

City Council Regular Meeting  
Madison Heights, Michigan  
August 08, 2022

A City Council Regular Meeting was held on Monday, August 08, 2022 at 7:30 PM at Fire Station 1 Training Room - 31313 Brush Street

**PRESENT**

Mayor Roslyn Grafstein  
Councilwoman Toya Aaron  
Councilman Sean Fleming  
Councilor Emily Rohrbach  
Councilman David Soltis  
Councilor Quinn Wright

**ABSENT**

Mayor Pro Tem Mark Bliss

**ALSO PRESENT**

City Manager Melissa Marsh  
City Attorney Larry Sherman  
City Clerk Cheryl Rottmann

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

**CM-22-238. Excuse Councilmember.**

Motion by Councilman Soltis, Seconded Aaron, to excuse Mayor Pro Tem Bliss from tonight's meeting.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Absent: Mayor Pro Tem Bliss

Motion carried

**CM-22-239. Additions/Deletions to the Agenda.**

Motion made by Councilor Rohrbach, Seconded by Councilwoman Aaron, to add item 10, under Reports - Tentative Agreement with the Department Heads Union; item 11, under Bid Awards/Purchases - Fire Station #2 Furniture Purchase from DreamSeat; and item 12, under Bid Awards/Purchases, Emergency Change Order – 901 E. Ten Mile – The Adams Group

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Absent: Mayor Pro Tem Bliss

Motion carried

**CM-22-240. 2022 Summer Beautification Awards.**

DPS Director Almas and members of the Active Adult Center Advisory Board made an award presentation and played a short PowerPoint slide show of the winners' and nominees' outstanding displays. This year's summer beautification award winner is 30728 Blairmoor, and the runner-up is 30481 Alger.

**CM-22-241. Special Approval PSP 22-08 - 434 W. 12 Mile Road, Beacon Civil Engineering LLC/Take 5 Oil Change - Motor Vehicle Maintenance Service Facility.**

City Manager Marsh reviewed Special Approval PSP 22-08, 434 W. 12 Mile Road, Beacon Civil Engineering LLC/Take 5 Oil Change, request for a motor vehicle maintenance service facility.

Mayor Grafstein opened the public hearing at 7:43 p.m.

Jennifer Zmarzlik, resident, stated that there are a lot of oil change places in Madison Heights.

A representative of Take 5 Oil Change (name was inaudible) stated the applicant is amenable to all site plan recommendations and want to be a partner in the community.

Seeing no one further wishing to speak, Mayor Grafstein closed the public hearing at 7:45 p.m.

In response to Councilman Soltis, the Take 5 Oil Change representative stated that all sanitary tanks on their sites are serviced weekly. The oil never goes into the tanks, they go in plastic jugs. It is more of a quick lube service, nothing goes through a system, containment is not underground.

Motion by Councilwoman Aaron, Supported by Councilor Rohrbach:

WHEREAS, a Special Approval Board application has been received from 434 W. 12 Mile Road, requests for approval for a motor vehicle maintenance service facility; and

WHEREAS, a public hearing was published in the Madison Park News July 13, 2022 and notices were mailed to property owners within 500 feet of the aforementioned property; and

WHEREAS, a report has been received from the Community and Economic Development Department regarding Special Approval Request 22-08;

NOW, THEREFORE, BE IT RESOLVED, that the Madison Heights City Council, acting as Special Approval Board in accordance with section 10.201 of the Code of Ordinances,

hereby DENYS the requested Special Use PSP 22-08 to permit a motor vehicle maintenance service facility at 434 W 12 Mile Road based on the following:

1. The applicant requests special use approval for a motor vehicle maintenance service facility (quick service oil change) known as 'Take 5 Oil Change' at 434 W. 12 Mile Road. The site is zoned M-1, Light Industrial.
2. The proposed oil change facility is compatible with existing adjacent uses, which include other auto service uses, regional commercial, and restaurant establishments, but is not consistent with the intent of the site's M-1, Light Industrial zoning.
3. The proposed use is not completely aligned with the site's 'Mixed Use Innovation' future land use designation in that it does not further contribute to or promote an appropriate mix of office, commercial, and light industrial uses. The use is not consistent with special use criteria Section 10.201(4)(c)5, "conformance with future land use plans for the area as adopted by the planning commission."
4. The proposed use is not consistent with special use criteria Section 10.201(4)(c)4, "the need for the proposed use in specified areas of the city," in that it will further proliferate the amount of quick-service auto facilities within a small area of the city, including what would amount to a fourth oil change facility along this small stretch of W. 12 Mile Road and ninth facility within two miles of the subject site.
5. The proposed use generally satisfies the special use approval review standards and criteria listed in Section 10.319(2), but does not satisfy the City's commercial architectural requirements.
6. The Site Plan Review Committee (SPRC) reviewed the proposed special approval request at their July 13th, 2022 meeting and expressed concerns regarding the amount of quick-service auto repair/maintenance facilities within the area.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Absent: Mayor Pro Tem Bliss

Motion carried

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

Jennifer Zmarzlik, resident, inquired about the proposed lease of Ambassador Park. City Attorney Sherman stated the lease is not in place, the item being considered this evening is a Letter of Intent, which is a first step to putting a lease in place and he noted that the City would be seeking further public input prior to moving forward.

John Miller, resident, spoke in support of stronger code enforcement as it pertains to rental properties.

Vita Palazzolo, resident, spoke of Wayne Reif's passing and his legacy in the community. She asked that his memory be honored in one of our city parks.

**CM-22-242. Debra Ott - Resignation from the Zoning Board of Appeals.**

Motion made by Councilwoman Aaron, Seconded by Councilor Rohrbach, to accept the resignation from Debra Ott from the Zoning Board of Appeals, declare the seat vacant and send a certificate of appreciation.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Absent: Mayor Pro Tem Bliss

Motion carried

**CM-22-243. CED Amendments to FY22-23 Fee Schedule.**

Motion made by Councilwoman Aaron, Seconded by Councilor Rohrbach, to approve the amendment to the Community Development FY 2023 fee schedule as presented.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Absent: Mayor Pro Tem Bliss

Motion carried

**CM-22-244. GLWA Contract Reopener.**

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming, to approve Amendment 4 to the Water Service Contract between GLWA and the City of Madison Heights and authorize the Mayor, City Manager, and City Clerk to sign on behalf of the City.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Absent: Mayor Pro Tem Bliss

Motion carried.

**CM-22-245. Ambassador Park Lease - Letter of Intent with Oakland County.**

Motion made by Councilman Soltis, Seconded by Councilor Wright, to approve the letter of intent between the City of Madison Heights and Oakland County Parks and Recreation Commission for the possible lease of Ambassador Park and authorize the Mayor to sign on behalf of the City.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Absent: Mayor Pro Tem Bliss

Motion carried.

**CM-22-246. Tentative Agreement with AFSCME Local 1917.34 - Department Heads Union.**

Motion by Councilor Rohrbach, Supported by Councilor Wright, to approve the tentative agreement between AFSCME Local 1917.34 - Department Heads Union and the City of Madison Heights.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Absent: Mayor Pro Tem Bliss

Motion carried.

**CM-22-247. Communication Conduit and SM Fiber Cable Installation.**

Motion made by Councilor Rohrbach, Seconded by Councilor Wright, to approve the quote from Amcomm Telecommunication in the amount of \$25,527.15 to install a four-inch underground communication conduit and single-mode fiber cable.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Absent: Mayor Pro Tem Bliss

Motion carried.

**CM-22-248. Fire Station #2 Furniture Purchase from DreamSeat.**

Motion by Councilor Rohrbach, Supported by Councilman Fleming, to approve Fire Station #2 Furniture Purchase from DreamSeat in the amount of \$18,452.41.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Absent: Mayor Pro Tem Bliss

Motion carried.

**CM-22-249. Emergency Purchase - Change Order 901 E. Ten Mile Road.**

Motion by Councilor Wright, Supported by Councilwoman Aaron, to approve the change order with Adam Demolition Group for 901 E. Ten Mile Road in the amount of \$73,991.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Absent: Mayor Pro Tem Bliss

Motion carried.

**CM-22-250. Regular City Council Meeting Minutes of July 25, 2022.**

Motion made by Councilor Rohrbach, Seconded by Councilwoman Aaron, to approve the Regular City Council meeting minutes of July 25, 2022, as printed.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Absent: Mayor Pro Tem Bliss

Motion carried.

**COUNCIL COMMENTS.**

Councilwoman Aaron expressed congratulations to the Beautification winners; it makes the neighborhoods come together in a positive way. She stated that all renters are not bad renters; however, all need to take care of their homes. The Madison Heights Community Coalition is hosting a night under the stars on August 10th and will be showing the movie Encanto. The event starts at 6 p.m. so come out and enjoy with your family.

Councilor Wright expressed condolences to Wayne Reif's family, noting he was ready to help and he had a big and generous heart. Please remember to be kind.

City Attorney Sherman congratulated the Beautification Award winners and to those nominated. He noted that Bill Meir, from Little League Baseball, handed him a plaque for the Sherman and Sherman Giants who lost in a heartbreaker championship game this year. He commented that Sherman and Sherman has been part of the community for a long time and it is our honor to give back. We love all the worthy causes and are happy to support them.

City Clerk Rottmann thanked all the election workers for making the election a success, noting the City could not do it without them.

Councilor Rohrbach stated on August 14th there will be a plant sale with proceeds helping to support the HREC activities and events. This evening there was a fire at the DTE power station at 12 Mile and Campbell which is effecting the power of many in the City. If you have power, please reach out to your neighbors and take care of each other. Thank you to election workers and Clerk's Office for their work on the election. She stated that she met Wayne Reif many times, noting he was such a character and shared a story of him donating children books for the little free libraries.

Councilman Fleming thanked the election workers for doing a great job and thanked Councilman Soltis for running. He thanked police, fire and DPS staff for taking care of all the damage from storms and trying to keep us all safe. On September 6th, Attorney General Dana Nessel will

be speaking on consumer protection. The event is hosted by the Crime Commission and a flyer will be on the City website with more information. He congratulated all the beautification winners and nominees.

Councilman Soltis had no comments this evening.

Mayor Grafstein stated that appointments to boards and commissions will occur at the next Council meeting. Please fill out an application on line or contact the Clerk's Office if you are interested in serving. On August 24th at 5:30 p.m. at Fire Station 1, there will be a public engagement workshop on the rewriting of the City's Zoning Ordinance. The next City Council meeting is August 22nd.

### **ADJOURNMENT.**

There being no further business, the meeting was adjourned at 8:22 p.m.