no later than 8 p.m., consistent with the closure of the auto wash tunnel.
3. Motors and mechanical equipment for the outdoor vacuums shall be enclosed within the auto wash building. Details of such equipment shall be provided on the formal building plans, when submitted.

After the public hearing and discussion, City Council may take action on the requested modified Special Approval. Any motion shall include concise findings based upon the Special Approval review standards and criteria, Section 10.201(4). Per Section 10.201(3), City Council may postpone action on a Special Approval request to allow verification, compilation, or submission of additional or supplemental information or to address other concerns or issues.

CONSENT:

DIRECTOR OF PUBLIC SERVICES – PURCHASE OF RADAR SIGNS

The FY 2025 Budget includes funding for nonspecific traffic safety enhancements. This funding was made possible by the settlement of the money from the addition of the two Marijuana Facilities.

The Traffic Safety committee met and determined that the highest immediate priority relates to schools on major roads, and tempering speeds in those areas. The decision was made to install radar signs programmed to the speed limit in the areas that will provide a visual warning to drivers prompting them to slow down if they are exceeding the speed limit. The Committee researched multiple options and were impressed with the units furnished by RadarSign due to their quality of build, ease of operation, and available features, they also provide the ability to perform traffic counting, which provides

necessary data for overall road analysis and replacement funding. A quote was requested for twelve of these units, which will provide one in each direction for each major road school zone, as well as two extras to be deployed throughout the City as needed.

Staff recommends that the Council approve on the consent agenda the purchase of 12 RadarSign TC-600 units from RadarSign, of Marietta, Georgia, for \$45,671.00 through the BuyBoard government purchasing cooperative. Funding is budgeted and available for this purchase.

DEPARTMENT OF PUBLIC SERVICES – REPLACEMENT OF TIRE MACHINERY

The FY 2025 Budget includes funding for replacing the Motor Pool tire machinery. The existing machinery, consisting of a tire changer and wheel balancing machine, is 23 years old, and shows significant wear and tear. Motor Pool changes approximately 15-20 tires per month, resulting in this machinery receiving heavy and routine use.

Staff requests that the Council approve by consent agenda the purchase of a Coats 800Maxx70 tire changing machine and Coats 80016003D wheel balancer as quoted from O'Reilly Auto Parts through the Omnia Purchasing cooperative contract 05-42. Funding is budgeted and available.

REPORTS:

CITY MANAGER – OAKLAND COUNTY PARKS AND RECREATION GRANT – ROSIE'S PARK PICKLEBALL COURTS

Oakland County Parks and Recreation (OCPRC) has awarded the City of Madison Heights a Park Development grant for the creation of Pickleball Courts at Rosie's Park in the amount of \$75,000. The total project cost is not to exceed \$351,000; the grant from Oakland County Parks and Recreation covers \$75,000 of the project cost. The city's match of \$276,000 will come from the allocated parks and recreation budget. We are working with Frank Rewold and Sons for the final cost of the contract of these courts as designed. However, the staff is committed to completing this within or under the \$351,000. Final approval of the construction project will require Council approval at a future Council meeting.

Staff and I request the City Council's approval to accept the \$75,000 grant from Oakland County Parks and Recreation and authorize the City Manager to sign on behalf of the City.

FINANCE DIRECTOR – ACCELERATED TAX FORECLOSURE RESOLUTION

The "Certification of Abandoned Property for Accelerated Forfeiture Act" (MCL 211.961) allows for property with delinquent taxes and is certified abandoned by the local governing body to enter an accelerated foreclosure process in which the County Treasurer's Office can foreclose on the property 1-year earlier than the regular 3-year foreclosure process. The annual election to accelerate the tax foreclosure process can be a useful tool to expedite the removal of abandoned property and to reduce blight. A resolution for certification of abandoned property for accelerated forfeiture act is included for your review and approval consideration.

Staff and I recommend that the Council approve the resolution for the Certification of Abandoned Property for Accelerated Forfeiture Act.

COMMUNITY DEVELOPMENT DEPARTMENT – RESOLUTION TO REVISE THE MARIHUANA MAP

Per Sections 7-310 and 7-410 of the City's Business Regulations and Licenses Ordinance contained within the Code of Ordinances, City Council may approve by resolution from time to time a published map of approved properties where marihuana medical facilities and adult-use marihuana establishments can be located, known as the "green zone." These are allowable uses in the M-1 or M-2 Industrial Districts, per the City's business regulation ordinances related to marihuana; and

On June 10, City Council approved the rezoning of 1035 W. 12 Mile Road from B-3 (General Business) to M-1, (Light Industrial) for a Marijuana Facility. Therefore the parcel should now be included in the City's published "green zone" map of allowed properties for the placement of marihuana medical facilities and adult-use marihuana establishments so that the parcel may be combined with a neighboring parcel that is already located within said "green zone". Both the subject parcel and the adjacent parcel must be within the approved "green zone" map prior to a parcel combination being approved.

Therefore staff and I recommend that the City Council incorporates the parcel at 1035 W. 12 Mile Road (Parcel ID 44-25-14-127-053) as an approved property within the City's "green zone" map.

BID AWARDS/PURCHASES:

DIRECTOR OF PUBLIC SERVICES – SCHEDULED REPLACEMENT OF LOADER #488

The approved FY 2025 Budget includes the scheduled replacement of Loader #488, a 2003 Volvo L-30 B front-end loader with bucket, forks, and broom, funded through the Parks division.

The current loader to be replaced is 21 years old and has an extremely poor condition. The replacement of this machine is essential to support routine DPS operations.

The last three loaders purchased have been Volvo, due to its being highly favored in demonstrations and operations, as well as a proven track record of providing strong service with minimal maintenance and downtime. Having all of these machines provided by the same maker also helps to streamline the parts and service inventory, as well as providing familiarity for the operators who use both machines on a routine basis. Due to these factors, Staff elected to spec out a new Volvo as a functional like-for-like replacement.

The loader and its attachments are available on a cooperative MiDeal bid through the State of Michigan, from Alta Equipment, which is the area Volvo dealer. Based on this information, Staff requests that Council approve the purchase of one Volvo L-30 GS Front-End Loader, with identified options from Alta Equipment of Burton, Michigan, through the MiDeal Cooperative Purchasing Contract #240000000159 for a total equipped cost of \$160,898. Funds are budgeted and available for this scheduled replacement and purchase.

DEPARTMENT OF PUBLIC SERVICES – EDISON PARK PARKING LOT PAVING

The FY 2025 Budget includes funding carried forward for the paving of the Edison Park parking lot, which is currently composed of gravel. Additional funding was obtained through the city's Community Development Block Grant (CDBG). The paving of this parking lot represents a key step in improving ADA accessibility at this park; patrons with limited mobility will now be able to park and transport onto the adjacent sidewalk network to the ADA accessible playscape and other amenities in the park.

Due to the various conditions of the CDBG funding, including Davis-Bacon wage requirements, a bid for the project was prepared by Staff and the City's consulting engineering firm Nowak and Fraus. Five sealed bids were received by the deadline, and upon tabulation, DiLisio Contracting, of Clinton Township is the low bid. DiLisio has been the City's concrete contractor for many years on the major and local sectional projects, and the R-3 road construction. They have proven to be a responsive and qualified firm, and their work is of a consistently high quality.

Between the CDBG funds and programmed expense, funding is currently budgeted and available to cover this bid and the necessary construction oversight.

Therefore, staff and I concur with the recommendation of our city engineer, and recommends that Council award the bid for the Edison Park Parking Lot paving project to DiLisio Contracting, of Clinton Township, for a total amount of \$112,331.

CITY MANAGER – PARCEL REDEVELOPMENT PROGRAM 2024

As part of the Adopted 2019 Goal Plan, the City implemented a Tax Foreclosure Purchase/Sale/Redevelopment Program. This initiative has led to the immediate clean-up of property exteriors, ongoing maintenance, guaranteed code-compliant renovations, and the sale of residential properties to owner-occupants. Additionally, it has provided immediate tax base benefits from renovated structures, enhanced property appraisals for future appraisal comparable, and reduced potential future single-family rental or vacant properties.

In July 2018, the City Council approved the first year of this Tax Foreclosure Redevelopment Program. Since then, we have worked with developers to successfully renovate 22 foreclosed properties through this program. This program has proven to be beneficial for the city, neighborhoods, and future homeowners.

This year, the City is opting to purchase one (1) foreclosed property eligible for this program: Parcel 25-13-302-005, located at 27804 Groveland Street. This property is vacant, condemned, and slated for demolition. As a result, Oakland County Equalization has reassessed this parcel at \$30,000.

Using this information, we developed and issued a Request for Proposal (RFP), receiving submissions from two companies. Only one company, DMC Consultants, Inc., met our specific requirements to 1) demolish the structure on this parcel within 30 days of ownership and 2) build a new residential building on this parcel. DMC Consultants will pay \$30,000 for the property plus a \$1,575 administrative fee to the City upon closing.

Based on the condition of the parcel to be purchased, the proposal submitted in response to this year's RFP, and the proven success of this program, I recommend the following actions by the City Council:

1. Approve the purchase of 27804 Groveland Street Parcel ID 25-13-302-005, for \$30,000 from Oakland County through the tax foreclosure process. (According to Charter Section 12.1, the purchase of property requires five (5) affirmative votes.)
2. Award the Parcel Development Program to DMC Consultants Inc. and the subsequent sale of 27804 Groveland by approving the contract and authorizing the City Manager and City Clerk to sign on behalf of the City.

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Representatives from DMC Consultants will be present at the meeting to answer any questions.