

**CITY OF MADISON HEIGHTS  
300 W. 13 MILE ROAD  
REGULAR COUNCIL MEETING AGENDA  
FEBRUARY 28, 2022  
7:30 P.M.**

**AGENDA:**

**CALL TO ORDER**

**ROLL CALL**

**INVOCATION – MAYOR GRAFSTEIN**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA:**

1. Additions
2. Deletions

**PRESENTATIONS**

**A – PUBLIC HEARINGS:**

**ITEMS ON AGENDA OF INTEREST TO PARTIES IN THE AUDIENCE**

**B - MEETING OPEN TO THE PUBLIC:**

**C – COMMUNICATIONS:**

1. City Manager – Emergency Purchase Replacement Senior Passenger Bus #471

**D – REPORTS:**

1. CED Director - Extension of Waivers for Temporary Outdoor Seating

**E - ITEMS FOR FUTURE PUBLIC HEARINGS:**

**F - BID AWARDS/PURCHASES:**

1. City Manager - Demolition Contract for 901 and 945/959 East Ten Mile Road
2. CED Director – Professional Services Agreement Zoning Ordinance Rewrite
3. City Manager - Civic Center Complex Bid Package #1 Elevator and HVAC Equipment
4. Information Technology – Migration to Microsoft 365
5. Information Technology - Microsoft Windows Data Center

**G - ORDINANCES:**

1. CED Director - Ordinance 2178 - Distracted Driving Ordinance, Second Reading
2. CED Director - Ordinance 2177, Zoning Text Amendment 21-11, Temporary Certificates of Occupancy, Second Reading

**H - UNFINISHED BUSINESS:****MINUTES:**

1. Special City Council meeting minutes of 02-14-22
2. Regular City Council meeting minutes of 02-14-22

**I - BOARDS AND COMMISSION APPOINTMENTS**

1. City Clerk – Boards and Commissions Renewals and Appointments

**J - EXECUTIVE SESSION:****ADJOURNMENT**

NOTICE: Persons with disabilities who qualify under the Americans with Disabilities Act needing accommodations for effective participation through electronic or other means in this meeting should contact the City Clerk at (248) 583-0826 or by email: [clerks@madison-heights.org](mailto:clerks@madison-heights.org) at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

DATE: February 23, 2022

TO: City Council

FROM: Melissa R. Marsh, City Manager

SUBJECT: Agenda Comments for the Regular Council Meeting of Monday, February 28, 2022

The following are my comments for items appearing on the agenda of the Regular Council Meeting of Monday, February 28, 2022.

**C - COMMUNICATIONS:**

**NUMBER 1: CITY MANAGER – EMERGENCY PURCHASE 2016 GRECH MOTORS 50 PASSENGER BUS**

The FY 2022 budget includes the replacement of the Senior Bus #471 which is a 2002 Blue Bird bus that is in very poor condition. Staff started working on a request for proposals for a replacement and discovered a couple of things 1) prices of buses, and vehicles, in general, have gone up significantly since the original estimate and our budget no longer covers the cost of a new bus 2) buses that meet our specifications have a 24-36 month lead time for delivery. Based on this, staff began looking for a quality used bus that would meet our specifications. One was located at TESCO in Ohio for \$139,990. Staff inspected this bus and determined it would perfectly suit our needs, is in good mechanical shape, and has been built well by a quality company. It has a very good engine and drivetrain, and the fit and finish of the coachwork have been done exceptionally well. It also has an engine in the same family as our Freightliner dump trucks, which allows for greater standardization of filters and other maintenance materials.

New this bus retailed for approximately \$250,000, making the purchase of this used unit financially advantageous for the City. The bus was tentatively being held for the City until February 18, 2022. Based on this information and the time sensitivity of the purchase I communicated with City Council and enacted my authority under section 2-255 of the Charter for Emergency Purchases.

As the purchase has already been made this item is for information purposes only. City Council is being asked to receive and file this information.

**D - REPORTS:**

**NUMBER 1: CED DIRECTOR-EXTENSION OF WAIVERS FOR TEMPORARY OUTDOOR SEATING**

On June 9, 2020, City Council adopted a resolution that authorized the City Manager to allow businesses to expand outdoor seating areas and construct temporary shelters to support outdoor service when indoor dining was restricted. City Council later extended this resolution with an ending of December 31, 2021, or when businesses can reopen at full capacity. The State has now lifted these restrictions.

## Agenda Comments

February 28, 2022

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On October 25, 2021, City Council approved the recommended Ordinance 2170 to amend outdoor seating to provide standards for outdoor entertainment, enclosures, and shade structures and provided parking requirement flexibility to restaurants adding permanent outdoor seating. The goal of this ordinance was to allow for greater flexibility for restaurants to include outdoor seating options and ensure that patrons can enjoy safe, permanent outdoor seating areas.

Today, all but two bars/restaurants that have taken advantage of this waiver have already returned to their regular business practices and have removed their temporary additional outdoor seating. Therefore, this resolution extends the waiver to continue to allow these businesses to operate with temporary tents/structures until May 2, 2022. This will give these two businesses plenty of time to comply and allow staff time to reach out to them to discuss changes and options for outdoor seating for their business moving forward.

Therefore, staff and I recommend that City Council approve the resolution as presented, which extends the waivers of specific zoning regulations to support the business during COVID-19 on May 2, 2022.

### **F - BID AWARDS/PURCHASES:**

#### NUMBER 1: CITY MANAGER – DEMOLITION CONTRACT FOR 901 AND 945/959 EAST TEN MILE ROAD

The City of Madison Heights has been awarded two grants for the demolition of 901 and 945/959 East Ten Mile. Therefore City Council is being asked to approve a contract with The Adams Group Demolition out of Rochester Hills to demolish these building structures in the amount of \$412,154.

#### NUMBER 2: CED DIRECTOR – PROFESSIONAL SERVICES AGREEMENT ZONING ORDINANCE REWRITE

Staff issued a Request for Proposal for planning services consultant to develop a new, user-friendly zoning ordinance consistent with the Madison Heights 2021 Master Plan. The new ordinance will also help Madison Heights obtain certification through the Michigan Economic Development Corporation's (MEDC) Redevelopment Ready Communities (RRC) program

Since its initial adoption in the early 1970s, the City's zoning ordinance has been amended numerous times. As a result, the current ordinance contains outdated language, lacks the ability to address modern development trends, and is difficult for the average user to utilize. As part of the zoning ordinance rewriting process, the work program will include an assessment of the current zoning ordinance, public outreach, consistent updates at Planning Commission and City Council, and the submittal of final documents including a new Zoning Ordinance and, potentially, a new Zoning Map.

The City received five (5) responses to the RFP. A review committee was established of a representative from the Planning Commission, City Planner, CED Director, City Manager, and HR Director/Purchasing Coordinator. The selection committee reviewed and evaluated the proposals, reviewed zoning rewrites completed in other communities, and conducted interviews

Agenda Comments

February 28, 2022

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resulting in the committee's unanimous recommendation to award the zoning ordinance rewrite to McKenna.

McKenna demonstrated the best experience for the project based on five (5) categories: (1) responsiveness; (2) public engagement; (3) project team experience; (4) scope of services and deliverables; and (5) understanding of cost, financial and legal obligations.

Economic Development Corporation's Redevelopment Ready Communities Technical Assistance Grant Program does provide grants for zoning rewrites; therefore, staff anticipates that the City will receive the maximum grant amount of \$30,000 in two installments to be distributed in FY 23.

Staff and I recommend that City Council approve the agreement with McKenna for professional services to assist Madison Heights with a zoning ordinance rewrite for an amount not to exceed \$55,000 and authorize the Mayor and City Clerk to sign on behalf of the City.

NUMBER 3: CITY MANAGER – CIVIC CENTER COMPLEX BID PACKAGE #1  
ELEVATOR AND HVAC EQUIPMENT

Considering the construction environment, supply chain issues and lead times for certain products and equipment, early bid packages have been prepared and released for HVAC equipment, Elevator equipment, Building Steel and Roof Insulation. This strategy provides for better pricing and a more cost effective sequencing of construction through the Design-Build delivery method.

The first early bid package for HVAC and elevator equipment is being presented for City Council's consideration for approval prior to having the total project bid in order for these specific products to get slotted into manufacturing and fabrication schedules. We are planning to bid the total project in April, at that time, if the total project is not acceptable to the City Council we do have an option to cancel these early bid pack approvals.

This bid package for HVAC and elevator equipment was publicly bid by consultant Frank Rewold & Sons (FRS) according to City requirements. All contracts are based on the plans and specifications for the project. The elevator is a complete furnish and install contract. The elevator contract does require a 30% (or \$26,852) down payment prior to start of shop drawings. Union labor will be performing the installation. The HVAC contracts is for equipment only.

FRS has reviewed all bids received and considering price, quality, and bid specifications recommend the City Council approve these components as follows: Elevator from Kone, Inc for \$89,508, HVAC Cabinet Unit Heaters from Bennett, Holland and Associates for \$11,622, HVAC Air Terminal Units from Carrier Great Lakes for \$42,029, HVAC Roof Top Units from Carrier Great Lakes \$173,728, HVAC Boilers from The Macomb Group for \$31,148; HVAC – Hydronic Pumps and VFDs from RL Deppmann Company \$11,084 for a total of \$359,119.

Staff and I concur with Frank Rewold representatives and recommend City Council approve their recommendation for elevator and HVAC equipment as described above for a total of \$359,119.

NUMBER 4: INFORMATION TECHNOLOGY - MICROSOFT 365

At the December meeting of the Information Technology Advisory Committee the City's IT provider reviewed the past year's performance and discussed issues facing the City's technology environment. At this meeting the ITAC unanimously approved recommending to City Council to move forward with the migration of Microsoft 365 ahead of budget schedule due to security issues. This migration required an annual license at the current rate of \$29,196 to be budgeted in future years.

Therefore, BPI, ITAC and I recommend City Council approve the implementation of Microsoft 365 for \$33,046. This will also require a budget amendment for \$33,046 to account 101-258-9820-000, this will require a super majority for approval.

NUMBER 5: INFORMATION TECHNOLOGY – MICROSOFT WINDOWS DATA CENTER

FY 2022 includes the purchase of the Microsoft Windows Operating System for the City's servers. Our current version of Windows is going to end of life. Therefore, staff and I recommend approval of the purchase of four Microsoft Windows Data Center 2022 at \$6,156.00 each for a total of \$ 24,624 through our contract with BPI.

**G - ORDINANCES:**

NUMBER 1: POLICE CHIEF - ORDINANCE 2178 – DISTRACTED DRIVING ORDINANCE, SECOND READING

Michigan Law currently only prohibits typing, sending text message, or reading a text message while driving. As Madison Heights takes steps to become a more pedestrian and bike friendly city it is important that we give our police officers the tools needed to be able to enforce distracted driving as the regarding texting. The Chief of Police and the Assistant City Attorney have researched other city ordinances and have worked together on drafting a distracted driving ordinance which mirrors these ordinances in other cities.

Specifically, this ordinance addresses physical manipulation of any wireless electronic entertainment or two-way communication device such as cell phone, laptop, game devices and also actions that take the driver's attention away from operation of the motor vehicle such as performing personal hygiene, physical interaction with pets, reading. A person found violating this ordinance would be responsible for a civil infraction and a fine of one hundred dollars.

Staff and the City Attorney recommend approval of Ordinance 2178 on the second and final reading.

**NUMBER 2: CED DIRECTOR ORDINANCE 2177 – TEMPORARY CERTIFICATES OF  
OCCUPANCY, SECOND READING**

City staff proposes Ordinance 2177 text amendment to extend the length in which temporary certificates of occupancy can remain effective. The current Zoning Ordinance limits a temporary certificate of occupancy to six (6) months. As proposed, the text amendment will allow the City to grant a temporary certificate of occupancy for up to one (1) year. The Planning Commission held a public hearing on January 18, 2022 and subsequently recommended approval of the proposed text amendment, as presented.

Staff and I recommends that City Council approve the second and final reading.

**CITY OF MADISON HEIGHTS**  
**ELECTRONIC COUNCIL AGENDA REQUEST FORM**

SUBMITTED TO: \_\_\_\_\_

SUBMITTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

FOR CONSIDERATION AT THE COUNCIL MEETING OF: \_\_\_\_\_

**ACTION REQUESTED**

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

**DESCRIPTION OF ITEM**

**IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS**

**POLICY CONSIDERATION**

**FINANCIAL IMPACT**

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 <sup>nd</sup> Acct.	_____		_____
Other Comments	_____		_____

**REVIEW CHECKLIST**

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

CITY MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

To: City Council

From: Melissa Marsh, City Manager

Date: February 16, 2022

Subject: Emergency Purchase 2016 Grech Motors Passenger Bus

The FY 2022 budget includes the replacement of the Senior Bus #471 which is a 2002 Blue Bird bus that is in very poor condition. Staff started working on a request for proposals for a replacement and found a couple of things 1) prices of buses, and vehicles, in general, have gone up significantly since this estimate and our budget no longer covers the cost of a new bus 2) buses that meet our specifications have a 24-36 month lead time for delivery. Based on this, staff began looking for a quality used bus that would meet our specifications. One was located at TESCO in Ohio for \$139,990. Staff looked at a used bus for sale by TESCO in Ohio and determined it would perfectly suit our needs, is in good mechanical shape, and has been built well by a quality company. It has a very good engine and drivetrain, and the fit and finish of the coachwork have been done exceptionally well. It also has an engine in the same family as our Freightliner dump trucks, which allows for greater standardization of filters and other maintenance materials.

New this bus retailed for approximately \$250,000, making the purchase of this used unit financially advantageous for the City. The bus was tentatively being held for the City until February 18, 2022. Based on this information and the time sensitivity of the purchase I communicated with City Council and enacted my authority under section 2-255 of the Charter for Emergency Purchases.

As the purchase has already been made this item is for information purposes only. City Council is being asked to receive and file this information.



Transportation Equipment Sales Corp.

Proven Quality.  
Trusted Name.

**Madison Heights**

801 Ajax Drive  
Madison Heights MI 48071

Dan Yamarino  
248-837-2795  
DANYAMARINO@MADISON-HEIGHTS.ORG

**Quote #UQ49169**

2/14/2022

Dan Myrice, Jr. p 419.836.2835  
dmyrice@tescobus.com f 419.836.8460

6401 Seaman Rd. www.tescobus.com  
P.O. Box 167230 419.836.2835  
Oregon OH 43616-7230



## 2016 Grech Motors

with a Freightliner Chassis  
50 pass. with 0 w/c positions and driver

Stock # 09955

VIN# 3ALACXDT9GDGZ0820

Terms: Payment Before Delivery

10% Deposit Required

Valid For: 7 Days

Sales Tax Not Included

Delivery: 2 to 3 weeks

FOB: Oregon OH

Engine: 6.7L Diesel

GVWR:

Brakes: Air

Mileage: 52,347

Color: black

### Dealer Installed Options

### Additional Suggested Options

### Trades

This is a stock unit; Subject to prior sale.  
TESCO Stock # 09955

Special Promotion Pricing Included.

ALL BUSES SOLD "AS IS, WITH ALL FAULTS" UNLESS OTHERWISE NEGOTIATED AND SUBJECT TO PRIOR SALE. TESCO DOES NOT EXPRESS OR IMPLY ANY WARRANTIES UNLESS SPECIFICALLY NOTED AT TIME OF SALE OR THAT THE VEHICLE WILL CONFORM TO ANY SET SPECIFICATIONS.

Sales Rep.

Purchaser

Fed Tax ID #

Date

Unit Price	\$147,400.00
Discount	(\$7,500.00)
Delivery	None
Title & Doc Fees	\$0.00
<b>Unit Total</b>	<b>\$139,900.00</b>

**CITY OF MADISON HEIGHTS**  
**ELECTRONIC COUNCIL AGENDA REQUEST FORM**

SUBMITTED TO: \_\_\_\_\_

SUBMITTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

FOR CONSIDERATION AT THE COUNCIL MEETING OF: \_\_\_\_\_

**ACTION REQUESTED**

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

**DESCRIPTION OF ITEM**

**IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS**

**POLICY CONSIDERATION**

**FINANCIAL IMPACT**

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 <sup>nd</sup> Acct.	_____		_____
Other Comments	_____		_____

**REVIEW CHECKLIST**

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

CITY MANAGER \_\_\_\_\_ DATE \_\_\_\_\_



# MEMORANDUM

Date: February 9<sup>th</sup>, 2022  
To: City of Madison Heights City Council  
From: Giles Tucker, CED Director  
Subject: A Resolution Setting an End Date to Temporary Waivers of Certain Zoning Regulations to Support Business During COVID-19

## Background and Analysis

On June 9, 2020 City Council adopted a resolution that authorized the City Manager to waive certain zoning ordinance requirements in order to support businesses affected by State ordered restrictions imposed to mitigate the spread of COVID-19. This resolution allowed businesses to expand outdoor seating areas and to construct temporary shelters to support outdoor service during a time where indoor dining was restricted. This resolution was later extended by City Council with an ending of December 31, 2021 or when businesses can reopen at full capacity. The State lifted these restrictions on June 22, 2021.

On October 25, 2021, City Council approved the recommended Ordinance 2170, Zoning Text Amendment 21-06 to amend outdoor seating. This text amendment provided standards for outdoor entertainment, enclosures and shade structures and provided parking requirement flexibility to restaurants adding permanent outdoor seating. The goal of this ordinance is to allow for greater flexibility for restaurants to include outdoor seating options and ensure that patrons can enjoy safe, permanent outdoor seating areas.

Today, most bars and restaurant that have taken advantage of this waiver have already returned to their normal business practices and have removed their additional outdoor seating. This resolution proposes to end these waivers on May 2, 2022 giving businesses plenty of time to comply and gives staff an opportunity to reach out to these businesses to discuss these changes and options for outdoor seating for their business moving forward.

## Staff Recommendation

Staff recommends that City Council approve the resolution as presented which sets an end to temporary waivers of certain zoning regulations to support business during COVID-19 on May 2, 2022.

**XX XX-XXX**

**Resolution Setting an End Date to Temporary Waivers Of  
Certain Zoning Regulations to Support Businesses  
During Covid-19.**

Motion by XXXXXX, seconded by XXXXXX, to approve the resolution to set an end of May 2, 2022 to resolution CM-20-276 that temporarily granted the City Manager the authority to waive certain zoning ordinances through December 31, 2021 or until business can reopen to full capacity as follows:

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MADISON HEIGHTS,  
MICHIGAN, ENDING THE TEMPORARY WAIVERS OF CERTAIN ZONING  
REGULATIONS TO SUPPORT BUSINESSES THAT HAVE EXPERIENCED  
HARDSHIPS DUE TO COVID-19 ON MAY 2, 2022.**

WHEREAS on March 10, 2020 the spread of COVID-19 resulted in Governor Gretchen Whitmer declaring a State of Emergency under Section 1 of Article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, and the Emergency Powers of the Governor Act, 1945 PA 302, as amended, as evidenced in Executive Order 2020-4;

WHEREAS, on March 16, 2020, Michigan Governor Gretchen Whitmer issued Executive Order number 2020-9, closing bars, restaurants, gyms and cafes to the public and limiting food establishments to carryout business only;

WHEREAS, on March 24, 2020, Governor Gretchen Whitmer executed Executive Order 20-21, which constituted the first stay at home order, ordering non-essential businesses closed and all businesses to institute and maintain social distancing policies;

WHEREAS, City Council adopted resolution CM-20-145 that temporarily granted the City Manager the authority to waive certain zoning ordinance due to COVID-19 through October 31, 2020;

WHEREAS, City Council extended resolution CM-20-145 from October 31, 2020 to December 31, 2021 with resolution CM-20-276 at the City Council meeting of September 28, 2020;

WHEREAS, State of Michigan COVID-19 epidemic orders were lifted on June 22, 2021 including restrictions that limited seating capacity and face mask requirements;

WHEREAS On October 25, 2021 the City Council adopted Ordinance 2170, Zoning Text Amendment 21-06 which provided standards for outdoor entertainment, enclosures and shade structures and provided flexibility in parking requirements for restaurants adding permanent outdoor seating;

WHEREAS the City of Madison Heights ordinances allows for outdoor seating on a temporary basis through a seasonal business license and on a permanent basis upon site plan approval;

NOW THEREFORE BE IT RESOLVED THAT, all of the sections of Council Resolution CM-20-276 remain in effect until Monday May 2, 2022 where all of the sections and authority granted within this resolution shall be terminated.

Roll Call Vote:

Yea: Corbett, Gettings, Rohrbach, Soltis, Bliss, Clark, Grafstein

Nay: None

Regular Meeting  
Madison Heights City Council  
Madison Heights, Michigan  
September 28, 2020

A Regular Meeting of the Madison Heights City Council was held on Monday, September 28, 2020 at 7:30 p.m. electronically via ZOOM Video Conferencing and in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Mayor Grafstein and Mayor Pro Tem Soltis. Councilmembers: Bliss, Clark, Corbett, Gettings, and Rohrbach. City Manager Marsh, Assistant City Attorney Grochowski and City Clerk Rottmann.

Absent: None

Mayor Grafstein gave the invocation and the Pledge of Allegiance followed.

**CM-20-272. National Bullying Prevention Month Proclamation.**

City Manager Marsh stated that the Human Relations and Equity Commission has recommended City Council proclaim October as National Bullying Prevention Month in the City of Madison Heights and she read the proclamation.

Crystal Beaver, 898 E. Rowland, parent of five students in the Madison District Public Schools introduced the Madison Elementary Kindness Club video and gave a brief description of the group's work.

Motion by Councilor Rohrbach, seconded by Councilman Gettings, to adopt the National Bullying Prevention Month Proclamation as follows:

PROCLAMATION  
National Bullying Prevention the Month of October

WHEREAS, the organization STOMP Out Bullying and the United States Department of Education initiative StopBullying.gov recognize October as Bullying Prevention Awareness Month; and

WHEREAS, bullying, including cyberbullying, is an increasing problem that negatively impacts both children and adults, leading to potential mental health issues, physical health complaints, decreased academic achievement, substance use, and even suicide; and

WHEREAS, bullying can take on many different forms including verbal bullying, saying or writing mean things, social bullying, hurting someone's reputation or relationships, and physical bullying, hurting a person's body or possessions; and

WHEREAS, children and adults in the community can help prevent bullying by talking about it, building a safe environment, and responding quickly and consistently to bullying behavior; and

WHEREAS, to find out more information about what resources are available to help parents, educators, teens, and the community develop effective solutions on how to respond to all forms of bullying, as well as educating kids and teens in school and online, go to stopbullying.gov and stompoutbullying.org; and

WHEREAS, the Human Relations and Equity Commission (HREC) and the City Council desires to raise awareness of bullying as a serious problem and encourage efforts to stop bullying behavior in the community.

NOW, THEREFORE, BE IT POCLAIMED BY THE CITY COUNCIL OF THE CITY OF MADISON HEIGHTS, MICHIGAN, AS FOLLOWS:

1. That the month of October is hereby declared as Bullying Prevention Awareness Month in the City of Madison Heights.
2. That the community and the HREC is encouraged to assist in raising awareness of bullying and standing up to bullying in Madison Heights.

Yea: Bliss, Clark, Corbett, Gettings, Rohrbach, Soltis, Grafstein

Nays: None

Motion Carried.

**CM-20-273. Michigan Association of Planning - Certificate of Recognition for Councilman Corbett.**

On behalf of City Council, Mayor Grafstein congratulated Councilman Corbett for his Certificate of Recognition for his twenty years of membership with the Michigan Association of Planning (MAP).

**CM-20-274. Special Approval 20-05, Used Car Dealership - 1900 East 14 Mile Road.**

City Manager Marsh reviewed the proposed Special Approval 20-05.

A public hearing was held at 7:48 p.m. to hear comments pertaining to Special Approval 20-05, Used Car Dealership – 1900 E. 14 Mile Road.

Joe Ricci, petitioner, noted there are no Sunday hours being proposed. He stated he was excited to be locating in Madison Heights and has had a great experience working with the City.

Seeing no one further wishing to speak, the public hearing was closed at 7:49 p.m.

Motion by Councilman Corbett, seconded by Councilwoman Clark:

WHEREAS, a Special Approval Board application has been received from Joe Ricci Auto Group LLC, to request permission for used car dealership in the M-1, Light Industrial District; and

WHEREAS, a public hearing was published in the Royal Oak Tribune/Oakland Press on September 11, 2020 and notices were mailed to property owners within 500 feet of the aforementioned property; and

WHEREAS, a report has been received from the Community Development Department stating:

**LOCATION:** 1900 E. 14 Mile Rd.

**REQUEST:** Special Approval to allow a used car dealership under Section 10.329(5) of the Zoning Ordinance. Applicant must adhere to requirements under Section 10.326 (1) of the Zoning Ordinance.

**EXISTING ZONING:** M-1 – Light Industrial District

**EXISTING USE:** Vacant

**STAFF ANALYSIS:**

1. Special Approval is required to allow a used car dealership in the M-1 District. Applicant is proposing a used car dealership.
2. The subject property currently is vacant.
3. The site has M-1 Light Industrial zoning district on three (2) sides to the south, and west. To the east is the City of Warren. To the North is the City of Troy.

4. The applicant is proposing they will display up to six (6) cars for sale on site.
5. The parking provided on site meets the minimum number of spaces required and allows for adequate parking of proposed vehicles for sale.
6. Hours of Operation: Monday – Friday 8am -6pm; Saturday 9am – 4pm
7. The Site Plan Review Committee has reviewed the plan and all review comments have been addressed. Should City Council approve this request, the following conditions are recommended:
  - a. No overnight outdoor storage of vehicles in disrepair, vehicles waiting for repair, auto parts, or other materials.
  - b. Vehicles for sale shall only be located in the spaces indicated on the approved site plan.
  - c. All vehicles shall be parked on a paved area having an asphaltic or portland cement binder approved by the city engineer so as to provide a permanent, durable, and dustless surface and shall be graded and drained as to dispose of all surface water accumulated within the area.

NOW, THEREFORE, BE IT RESOLVED, that the Madison Heights City Council, acting as Special Approvals Board in accordance with Section 10.329(5) of the Code of Ordinances, hereby approves used car dealership in the M-1 District at 1900 E. 14 Mile Road., with the following conditions:

- a. No overnight outdoor storage of vehicles in disrepair, vehicles waiting for repair, auto parts, or other materials.
- b. Vehicles for sale shall only be located in the spaces indicated on the approved site plan.
- c. All vehicles shall be parked on a paved area having an asphaltic or portland cement binder approved by the city engineer so as to provide a permanent, durable, and dustless surface and shall be graded and drained as to dispose of all surface water accumulated within the area.

Roll Call Vote:

Yea: Clark, Corbett, Gettings, Rohrbach, Soltis, Bliss, Grafstein

Nay: None

Motion Carried.

**CM-20-275. Meeting Open to the Public.**

There were no members of the public wishing to speak.

**CM-20-276.**

**Resolution Extending Temporary Waivers Of Certain Zoning Regulations to Support Businesses During Covid-19.**

Motion by Councilwoman Clark, seconded by Councilman Corbett, to approve the resolution to temporarily grant the City Manager the authority to waive certain zoning ordinances through December 31, 2021 or until business can reopen to full capacity, as follows:

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MADISON HEIGHTS,  
MICHIGAN, AUTHORIZING THE CITY MANAGER TO ISSUE ORDERS  
IMPLEMENTING TEMPORARY WAIVERS OF CERTAIN ZONING REGULATIONS  
TO SUPPORT BUSINESSES THAT HAVE EXPEREINCED HARSHIPS DUE TO  
COVID-19.**

WHEREAS the novel coronavirus (COVID-19) is a respiratory disease that is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person;

WHEREAS on March 10, 2020 the spread of COVID-19 resulted in Governor Gretchen Whitmer declaring a State of Emergency under Section 1 of Article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, and the Emergency Powers of the Governor Act, 1945 PA 302, as amended, as evidenced in Executive Order 2020-4;

WHEREAS, on March 16, 2020, Michigan Governor Gretchen Whitmer issued Executive Order number 2020-9, closing bars, restaurants, gyms and cafes to the public and limiting food establishments to carryout business only;

WHEREAS, on March 24, 2020, Governor Gretchen Whitmer executed Executive Order 20-21, which constituted the first stay at home order, ordering non-essential businesses closed and all businesses to institute and maintain social distancing policies;

WHEREAS, COVID-19 continues to be a major health concern causing issues for many businesses including retailers, restaurants and bars;

WHEREAS the City of Madison Heights is committed to encouraging economic activity and assisting local businesses impacted by the COVID-19 pandemic to ease back into operation while containing the spread of COVID-19;

WHEREAS, all levels of government have urged the public to adhere to aggressive social distancing;

WHEREAS, in order for the City of Madison Heights to do its part in the reopening of Michigan's economy and adhere to social distancing, the City Council finds it appropriate to authorize the City Manager the authority to issue temporary waivers to certain local regulations in order for Madison Heights businesses to maximize the effectiveness of the Governor's relaxation of the previously imposed COVID-19 restrictions and maintain the best public health practices.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MADISON HEIGHTS, AS FOLLOWS:

**SECTION 1.** Upon the opening of bars, restaurants, gyms and other facilities by Executive Order by Governor Whitmer of the State of Michigan, the City Manager is hereby delegated the power and authority to issue temporary waivers of restrictions in the Code of Ordinances that impose limits on the use of outdoor portions of commercial property for dining or service, including provisions that prohibit the use of private parking lot spaces with the following provisions:

1. Bars and restaurants may expand their outdoor dining area to utilize up to 30% of their required parking;
2. Gyms and other facilities may expand their classes or activities into their outdoor space by utilizing up to 30% of their required parking;
3. Administrative Site Plan approval is required if heaters or outdoor protection for the area being served is added;
4. This resolution shall also serve as municipal permission to allow expanded outdoor consumption of alcoholic beverages in compliance with any of the Michigan Liquor Control Commission rules and regulations.

**SECTION 2.** Upon the opening of retail services by Executive Order by Governor Whitmer of the State of Michigan, the City Manager is hereby delegated the power and authority to issue temporary waivers of restrictions in the Code of Ordinances that impose limits on the use of outdoor portions of commercial property for retail services, including provisions that would prohibit the use of private parking lot spaces with the following provisions:

1. Retail establishments may reconfigure their private parking lots and private sidewalks to accommodate retail uses that may utilize drive-up services for customers pick-up;
2. Retail establishments may utilize up to 30% of required parking spaces in private parking lots and private sidewalks for outdoor sales area;

**SECTION 3.** All existing and expanded outdoor dining or sales areas are required to alter the design and layout of tables, chairs, fixtures and enclosure systems to meet social distancing guidelines in effect and contain the spread of COVID-19 as follows:

1. Reconfigure the layout of the entire outdoor dining area, to the maximum extent practical, to provide a minimum 6' clear pedestrian walking path adjacent to the dining area;
2. Reconfigure tables and chairs to allow seating for patrons only in accordance with social distancing guidelines in effect;
3. Remove all previously approved chairs and other seating that does not meet social distancing guidelines;
4. Any fixtures or shelters used for the sale or display of merchandise must be configured to allow for a minimum 6' pedestrian walking path;
5. Install temporary signage to encourage compliance with social distancing guidelines;
6. Provide a temporary hand sanitizing station adjacent to the outdoor dining area; and
7. Provide a temporary service station outdoors that includes a trash receptacle and disinfecting wipes or other supplies for the cleaning of tables and chairs between patrons and of high touch points in the outdoor dining area.

**SECTION 4.** All bars and restaurants and retail commercial businesses in existence as of the date of this resolution that hold a valid Business License with the City of Madison Heights will be permitted to post temporary signage relating to hours of operation, pick-up and delivery services and specials offered during the COVID-19 pandemic through December 31, 2021 or when businesses can reopen at full capacity, if the following requirements are met:

1. Total Temporary signage may not exceed the lesser of 100 square feet in size or 25% or less of the storefront width;
2. Signage required under Executive Orders issued by the Governor does not count toward the total temporary signage amount permitted;
3. No signage may be placed so as to obstruct safe travel in the public right-of-way;
4. No signage may be placed in the public right-of-way;
5. No signage may be placed so as to obstruct a minimum 3' of width for clear and unobstructed ingress and egress to all required entrances/exit;
6. Signs must be constructed of durable material and kept in good repair;

**SECTION 5.** The City of Madison Heights will waive all application fees, license and/or rental fees for the temporary use of outdoor public or private property permitted by this resolution.

**SECTION 6.** Except as herein specifically provided, all ordinances of the City of Madison Heights in effect at the time of the issuance of this resolution, and as they may be subsequently amended, shall remain in force. Failure to comply with all the ordinances of the City may result in enforcement action and/or termination of an existing Business License or Special Use Permit.

**SECTION 7.** This Resolution and the authority granted herein shall be effective through October 4, 2020, unless terminated earlier by action of the City Council.

**SECTION 8.** This Resolution and the authority granted herein may be extended, expanded and renewed by subsequent action of the City Council.

**SECTION 9.** This Resolution shall become effective immediately upon its execution and upon an executive order by Governor Whitmer reopening restaurants, bars and retail operations.

**SECTION 10.** That all resolutions or parts of resolutions are, to the extent of any conflict with this resolution, rescinded until this resolution expires on December 31, 2020 or when businesses can reopen at full capacity. Any Should any section, clause or phrase of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

Discussion followed on the possibility of expanding outdoor use on a permanent basis and review of the ordinances that pertain to parking requirements.

Roll Call Vote:

Yea: Corbett, Gettings, Rohrbach, Soltis, Bliss, Clark, Grafstein

Nay: None

Motion Carried.

**CM-20-277. Contractual Agreement with Giffels Webster for Planning Services.**

Motion by Councilman Bliss, seconded by Councilwoman Clark, to approve the contract for planning services with Giffels Webster through December 31, 2021.

Discussion followed on the City's other successful contractual arrangement for information technology, the importance of picking the right partner, the need to evaluate in the long-term the benefits or risks of not having an in-house planner with ties to the community, and the possibility of reconstituting the Community and Economic Development Department in the future, and Giffels Webster's experience as it pertains to retail planning.

Roll Call Vote:

Yea:           Gettings, Rohrbach, Bliss, Clark, Corbett, Grafstein

Nay:           Soltis

Motion Carried 6-1.

#### **CM-20-278.       Minutes.**

Motion by Councilman Bliss, seconded by Councilwoman Clark, to adopt the minutes of the Regular City Council Meeting held on September 14, 2020, as printed.

Roll Call Vote:

Yea:           Rohrbach, Soltis, Bliss, Clark, Corbett, Gettings, Grafstein

Nay:           None

Motion Carried.

#### **CM-20-279.       Council - Comments.**

Councilman Corbett expressed best wishes to the community on the changeover to Fall.

Councilman Bliss stated Council accomplished some great things for the City tonight. He is excited for the *Trail Tunes Music Festival* this Saturday which is from 4 p.m. – 7 p.m. This has been a tough year for Madison Heights, from the pandemic to the Electro Plating incident; we need to be able to come together. In this light, the Arts Board is bringing over a dozen bands and musicians to play on the trail at Civic Center Park. They are encouraging social distancing and masks are required in the music areas and by the food trucks. There will be a mobile escape room and community group participation, including plant sales, kids crafts, and donation collection for the food pantry. He encouraged all to come check it out and be a part of the event. He concluded by noting that the response to the event from the community has been overwhelmingly positive.

Councilor Rohrbach wished everyone a good Yom Kippur. She stated that she is excited about the *Trail Tunes* event, and noted that the Bloom Project will be hosting a native plant sale as well, so please come out and support the event. In addition, there will also be a seed library for anyone who would like seeds to

plant, and the Friends of the Madison Heights Library is having their pop-up book sale. The Friends of the Madison Heights Library sweatshirts are available for sale and information is on the City's website. The *Trail Tunes* event will enable us to come together as a community.

Assistant City Attorney Gochowski had no comments this evening.

City Manager Marsh thanked County Commissioner Gary McGillivray for helping to secure \$400,000 from Oakland County towards the Electro Plating cleanup. She thanked all who participated in Restaurant Week. She announced that the Restaurant Week photo contest winners will be posted on line and prizes will be awarded to each winner. The Library is starting Grab and Go and computer use on October 1<sup>st</sup>.

City Clerk Rottmann stated the absentee ballots have prepaid return postage and no postage is required to mail the ballots back. Voters may also return their ballots to the drop box at City Hall or return in person to the City Clerk's office. The absentee ballots were mailed late Thursday it should be arriving shortly. If you have not already applied, please contact our office or go on our website for an application.

Councilman Gettings stated that he is hoping for good weather and a good turnout on Saturday for the *Trail Tunes* event.

Councilwoman Clark thanked the Kindness Club for sharing their video and bringing that message to the residents of the City. She reminded residents to take a few minutes to review the candidates for School Board, even if you don't have school age children.

Mayor Pro Tem Soltis complimented Chief Lelito and staff for their work during the pandemic and their ability to have a zero infection rate. He acknowledged Superintendent Abdulahad of Madison District Public Schools was in attendance tonight. He commented that working in healthcare, he supports Medicare for all and he would like a resolution in support of this at a future Council meeting.

Mayor Grafstein echoed the comments on the *Trail Tunes*, and noted that at 7 p.m. on Saturday, Red Oaks Soccer Park is having an outdoor movie that you could attend after the *Trail Tunes*. She stated that Senator Moss and Representative Ellison have also helped with funding for the Electro Plating clean-up from the State and she thanked Commissioner McGillivray for his efforts. She stated that Restaurant Week was a great success and this was a good first year event. She thanked Mrs. Beaver for bringing the Kindness Club to the Council meeting and noted we will be sure to share the presentation online.

**CM-20-280.      Adjournment.**

There being no further business, the meeting was adjourned at 8:27 p.m.

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Roslyn Grafstein  
Mayor

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Cheryl E. Rottmann  
City Clerk

**CITY OF MADISON HEIGHTS**  
**ELECTRONIC COUNCIL AGENDA REQUEST FORM**

SUBMITTED TO: \_\_\_\_\_

SUBMITTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

FOR CONSIDERATION AT THE COUNCIL MEETING OF: \_\_\_\_\_

**ACTION REQUESTED**

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

**DESCRIPTION OF ITEM**

**IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS**

**POLICY CONSIDERATION**

**FINANCIAL IMPACT**

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 <sup>nd</sup> Acct.	_____		
Other Comments	_____		

**REVIEW CHECKLIST**

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

CITY MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

**To:** **City Council**  
**From:** **Melissa R. Marsh, City Manager**  
**Date:** **February 24, 2022**  
**Subject:** **Demolition of 901 and 945/959 East Ten Mile**

Working with the Michigan Department of Environment, Great Lakes, and Energy the City developed a request for proposal for the demolition of 901 and 945/959 East Ten Mile that closed on August 31, 2021. The City received two proposal responses however, upon review both proposal were rejected due to inaccurate quantities included by the contractors. Therefore, time was spent conducting the testing needed to quantify quantities to be included in a new proposal.

The proposal was revised and reissued with responses due to the City in November 2021. The City received five proposals ranging in price from \$353,750 - \$729,761. These proposal were reviewed by the selection committee of City Manager, Senior Project Manager for Wood Consulting (the consultant on site-for EGLE), and the Incident Management Specialist from EGLE. The committee reviewed the proposals, analyzed the cost and quantities, checked references, and followed up with MIOSHA on any noted violations on record for each contractor. As a result the selection process was narrowed to the two companies Dore & Associates Contracting and The Adams Group, Inc. and the selection committee conducted interviews with both finalist.

Following the interview process the selection committee unanimously selected The Adams Group out of Rochester. They have a clear understanding of the project and understand the implications of the public spotlight on this demolition. They have a good safety record and excellent references.

Since the decision to recommend The Adams Group, we have been able to clarify a few items resulting in an overall contract price of \$412,154.

Further the City is receiving two grants, from the State of Michigan and Oakland County, to cover this demolition cost which will be paid on a reimbursement basis.

Therefore it is being recommended that the City Council approve the contract with The Adams Group for the demolition of 901 and 945/959 East Ten Mile Road in the amount of \$412,154.



## AGREEMENT

made as of the \_\_\_\_\_ day of \_\_\_\_\_ in the year 2022.

## BETWEEN

the City:                   City of Madison Heights  
                                 300 West Thirteen Mile Road  
                                 Madison Heights, MI 48071

and the Contractor:       The Adams Group, Inc.  
                                 1700 E. Auburn Rd.  
                                 Rochester Hills, MI 48307  
                                 Eric Adams, President

The City and Contractor agree as set forth below:

### **ARTICLE 1**

#### **THE WORK OF THIS CONTRACT**

The Contractor shall execute the entire Work described in the Contract Documents, except to the extent specifically indicated in the Contract Document to be the responsibility of others or as follows:

Project: Demolition of 901 and 945/959 East Ten Mile Road, Madison Heights, Michigan, 48071, along with performing other site work as provided for and as required in the RFP 21-06 A, a copy of which is incorporated herein and made a part hereof.

### **ARTICLE 2** **DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION**

The date of commencement is the date from which the Contract Time of Paragraph 2.2 is measured and shall be the date of this Agreement, as first written above, unless a different date is stated below or provision is made for the date to be fixed in a notice to proceed issued by the City.

The date of commencement is recorded as on or around xxx

## **ARTICLE 3** **CONTRACT SUM**

The **City** shall pay the Contractor in current funds for the Contractor's performance of the Contract, the Contract Sum of: Four Hundred Twelve Thousand One Hundred and Fifty-Four, (\$412,154.00), subject to additions and deductions as provided in the Contract Documents.

The Contract Sum is based upon the following estimates and alternates, if any, which are described in the Contract Documents and are hereby accepted by the City:

Proposal dated: November 30, 2021      Amount: \$412,154

## **ARTICLE 4** **PROGRESS PAYMENTS**

Based upon Applications for Payment submitted to City of Madison Heights by the Contractor and Certificates for Payment issued by The Adams Group, Inc., the City shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents. The period covered by each Application for Payment shall be once every 15 calendar days, or as noted.

The Adams Group, Inc will enroll for electronic payment through the City of Madison Heights prior to submitting the first invoice for payment.

Payments due and unpaid under the Contract shall bear interest from the date payment is due at the rate stated below, or in the absence thereof, at the legal rate prevailing from time to time at the place where the Project is located. The current interest rate is 18% billed at 1.5% monthly until the balance is paid in full.

## **ARTICLE 5** **FINAL PAYMENT**

Final payment, constituting the entire unpaid balance of the Contract Sum, shall be made by the City to the Contractor when the Work has been completed, the Contract fully performed, and a final Certificate for Payment has been issued by the Contractor.

## **ARTICLE 6** **Contractor's Responsibilities**

**Contractor Supervision:** The Contractor shall supervise and direct the work, using his best skill and attention. The Contractor shall be solely responsible for all construction means, methods, techniques and procedures, and for coordinating all portions of the work under the Contract.

**Contractor Payments:** Unless otherwise specifically noted, the Contractor shall provide and pay for all labor, materials, equipment, tools, construction equipment and machinery necessary for the proper execution and completion of the work.

**Compliance with Laws:** The Contractor shall comply with federal, state and local laws, social security acts, unemployment compensation acts and workers' compensation acts insofar as applicable to the performance of this Contract.

### **Insurance Responsibility:**

Contractor agrees to procure and maintain in force, Worker's Compensation Insurance, Employer's Liability Insurance, Comprehensive General Liability Insurance and Automobile Liability Insurance in an amount of not less than \$1,000,000.00 Dollars for damages resulting to one person, \$1,000,000.00 Dollars for damages resulting in one casualty, and \$1,000,000.00 Dollars for property damage resulting from any one occurrence, and naming City as a certificate holder and/or additional insured thereunder. Any insurance cancellation provisions shall require the insurer to mail

notification of cancellation and/or modification of said policy, not less than thirty (30) days prior to the date of cancellation and/ or modification, to the City and anything to the contrary shall be deleted therefrom. Contractor shall furnish the City with copies of the insurance certificate or certificates prior to the commencement of the demolition. In the event, the insurance policy or policies contain a deductible clause; Contractor hereby indemnifies City against any loss occasioned by the enforcement of the deductible provision of the insurance policy or policies.

Contractor agrees to release, indemnify, defend, and save the City harmless from any and all actions, claims, costs, loss, damage, and liability, arising out of or resulting from the performance, or failure in performance, of this Contract and/or the Work, or from any other claims, suits, or liability, including but not limited to exposure to environmental contamination or issues, physical dangers due to the condition of the buildings, or on account of any act or omission of City or Contractor or any of their representatives, officials, officers, agents, or employees, including Work on-site or off-site, and actions, claims, costs, loss or liability to persons or property on-site or off-site.

**Contractor's Right to Terminate Contract:** Should the Contractor be unable to continue the work for any reason except through the fault of the Contractor, or should the City fail to pay the Contractor any payment when it is due pursuant to this contract or any other Contract between the parties, the Contractor may stop work upon any such Contracts and upon seven (7) calendar days written notice, terminate said Contracts and recover from the City payment for work executed thus far pursuant to said Contracts and for any loss sustained from the purchase of materials and supplies pursuant to said Contracts.

**Employment of Subcontractors:** Contractor may, employ subcontractors in the performance of this Contract as presented in the bid documents and/or approved by the City. Contractor shall maintain supervision of, and responsibility for the satisfactory performance of the work.

## **ARTICLE 7** **City's Responsibilities**

**City's Termination of Contract:** Should the Contractor neglect to prosecute the work properly or fail to perform any provision of the Contract, the City will inform the Contractor of this in writing giving the Contractor seven (7) days from the time of such notice to proceed with the work, then the City may secure two (2) additional qualified bids, select the lowest responsible bid of the two, and proceed to complete the work deducting the cost thereof from the total owing under the Contract with the Contractor.

**Assignment of Work:** The City shall not give instruction or orders directly to employees or agents of the Contractor. Instructions may be given only by authorized agent(s) of the City to an authorized representative of the Contractor. The City's authorized agent(s) is: Melissa R. Marsh, City Manager.  
The Contractor's authorized agent(s) is: Eric Adams.

**Underground Structures:** It is the City's responsibility to advise the Contractor of the existence and location of all underground structures (e.g. sewers, water, gas, telephone, electrical and fiber optic lines, etc.) that might be encountered by the Contractor in the performance of the work. Contractor shall be notified of only those structures specifically referred to in this proposal. In the location of the underground structures varies from those specified herein, any extra cost occasioned thereby in moving, protecting or covering the same or otherwise shall be borne by the City.

**Permits:** The City shall pay for all permits, fees or assessments as required.

**Zoning Requirements and Other Local Regulations:** Although the Contractor assumes no responsibility for determining whether the City has the legal right or authority to perform work or construction on the property as directed, the Contractor acknowledges that this Agreement shall be subject to further order of the Court, as indicated in the paragraph titled, "Effect of Litigation." Notwithstanding that such work might be deemed to violate any ordinance, zoning regulation or other law, the City shall, nevertheless, be obligated to pay for work performed to date.

## **ARTICLE 8** **Miscellaneous Provisions**

**Work by Others:** The Contractor shall not be responsible for defects in any stage of construction caused by work of others.

**Property Lines:** The City of this work shall establish and designate property lines, and be obligated to pay for work performed as ordered in the event said work results in trespass on other property. The City shall also be responsible for any damages caused thereby to the City of such other property.

**Interruption of Work:** In the event the Contractor is delayed in the progress of work by any caused beyond the Contractor's reasonable control, then the time for completion of the work shall be extended by the amount of time Contractor is so delayed. Such delays may include, but not be limited to, acts of God (i.e. rain, frozen ground, excessive water on property and any other weather conditions that may impair Contractor's performance), government action and labor difficulty (i.e. strikes or work stoppages, shortage of materials, riot, civil disorder or embargo).

**Approval:** this proposal will not be binding upon the Contractor until it has been signed by and received from the City, and been checked and signed by an officer of the Contractor's company.

**Change Orders:** No change or alterations in the specifications shall be allowed except in writing and at prices agreed upon at the time changes are authorized.

**Estimate or Approximate Quantities:** Quantities and areas in this proposal are for estimating purposes only. It is understood that payment is to be made on actual quantities or work completed and actual areas covered unless otherwise indicated.

**Hidden Objects:** Contractor assumes no responsibility for removing hidden objects encountered during the performance of the work. Any costs incurred by the removal and disposal of such hidden objects shall be borne solely by the City, and the Contractor shall be reimbursed accordingly.

**Arbitration Clause:** By mutual consent all claims or disputes arising out of this Contract or the breach thereof, may be decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association. Notice of the demand for arbitration shall be filed in writing with the American Arbitration Association and shall be made within a reasonable time after the dispute has arisen. Judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

**Notice of Intention of Claim a Lien:** If not paid on a timely and proper basis as indicated above, the undersigned Contractor may claim a lien upon the foregoing described premises and any and all additions, alterations and improvements thereto for any amounts which become owing and unpaid to said Contractor for the performance of the labor and/or for the furnishing of materials.

**Effect of Litigation:** The City is a Michigan municipal corporation, duly and legally incorporated as a Home-Rule City, with legal authority to act in accordance with its City Charter, Ordinances, and the laws of the State of Michigan. In 2018, the City filed a Petition and Complaint in Oakland County Circuit Court (Case No: 2018-169728-CZ) seeking, in principal part, an order declaring 945/959 E. Ten Mile Road, Madison Heights, Michigan 48071 (hereinafter referred to as "945/959") and 901 E. Ten Mile Road, Madison Heights, Michigan 48071 (hereinafter referred to as "901"), to be public nuisances, the abatement for which required demolition.

In 2020, Oakland County Circuit Court Judge, Hala Jarbou, issued a Court Order (the "Court Order") determining that 945/959 and 901 (Sections A and C) are public nuisances subject to demolition, with the following caveat in regard to 901: If Section 901 B (the middle section of the building) cannot stand on its own as a separate building, then Section 9012 B shall also be demolished with 901 A (the western section) and 901 C (the eastern section of the building).

Since the Defendants failed to file an appeal bond and since there is no court ordered stay in place and since the demolition of 945/959 and 901, as indicated in the Circuit Court Order, is imperative to the health, safety and welfare of the City's residents and the residents of the surrounding communities, the City and the Michigan Department of Environment, Great Lakes and Energy ("EGLD"), issued a Request for Proposal for the Demolition of 945/959 and 901 (the "RFP" and/or

“RFP 21-06 A”).

The Contractor is an asbestos abatement and demolition contractor licensed in the State of Michigan, having responded to the RFP and after having been determined to be the lowest responsible bidder meeting the bidding criteria, requirements, and qualifications for conducting the demolition, and after having determined that it has the ability and expertise to demolish 945/959 and 901 in accordance with RFP 21-06 A and after having determined that 901 B cannot stand on its own as a separate building once Sections 901 A and 901 C are demolished, the Contractor enters into this Contract for the purpose of demolishing 945/959 and 901(Sections A, B and C), along with performing other site work as provided for and as required in the RFP 21-06 A.

On November 9, 2021, the Michigan Court of Appeals (Case No: 354330) unanimously affirmed the Circuit Court's Order with the Defendants filing an Application for Leave to Appeal in the Michigan Supreme Court (Case No: 163862), which matter is presently pending.

Notwithstanding the foregoing, this Agreement, and the responsibilities of the City and Contractor, which each party acknowledges, shall be subject to further order of the Court, which may affect or change the obligations and responsibilities of the parties hereunder.

## ARTICLE 9

### ENUMERATION OF CONTRACT DOCUMENTS

The Contract Documents as listed here and, except for Modifications issued after the execution of this Agreement, are enumerated as follows and attached:

Proposal dated: November 30, 2021  
Revised Rate Sheet: February 18, 2022 Amount: \$412,154

This agreement entered into as of the day and year first written above.

## CITY

City of Madison Heights, MI  
Melissa R. Marsh, City Manager

(Signature)

---

*(Printed name and title)*

**CONTRACTOR:**

The Adams Group, Inc.  
Eric Adams

(Signature)

(Printed name and title)

**SCHEDULE**

**Base RFP Pricing Schedule** - The Bidder will complete the Work and accept as full payment, for the Work items listed, the following Unit Prices and/or Item Bid Prices, as applicable:

Base RFP Item No.	RFP Quantity	Description (Bidder to write price in Words)	Unit Price	Item RFP Extended Price
1.	1	Lump Sum Submittals	500	500
2.	1	Lump Sum Mobilization	15,000	15,000
3.	1	Lump Sum Temporary Chain Link Privacy Fencing	22,250	22,250
4.	1	Lump Sum 945 E. Ten Mile Road: Asbestos Abatement, Removal, and Disposal – White Window Caulk	5,200	5,200
5.	1	Lump Sum 945 E. Ten Mile Road: Asbestos Abatement, Removal, and Disposal – Lined Concrete Floor	7,500	7,500
6.	1	Lump Sum 945 E. Ten Mile Road: Asbestos Abatement, Removal, and Disposal – Remaining ACMS	10,000	10,000
7.	1	Lump Sum 945 E. Ten Mile Road: Universal Waste Pre-Demolition Removal, Transportation, and Disposal	7,500	7,500
8.	1	Lump Sum 945 E. Ten Mile Road: Building Demolition	31,800	31,800
9.	100	Ton 945 E. Ten Mile Road: Staging, Transportation, and Disposal of Non-Hazardous Building Demolition Debris	\$50/ton	5,000
10.	400	Ton 945 E. Ten Mile Road: Staging, Transportation, and Disposal of Hazardous Building Demolition Debris	\$233/ton	93,200
11.	200	Ton 945 E. Ten Mile Road: Recovered Steel Recycling	\$0/ton	\$0
12.	1	Lump Sum Power Wash Basement of 945 E. Ten Mile Road	1,000	1,000
13.	430	Ton Provide and Place 1.5' Washed Gravel in Basement	\$57.07/ton	24,540
14.	10,000	Square Feet Provide and Place 20 mil HDPE Liner	\$1.88/sqft	18,760
15.	1,550	Ton Provide and Place MDOT Class II Sand Backfill	\$30/ton	46,500
16.	300	Ton Provide and Place MDOT 21AA Dense Graded Aggregate	\$44.68/ton	13,404
17.	1	Lump Sum 945 E. Ten Mile Road: Site Restoration	5,000	5,000
18.	1	Lump Sum 901 E. Ten Mile Road: Building Demolition	10,000	10,000
19.	800	Ton 901 E. Ten Mile Road: Staging, Transportation, and Disposal of Non-Hazardous Building Demolition Debris	\$50/ton	\$40,000
20.	175	Ton 901 E. Ten Mile Road: Recovered Steel Recycling	\$0/ton	\$0
21.	1	Lump Sum 901 E. Ten Mile Road: Site Restoration	10,000	5,000
22.	1	Allowance Provisionary Allowance	\$50,000	\$50,000
TOTAL (This amount should equal the Base RFP amount on the RFP Summary Form)			\$	412,154

**Base RFP Pricing (Sum of Item RFP Extended Prices for all Base RFP Items):**

Four hundred twenty nine thousand nine hundred four  
(use words)

Dollars \$ 412,154  
(in figures)

**CITY OF MADISON HEIGHTS**  
**ELECTRONIC COUNCIL AGENDA REQUEST FORM**

SUBMITTED TO: \_\_\_\_\_

SUBMITTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

FOR CONSIDERATION AT THE COUNCIL MEETING OF: \_\_\_\_\_

**ACTION REQUESTED**

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	UNFINISHED BUSINESS	_____

**DESCRIPTION OF ITEM**

**IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS**

**POLICY CONSIDERATION**

**FINANCIAL IMPACT**

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 <sup>nd</sup> Acct.	_____		_____
Other Comments	_____		_____

**REVIEW CHECKLIST**

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

CITY MANAGER \_\_\_\_\_ DATE \_\_\_\_\_



# MEMORANDUM

Date: February 18<sup>th</sup>, 2022  
To: City of Madison Heights City Council  
From: Matt Lonnerstater, AICP – City Planner  
Subject: Comprehensive Zoning Ordinance Rewrite RFP – Consultant Recommendation

## Background

City staff issued a Request for Proposals (RFP) to solicit proposals from qualified planning consulting firms to assist with a comprehensive rewrite of the Madison Heights zoning ordinance. Staff is seeking to develop a new, user-friendly zoning ordinance that is consistent with the Madison Heights 2021 Master Plan. The new ordinance will also help Madison Heights obtain certification through the Michigan Economic Development Corporation's (MEDC) '*Redevelopment Ready Communities*' (RRC) program. Staff is seeking funding from the MEDC's Technical Assistance program to assist with the rewrite project.

Since its initial adoption in the early 1970s, the City's zoning ordinance has been amended and patched up in a piecemeal fashion. As a result, the current ordinance contains outdated language that is difficult to administer and standards that lack the ability to address modern development trends. Staff believes that a zoning ordinance overhaul is warranted in order to accomplish the following objectives:

- Implement the goals and objectives of the 2021 Master Plan.
- Incorporate user-friendly formatting techniques including, but not limited to, hyperlinking, text, tables and illustrations.
- Include new zoning districts/overlay districts with form-based elements, where necessary, to align with the 2021 Master Plan's '*City Center*' and '*Mixed-Use Innovation*' designations.
- Promote 'people-oriented' site and building design.
- Identify opportunities for process simplification and flexibility.
- Incorporate modern standards for adaptive reuse and infill development.

As part of the zoning ordinance rewriting process, the work program will include an assessment of the current zoning ordinance, public outreach, consistent updates at Planning Commission and City Council, and the submittal of final documents including a new Zoning Ordinance and, potentially, a new Zoning Map.

## Consultant Submittals

The City received five (5) responses to the RFP posting, listed below:

Consultant	Cost
McKenna	\$55,000
Beckett and Raeder	\$47,920
Progressive AE	\$53,170
Giffels Webster	\$99,488
Safebuilt	\$125,616

## Comprehensive Zoning Ordinance Rewrite RFP – Consultant Recommendation

A selection committee was formed consisting of the Community & Economic Development Director, City Planner, City Manager, Human Resources Director, and a member of the Planning Commission. The selection committee reviewed and evaluated the proposals on February 2<sup>nd</sup>, 2022, and conducted interviews on February 11<sup>th</sup>, 2022.

While all of the consultants were exceptional and demonstrated a high-degree of understanding the City's goals for the project, the selection committee found that **McKenna** submitted the best proposal and seemed to demonstrate the best experience for the project. The selection committee evaluated each proposal based on five (5) categories: (1) responsiveness; (2) public engagement; (3) project team experience; (4) scope of services and deliverables; and (5) understanding of cost, financial and legal obligations.

The CED Department has applied for funding to reimburse a portion of these costs through the Michigan Economic Development Corporation's Redevelopment Ready Communities Technical Assistance Grant program. Staff anticipates that the city will receive the maximum grant amount of \$30,000 in two installments to be distributed in FY23.

### **Next Steps**

McKenna's agreement for professional services and proposal are attached to this memo. The City Attorney has had the opportunity to review the agreement for professional services

**Staff recommends that City Council approve the agreement with McKenna for professional services to assist Madison Heights with a zoning ordinance rewrite for an amount not to exceed \$55,000, and to authorize the Mayor and City Clerk to sign the same.**



**MCKENNA**

February 18, 2022

Mr. Giles Tucker, MPA  
Community & Economic Development Director  
City of Madison Heights  
300 West Thirteen Mile Road  
Madison Heights, MI 48071

**Subject: Professional Services Agreement  
Promoting Quality Redevelopment Through a New Zoning Ordinance**

Dear Mr. Tucker:

Enclosed you will find two executed copies of the Professional Services Agreement. Please execute both copies and return one to us for our files.

We are very excited about working with the City of Madison Heights.

Sincerely,

**McKENNA**

*Hunter Whitehill*  
Hunter Whitehill  
Associate Planner

c. Mr. Matt Lonnerstater, AICP, City Planner

Enclosures

**HEADQUARTERS**

235 East Main Street  
Suite 105  
Northville, Michigan 48167

O 248.596.0920  
F 248.596.0930  
[MCKA.COM](http://MCKA.COM)

Communities for real life.

## PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT, entered into this \_\_\_\_\_ day of February, 2022 by and between the CITY OF MADISON HEIGHTS, State of Michigan, hereinafter referred to as "City" and McKENNA ASSOCIATES, INC., a Michigan corporation of Northville, Michigan, hereinafter referred to as "Consultant."

WITNESS:

WHEREAS, the City is desirous of preparing its Zoning Ordinance; and

WHEREAS, the City has reviewed and approved the Consultant's proposal dated January 28, 2022;

NOW, THEREFORE, the parties hereto do mutually agree as follows:

### **SECTION 1. SCOPE OF SERVICES.**

The Consultant shall perform all the necessary services under this Agreement.

The above services and task end products are specified and described in the proposal to the City by the Consultant, dated January 28, 2022. The Work Plan on pages ten (10) through fifteen (15) of said proposal are hereby attached to and made a part of this agreement. The Consultant shall carry out all activities specified in the above-cited proposal in a satisfactory and proper manner as set forth in the proposal.

### **SECTION 2. END PRODUCTS.**

#### **A. DOCUMENT**

The Consultant shall provide the City with the end products as described in the attached Work Plan.

#### **B. MEETINGS**

The Consultant shall prepare for and attend up to the following thirteen (13) meetings:

1. Two (2) kick-off meetings.
2. One (1) diagnostic review meeting.
3. Two (2) community workshops.
4. One (1) outline and format meeting.
5. Five (5) technical meetings for the Planning Commission, City Staff and Key Stakeholders meetings.
6. Two (2) public hearing presentations.

### **SECTION 3. COMPENSATION AND METHOD OF PAYMENT.**

- A. The City shall pay the Consultant for the work as described in SECTION 1. SCOPE OF SERVICES and SECTION 2. END PRODUCTS the amount of Fifty-Five Thousand Dollars (\$00).
- B. **Additional Services.** For additional professional services provided to the City, at the City's request, as described in Section 3. and which are beyond the Scope of Services and End Products described in Sections 1. and 2., above, including attendance at additional meetings or other services, the Consultant shall be compensated on an hourly basis as follows:

Professional Classification	Rate Per Hour*
President	\$150
Executive or Senior Vice President	\$140
Vice President	\$135
Director	\$125
Senior Principal or Manager	\$120
Principal	\$115
Senior	\$100
Associate	\$90
GIS Specialist	\$85
Assistant	\$85
Building Official	\$85
Building Code Inspector	\$75
Intern	\$75
Administrative Assistant	\$75
Consultation, preparation for, and sitting as expert witness in legal matters.	\$200

\* Rates include the following overhead: Accounting, Advertising and Promotion, Books, Publications and Maps, Business Entertainment, Charitable Contributions, Computers, Furniture and Fixtures, Graphics Supplies and General Insurance, Interest, Legal, Licenses, Meals, Memberships and Subscriptions, Office Equipment, Office Space and Parking, Office Supplies, Postage (Except Overnight), Professional Dues, Software, Taxes and Telephone.

These rates do not include photography, outside reproduction, document or materials purchases, which are invoiced additionally. Rates also do not include reimbursable costs for travel, courier, overnight mail, etc. Mileage will be invoiced at the Federal mileage rate.

These hourly rates are valid through December 31, 2022, after which they may change per classification by a percentage equal to the increase in the Consumer Price Index for the prior 12 months per U.S. Department of Labor, Bureau of Labor Statistics.

C. **Payment.** Payment for services shall be monthly based upon Consultant's estimated percent complete and a description of services performed. Consultant shall submit an invoice, and the City shall within thirty (30) days satisfy itself as to the performance of such work and pay the amount for services and reimbursement requested by the invoice.

#### **SECTION 4. CITY DATA AND SERVICES TO BE PROVIDED TO CONSULTANT.**

If requested by the Consultant and if available, the City shall furnish the following in digital format, or paper format if no digital version is available, without charge to the Consultant:

- A. Copies of previous Planning Commission minutes.
- B. Planning Commission agenda packages submitted to the Consultant prior to the meeting.
- C. One set of the most recent aerial photos (with property lines) of the City, as available from County or Regional Agencies.
- D. Copies of previously prepared plans, maps and ordinances, economic development data or economic studies, as applicable.
- E. Updated assessment and ownership data, tax maps, and other basic data to be gathered and/or made available from City and County files, as may become available.
- F. Information on utilities, both public and private, applicable records, minutes, agendas, base maps, tax maps, environmental data and other basic data to be gathered and/or made available from City files.
- G. Any professional, legal or accounting services connected with the project and the costs of publication, postings, notices and mailings. The City shall be responsible for all scheduling and notification of meetings.
- H. Information available to the City from State, regional, and local data sources.

**SECTION 5. SERVICES.**

The City hereby engages the services of the Consultant to perform the duties, provide the information, prepare such materials and render such advice as are fully described herein.

**SECTION 6. TIME.**

The Consultant shall complete work required and described in this Agreement within nine (9) months of authorization of this agreement, according to a mutually agreed upon schedule, unless the City and Consultant mutually agree to alter the timeline.

**SECTION 7. ACCEPTANCE.**

Consultant hereby agrees to perform the services described herein.

**SECTION 8 - EQUAL EMPLOYMENT OPPORTUNITY**

There shall be no discrimination against any employee who is employed in the work covered by this Contract or against any applicant for such employment because of race, color, religion, sex or nation origin. This provision shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training.

**SECTION 9. OWNERSHIP OF DATA.**

All reports, charts, maps, and graphics shall become the property of the City, and shall not be furnished to any other party without written permission of the City.

**SECTION 10. COMPLIANCE WITH ALL LAWS**

In performance of this agreement, the Consultant agrees to comply with all applicable federal, State and local statutes, ordinances and regulations, when applicable, including minimum wages, Social Security, unemployment compensation insurance, and Worker's Compensation, and to obtain any and all permits applicable to the performance of this agreement.

**SECTION 11. NO CONFLICT OF INTEREST.**

During the term of this contract, the Consultant agrees that it shall not accept employment, nor shall it perform services for or on behalf of any client whose interests are adverse to that of the City, or for which a conflict between the City and Consultant would be created, without the prior written consent of the City.

**SECTION 12. COMPLIANCE WITH CODE OF ETHICS.**

The consultant agrees it shall be bound by the American Planning Association Code of Professional Ethics.

IN WITNESS WHEREOF, the City and Consultant have executed this Agreement the day and year first above written.

**WITNESS:**

**CITY OF MADISON HEIGHTS, MICHIGAN**

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By: \_\_\_\_\_

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By: \_\_\_\_\_

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**McKENNA**

By: \_\_\_\_\_

*John R. Jackson, AICP, President*



# Work Plan



## A. PROJECT INITIATION

We will prepare for and facilitate an internal project Kick-Off Meeting with the City Community and Economic Development Director and other key staff people. A second Kick-Off Meeting will be held with the Project Steering Committee, which could include members of the Planning Commission, the City Council, the Zoning Board of Appeals, Neighborhood Planning Councils, the Building Official, the Attorney, and planning staff.

The Kick-Off Meeting's function will be to discuss overall project expectations and issues, and to agree upon the schedule and dates, ensuring that involved parties share the same expectations.

### **Meeting:**

- One (1) Kick-Off Meeting with the City Community and Economic Development Director, and
- One (1) kick-off meeting with the Project Steering Committee

### **Results:**

- Project meeting schedule
- Agreement on review process

## B. DIAGNOSTIC REVIEW

McKenna will review the 2021 Master Plan and consult with City Planning and Zoning staff as a prelude to preparing a Diagnostic Review of the current City Zoning Ordinance and other land development ordinances (e.g., Subdivision, Stormwater, Streets/Sidewalks, etc.). The purpose of the Diagnostic Review is to determine the strengths and weaknesses of the current regulations and arrive at a plan of action for rewriting the ordinance. It is important to take a fresh approach so that all issues are explored.

During this task, McKenna will examine the existing ordinances in light of current state-of-the-art regulatory methods, current legislation and court decisions, and in consideration of goals and objectives expressed in the 2021 Master Plan. In the process of completing the diagnostic review, McKenna will review **Zoning Board of Appeals** decisions for the past few years to identify recurring problems. We will consult with the **City Attorney** about any relevant zoning litigation. The diagnostic review will determine whether the current City Zoning Ordinance and other land development ordinances are consistent with current law, administrative rules, procedures, and regulations, and federal and state pre-emptions (such as laws regarding child and adult care, telecommunications towers, etc.). In a written report, McKenna will advise the City on the impact of laws and court decisions on the current City Zoning Ordinance.

McKenna will complete an evaluation of existing zoning districts in relation to existing and planned future land use. The purpose of this survey will be to collect necessary data to ensure that existing and proposed zoning districts remain in alignment with the Zoning Plan in the 2021 Master Plan as the ordinance rewriting process unfolds.

### Meeting:

- One (1) meeting with the Planning Commission to discuss results of the Diagnostic Review

### Results:

- Written report of Diagnostic Review of Zoning Ordinance and Other Land Development Ordinances

## C. PUBLIC PROCESS

### Community Outreach Efforts

We believe that hosting two (2) Community Workshops is the best approach for public engagement and consensus-building. Workshops allow the public to identify key issues, form Visions for various districts, and begin to design the standards of the new City Zoning Ordinance in collaboration with the McKenna team and City staff members. In addition, our team will develop a communications strategy and materials to advertise the project publicly, and to plan and facilitate public outreach.

### Public Engagement Communications Strategy

We will advertise the project and provide updates on the City's website. If desired, the City's official social media will be used to raise awareness of the project. Our team will provide the content for all print and digital media advertisements.

### Community Workshops

As the draft ordinance is prepared, McKenna will work with the City to plan two (2) Community Workshops. We realize that we are living in an increasingly virtual world, and we are ready to be flexible in format (in-person – indoors or outdoors, virtual, or hybrid) as necessitated by current events; we routinely host events in all formats. Regardless of format, the Workshops will include the following:

1. **Visioning Exercises.** Visioning exercises will allow participants to gain a sense of community vision, values, hopes, problems, needs and issues. A common language is built, and priorities are set. We will have various boards and activities designed to solicit these ideas from participants.

2. **"Kitchen Table Map".** A large-scale aerial photomap of the Madison Heights will be placed on a table around which participants gather. Participants are asked to place notes on the map of where areas of concern are within the City as it relates to zoning regulations. A strong sense of "Aha!!!" takes place when residents and interested persons can gather around a common table – akin to a family gathering around the kitchen table - to share their thoughts and ideas with the planning staff. This exercise can also be effectively held virtually if circumstances require.
3. **Real-Time Design.** Our team's architect and urban designer will be present (in-person or virtual), sketching concepts in real time. This allows the concepts being discussed at the Workshop to "come to life" through sketches and images.
4. **Report Back.** The results of the visioning activities that took place at the first Workshop will be presented and refined at the second Workshop – creating a "feedback loop" where participants will see their ideas and input take shape in the draft Zoning Map and/or Regulating Plan, and draft ordinance elements such as permitted uses by district, building type standards, and architectural standards. Participants can verify that the process is indeed working toward implementation of the community's Vision.

### The Outcome

Based on the results of the Workshops, the project team will create a preliminary Zoning Map and/or Regulating Plan, as well as draft elements of the ordinance pertaining to permitted uses by district, building types and architectural standards.

Meeting:	Results:
<ul style="list-style-type: none"> <li>• Two (2) community workshops</li> </ul>	<ul style="list-style-type: none"> <li>• Public Input Summary</li> <li>• Empowerment of the Public to Influence the Vision</li> <li>• Preliminary Zoning Map and/or Regulating Plan</li> <li>• Preliminary Ordinance Elements</li> </ul>



## D. ANNOTATED OUTLINE AND FORMAT FOR ZONING ORDINANCE

McKenna will next prepare a detailed outline of the new ordinance, with cross-references to comparable sections of the existing ordinances. We will also prepare a format for typical pages, including headers and footers, font type and size related to the hierarchy of content, margins, graphics, and indexing.

McKenna will present the results of the outline and format to the Project Steering Committee for comment and to obtain general agreement about the scope and nature of the proposed changes.

### Meeting:

- One (1) meeting with the Project Steering Committee

### Results:

- Detailed outline of the ordinance
- Formatted pages for review and approval

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## E. ZONING ORDINANCE FIRST DRAFT

We propose to complete the First Draft of the new City Zoning Ordinance in four (4) parts as follows. Concurrently, we will update and revise definitions so that the definitions article is always up-to-date. We will also "track changes" in Microsoft Word so that you can see all the changes that have been made.

- 1. Zoning Districts, Use- and Form-Based Elements.** The first step in drafting the ordinance will be to establish the zoning districts, with both use- and form-based standards as appropriate.
- 2. General Regulations.** This portion of the ordinance will address supplemental regulations that support and enhance the use and design standards.
- 3. Administration and Processes.** The administration section of the ordinance will include all of the procedural and administrative requirements, in compliance with the Michigan Zoning Enabling Act. Tables and graphics will be used to define more clearly the "what" and "how" of zoning code administration.
- 4. Zoning Map/Regulating Plan.** Revisions to the Zoning Map will be required to incorporate any changes deemed necessary to reflect new or consolidated zoning districts, or to more properly zone properties according to the recommendations of the 2021 Master Plan. Amendments to the Zoning Map for form-based zoning districts will be illustrated in a Regulating Plan for those districts. McKenna will note changes to the Zoning Map that will be required by the new City Zoning Ordinance. The new Zoning Map will then be adopted simultaneously with the new City Zoning Ordinance.

### Meeting:

- See Task F, below, for review meetings.

### Results:

- First Draft of new City Zoning Ordinance (Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel and .pdf electronic file). Alternatively, Adobe InDesign may be used with permission of the City.
- First draft revised Zoning Map (ArcView electronic file + .pdf electronic file or other format at the desire of the City).



## F. FIRST DRAFT REVIEW AND PREPARATION OF SECOND DRAFT

All drafts will be 8½" x 11" format for text and 11" x 17" format for the Zoning Map and/or Regulating Plan.

1. **Zoning Ordinance Draft Review by City Staff.** Prior to sending draft to the Planning Commission, we will send the First Draft to the City Community and Economic Development Director and the Project Steering Committee for review and comment. We will revise and update this First Draft Zoning Ordinance based on the staff's input.
2. **Working Meetings.** We will meet with the Project Steering Committee, Planning Commission, and/or City staff up to five (5) times to review the First Draft Zoning Ordinance. The meetings are intended to take place following completion of Task E. Depending on the body responsible for reviewing and revising the First Draft Zoning Ordinance, these meetings can be working meetings of the Planning Commission or regular meetings of the Project Steering Committee.
3. **Prepare Second Draft.** We will prepare the Second Draft of the City Zoning Ordinance based on the input received during Tasks F.1 and F.2. This Second Draft will identify any changes from the First Draft.

Meeting:	Results:
<ul style="list-style-type: none"><li>Up to five (5) review meetings with the Project Steering Committee, Planning Commission, City staff, and/or other key officials or stakeholders.</li></ul>	<ul style="list-style-type: none"><li>First Draft Zoning Ordinance [Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel + .pdf electronic file]. Alternatively, Adobe InDesign may be used with permission of the City.</li><li>Second Draft Zoning Ordinance [Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel + .pdf electronic file]. Alternatively, Adobe InDesign may be used with permission of the City.</li><li>Summary of Changes [Microsoft Word (.doc or .docx) + .pdf electronic file].</li><li>Second Draft Zoning Map/Regulating Plan (ArcView electronic file + .pdf electronic file or other format at the desire of the City).</li></ul>

## G. PUBLIC HEARINGS AND ADOPTION

1. **Public Hearing Presentations.** McKenna will prepare for and present the Second Draft of the new City Zoning Ordinance at two (2) public hearings, one before the Planning Commission (per State law), and one before the City Council for adoption. McKenna will be prepared to answer questions and explain the reasoning behind the regulations. If no further revisions are requested, the Second Draft will then be considered the Adoption Copy of the new City Zoning Ordinance.
2. **Revised Second Draft (if necessary).** Following the Planning Commission public hearing, if necessary, McKenna will revise the Second Draft of the new City Zoning Ordinance as directed by the Planning Commission. We will maintain a list of changes throughout the public hearing process to track the revisions and provide a record for decision makers as they consider approval. The Revised Second Draft will then be considered the Adoption Copy of the new City Zoning Ordinance.
3. **Adoption Copy of the New City Zoning Ordinance and Map and Revision Manual.** Following adoption, McKenna will provide six (6) final copies of the adopted City Zoning Ordinance in hard copy and digital format, and a final copy of the Zoning Map/Regulating Plan in hard copy and digital format. We will also provide a manual describing how to revise the Word document in a manner that preserves the document's built-in formatting features (hyperlinks, automatic numbering, automatic table of contents, indexes, etc.) and in a format that can be regularly maintained by City staff without new software.

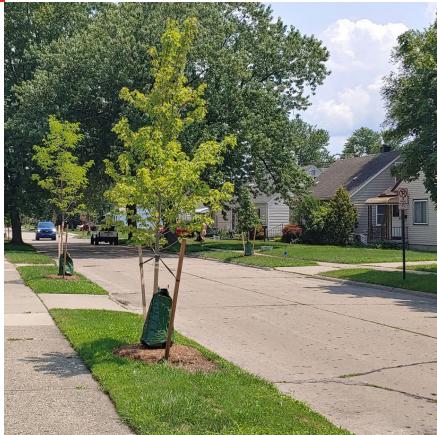
Meeting:	Results:
<ul style="list-style-type: none"><li>Two (2) public hearing presentations attended by McKenna</li></ul>	<ul style="list-style-type: none"><li>Adoption of new City Zoning Ordinance</li></ul>

MCKENNA

PROPOSAL TO PREPARE

# Zoning Ordinance

CITY OF MADISON HEIGHTS, MICHIGAN



JANUARY 28, 2022

Communities for real life.





January 28, 2022

Mr. Giles Tucker  
Community & Economic Development Director  
City of Madison Heights  
300 West Thirteen Mile Road  
Madison Heights, MI 48071

**Subject: Promoting Quality Redevelopment Through a New Zoning Ordinance**

Dear Mr. Tucker:

The opportunity to rethink a Zoning Ordinance is a significant event in any community and is especially so in Madison Heights. Given Madison Heights' prime location in Oakland County, the potential for high-quality redevelopment that fosters community identity, walkability, diverse housing types, and dynamic entrepreneurial innovation is palpable – and thoughtful, updated land use regulations can make it a reality.

We commend City leaders for their forward-thinking and comprehensive planning efforts, as evidenced by their Vision for redevelopment in the 2021 Master Plan – and by the resulting desire to rewrite the Zoning Ordinance accordingly. McKenna would be thrilled to partner with you on this exciting project, and we have assembled an experienced and innovative team of planning, architecture, and zoning professionals to produce a cutting-edge code that is supported by the whole community.

**A TALENTED TEAM OF PROFESSIONALS**

Hunter Whitehill, Associate Planner, will be the Project Planner for updating the Zoning Ordinance and will be the primary point of contact, attending all City meetings. Hunter is experienced in writing, implementing, and administering zoning regulations in communities of all sizes. Hunter has experience throughout Michigan and Ohio creating innovative zoning ordinances founded on user-friendly and practical regulations. Hunter was instrumental in writing the Battle Creek Zoning Ordinance (which included a form-based code for the downtown and key corridors), the Livonia21 Zoning Ordinance, and has written zoning ordinance amendments for communities across Southeast Michigan. Hunter's attention to detail and passion for high-quality standards will steer the development of a code that will implement Madison Heights' Vision in the years to come.

Hunter's leadership will be backed by a team of talented professionals:

Adam Cook, CNU-A, FBCI, NCI, will serve as Zoning and Redevelopment Specialist. A dedicated partner with McKenna, Adam has spent the past decade as an independent consultant, creating zoning ordinances, master plans, and redevelopment plans for communities across the Midwestern United States and Canada. Adam has been instrumental in developing form-based zoning regulations on many McKenna-led projects, and is currently the project manager for the new, form-based City of Hazel Park Zoning Ordinance. Adam also has deep experience preparing redevelopment plans in coordination with the Michigan Economic Development Corporation (MEDC) Redevelopment Ready Communities® Program. Adam will also assist in designing the community engagement elements of the project, backed by experience managing dozens of design charrettes and community workshops.

**HEADQUARTERS**

235 East Main Street  
Suite 105  
Northville, Michigan 48167

O 248.596.0920  
F 248.596.0930  
[MCKA.COM](http://MCKA.COM)

**Communities for real life.**



Michael Campbell, M.Arch, RA, McKenna Urban Designer, is a registered architect and urban designer who will bring his talent for illustration and visualization to this project. Mike's ability to capture ideas in real-time through skilled illustration is an invaluable asset at community engagement events. His decades of practical experience will inform development of the dimensional and architectural standards that are the key ingredients in form-based zoning regulations.

We have also included an experienced team of planning, mapping, and graphic design professionals who will be responsible for ensuring that the built environment resulting from the updated zoning ordinance enhances the existing and future fabric of Madison Heights. Additional team members include project planners Kyle Mucha, AICP and Nani Wolf, GIS and Mapping Specialist Brian Keesey, AICP, and Art Director Carrie Leitner.

#### **MCKENNA – ROOTED IN MIDWEST PLANNING AND DESIGN**

Our team specializes in serving Michigan communities, and our firm has had a presence in the Detroit area from our founding over 40 years ago. We work with communities to instill excellence in planning and design. We want to be the City's partner on the new Zoning Ordinance, and we want you to know we will be fully present from project kickoff to adoption – in-person, on Zoom, or via any other communication channel you enjoy using. McKenna will also be available to help you implement the ordinance once it's adopted.

The enclosed proposal has been written by the professionals who will be directly involved in the project at hand. We recognize that an endeavor as critical as a new zoning ordinance requires a close working relationship, and we would be thrilled to accompany and assist Madison Heights on this important journey.

We look forward to meeting with you soon to review our proposal. If you have any questions, please do not hesitate to contact us via phone at (248) 596-0920 or via email at [hwhitehill@mcka.com](mailto:hwhitehill@mcka.com).

Thank you.

Sincerely,

**McKENNA**



Hunter Whitehill  
Associate Planner

**EXHIBIT C – Non-Collusion Affidavit**

STATE OF MICHIGAN )

COUNTY OF Wayne )

John R. Jackson, being first duly sworn, deposed and says that:

The undersigned signed this on the 28th day of January, 2022.

**SIGNATURE**

PRINTED NAME: John R. Jackson, AICP

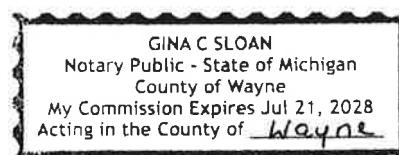
**TITLE:** President

Subscribed and sworn to before me this 28th day  
of January, 2022, a notary public in  
and for said county.

For CR, Notary Public

Wayne County, Michigan

My Commission Expires: 7/21/28



**EXHIBIT B – Proposal Submission**

The undersigned having become thoroughly familiar with and understanding the entire proposal documents attached hereto, agrees to provide the services as specified herein, for the unit prices as stipulated herein, subject to negotiation.

I hereby state that all of the information I have provided is true, accurate and complete. I hereby state that I have authority to submit this proposal which will become a binding contract if accepted by the City of Madison Heights. I hereby state that I have not communicated with, nor accepted anything of value from an official or employee of the City of Madison Heights that would tend to destroy or hinder free competition.

I hereby state that I have read, understand and agree to be bound by all the terms of this proposal document.

DATE: January 28, 2022

FIRM NAME: (if any) McKenna

ADDRESS: 235 East Main Street, Suite 105, Northville, MI 48167  
(Street Address) (City) (State) (Zip)

PHONE NO. (248) 596.0920 FAX NO.: (248) 596.0920

EMAIL: jjackson@mcka.com and hwhitehill@mcka.com



SIGNATURE

PRINTED NAME: John R. Jackson, AICP

TITLE: President

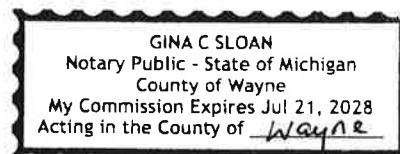
Subscribed and sworn to before me this 28th day  
of January, 20 22, a notary public in  
and for said county.



Gina C Sloan, Notary Public

Wayne County, Michigan

My Commission Expires: 7/21/28





# Zoning Ordinance Rewrite

CITY OF MADISON HEIGHTS, MICHIGAN



JANUARY 28, 2022

**MCKENNA**  
235 East Main Street,  
Suite 105  
Northville, MI 48167

**O** 248.596.0920  
**F** 248.596.0930  
**E** [info@mcka.com](mailto:info@mcka.com)  
**MCKA.COM**

**MCKENNA**

Communities for real life.



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# Executive Summary



McKenna's Zoning Ordinance team is ready to hit the ground running on updating Madison Heights' zoning regulations into a user-friendly format. Our team's successful experience and local knowledge make us a very strong partner for the City of Madison Heights.

## PROJECT TEAM

**Project Manager** – Hunter Whitehill

**Zoning and Redevelopment Specialist** –

Adam Cook, CNU-A, FBCI

**Urban Designer and Architect** –

Michael Campbell, RA

**Project Planner** – Kyle Mucha, AICP

**Assistant Planner** – Nani Wolf

**GIS and Mapping Specialist** – Brian Keesey, AICP

**Zoning Graphics** – Carrie Leitner

## MCKENNA ADVANTAGE

- Unmatched responsiveness to clients
- 43-year track record of successfully writing and updating zoning ordinances and land use codes
- Our team is experienced in writing regulations to help the redevelopment of Michigan cities
- We are leaders in creating innovative and easy to use codes that spur investment and promote sustainability.

## PROJECT FEE AND SCHEDULE

The McKenna team will prepare a new City Zoning Ordinance, including form-based elements and a public engagement process, for \$55,000. We propose a 9-month project schedule but can adjust the schedule to meet the needs of the community.

## PROJECT SUMMARY

We understand that Madison Heights wishes to rewrite its City Zoning Ordinance in a way that is consistent with the 2021 Master Plan and integrates MEDC Redevelopment Ready Communities® Best Practices. McKenna's approach will deliver a code supported by stakeholders with up-to-date, technically sound regulations that address the City's preservation and development objectives. The process will include meaningful opportunities for collaboration. We therefore propose:

1. A thorough diagnostic review of the entire City Zoning Ordinance and related ordinances.
2. Meetings with the Planning Commission, City staff, and/or other key elected officials, committees, or stakeholders to discuss issues and craft appropriate standards.
3. One (1) City Council meeting for public hearing presentation and adoption.
4. Two (2) public engagement workshops.
5. A user-friendly format, with clickable links, tables, and graphics that support the text.
6. Zoning updates that implement the Master Plan, include form-based elements for downtown and targeted corridors, eliminate conflicting or unclear language, and promote sustainable development.

# Firm Qualifications



McKenna's downtown Northville, Michigan headquarters. Our workspaces reflect McKenna's commitment to our people, our communities, sustainable design, and the rich technology heritage of the Midwest.

McKenna's team of talented planning, design and building professionals help municipal leaders develop and maintain communities for real life. From street festivals, neighborhood parks, and storefronts, to parking spots, coffee shops, and farmers' markets, we want your community to thrive. McKenna provides planning, zoning, building, landscape architecture, community and economic development, and urban design assistance to cities, villages, townships, counties, and regional agencies, as well as select private clients, based on skilled and effective public engagement. Our success can be measured by the built improvements to hundreds of McKenna client communities, and by our 43-year record of client satisfaction and on-time, on-budget delivery.

McKenna currently provides project services to more than 85 communities and private land investors in the Midwest. Anticipating and responding to change is a major distinction of McKenna's practice. Our innovation and depth of experience is a resource for public and private decision-makers; we are a corporation of 20-plus planners, building code experts, urban designers, and landscape architects formed under the laws of Michigan on May 2, 1978.

**HEADQUARTERS**  
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# Areas of Service

## Community Planning

- Master Plans (Cities, Villages, Townships, Counties and Regions)
- Strategic Planning Facilitation
- Neighborhood Preservation Plans
- Redevelopment Plans
- Corridor Plans
- Downtown Plans
- Growth Management Plans
- Park and Recreation Plans
- Capital Improvements Programs
- Community and Fiscal Impact Analysis
- Waterfront Planning
- Open Space Planning
- Historic Preservation Plans
- Transportation and Parking Plans
- GIS Analysis and Alternative Testing
- Access Management

## Economic Development

- Public/Private Partnerships
- Brownfield Redevelopment Planning
- Downtown Redevelopment Action Plans
- Corridor Redevelopment
- Tax Increment Finance Plans
- Grant Applications
- Redevelopment Project Management
- Market Studies: Retail, Commercial, Residential, Industrial, Institutional
- Redevelopment Financing Assistance
- Land Assembly/Eminent Domain Assistance

## Building Department Administration

- Zoning Administration
- Building Code and Zoning Enforcement
- Building Inspection
- Electrical, Mechanical and Plumbing Inspections
- Property Maintenance and Housing Inspection
- Landscape Construction Observation
- Code Enforcement
- Compliance with State
- Department Management Plans

## Parks and Recreation

- Parks and Recreation Master Plans
- Park Design (neighborhood, community, regional)
- Ball Field Planning and Design
- Park and Recreation Facilities Design
- Bikeway and Trail Planning and Design
- Grant Applications
- Public Participation
- Universal and ADA Accessibility
- Park and Recreation Furnishings



## On-Site Management Services

- Zoning and Planning Administration
- Tax Increment Finance Authority Management
- Downtown Development Authority Administration
- CDBG Administration
- Housing Rehabilitation
- Project Management – Capital Improvement Projects
- Redevelopment Project Administration
- Community Development Administration
- Economic Development Administration

## Development Codes

- Zoning Ordinance
- Zoning Ordinance and Resolution Review and Preparation
- Continuing Advisory Services to Elected and Appointed Officials, Planning and Zoning Commissions, and Boards of Appeal
- Subdivision and Condominium Regulations
- Form-Based Codes
- Environmental Regulations – Wetlands, Woodlands
- Expert Witnessing and Court Testimony on Zoning
- Sign Regulations
- Annexation Advisory Assistance
- Sex-Oriented Business Regulations and GIS Testing
- Open Space Regulations
- Planning and Zoning Code Training Seminars
- On-Site Zoning Administration

## Complete Streets and Transportation Planning

- Complete Streets Policy Development
- Complete Streets Design Guidelines
- Complete Streets Procedure and Implementation
- Corridor Plans
- Streetscape Plans
- Bicycle & Pedestrian Plans
- Bicycle Parking Plans
- Bicycle Sign Plans
- Bike Share Feasibility Studies
- Intersection Design & Crossing Plans
- Zoning and Regulatory Review
- User Maps and Wayfinding Studies
- Transportation Master Plans
- Site Plan Review of Transportation Facilities
- Circulation Studies Vehicles and Pedestrian
- TOD Studies
- Education and Training
- Transportation and Parking Plans
- Access Management
- Parking Studies

## Public Participation (NCI Certified)

- Charrettes
- Hands-on Workshops
- Focus Groups
- Roundtable Discussions
- Surveys (telephone, online, direct mail)
- Public Hearings
- Open Houses
- Interactive Citizen Advisory Committees
- Youth Outreach
- Community Walks and Bike Rides
- Pop-Up / Storefront Workshops
- Consensus Building
- Participatory Decision-Making
- Interviews (one-on-one, intercept)
- Community Preference Surveys

## Community Development

- HUD CDBG Administration
- Analysis of Impediments to Fair Housing
- Environmental Review Records
- Consolidated Plans
- Elderly Housing Assistance
- Five Year and Annual Action Plans
- CDBG Program Planning and Applications
- Housing Rehabilitation Administration
- Market Studies – Market Rate, Elderly and Assisted Housing
- Housing Market Studies (MSHDA approved)

## Urban Design

- Community Design Plans
- Placemaking Strategies
- Parks, Greens, Commons and Plaza Design
- Streetscape Design
- Site Planning
- Community Character Planning
- Historic Park Design
- Computer Visualization (before/after)
- Design Review
- Site Evaluation and Selection
- Design Manuals
- Neo-Traditional Design (TND)
- Urban Form Pattern Books
- Mixed Use (residential, retail, office, public, institutional) Design
- Public Art

## Sustainability Plans

- Sustainability Indicators Analysis, Evaluation Criteria, and Program Improvements
- Develop Neighborhood Stabilization Plans
- Green Infrastructure Plan for Community's Public Property
- Walkable/Bikeable Audits and Implementation Plans
- Community Master Plan, Strategic Plan, or Capital Improvement Plan
- Plan for Low Impact Development (LID) Components
- Local Planning and Zoning
- Access Management Plans for Transportation Corridors

## Landscape Architecture

- Residential Development Plans (single family detached/attached; multi-family, elderly, mixed use, townhouses) Conventional & Cluster
- Site Analysis and Design
- Site Layout and Planning
- Construction Drawings and Construction Observation
- Landscape Architecture (MSHDA-approved)
- Arborist Services (tree surveys and maintenance plans)
- Greenways and Trail Planning and Design
- Native Plant Landscapes
- Wayfinding, Signs, and Interpretive Stations
- Environmental Performance Standards
- Public Art Development
- Public Space Design – Greenways, Bikeways, Streetscapes
- Wetlands, Woodlands, Groundwater, Aesthetic, and Vista Protection Regulations
- Sustainable Landscape Design



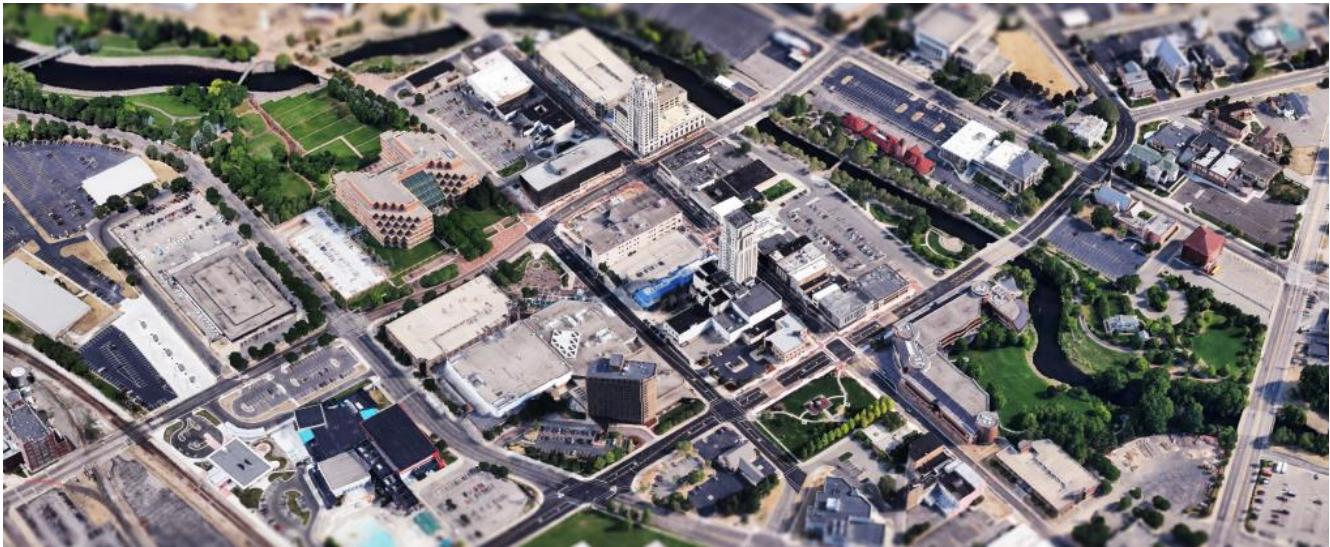
# Project Approach



## STREAMLINED PROCESSES

McKenna's approach to Madison Heights' new City Zoning Ordinance is based on our success in modernizing and updating land use regulations for dozens of communities, many of which wish to streamline their planning and zoning processes while **maintaining regulatory excellence**. We understand that since the Great Recession, communities have been increasingly under pressure to be "development friendly." We will help your staff collect, organize, and include the necessary revisions to your ordinance - to not only **assist the public** (residents, developers, other stakeholders) but to also allow your team to **more effectively administer** the ordinance.

As reflected in the 2021 Master Plan, Madison Heights desires an ordinance that incorporates form-based design standards and removes barriers to sustainability and economic development. Capitalizing on the momentum generated through recent the Master Plan process, rewriting the City Zoning Ordinance in a timely manner will ensure that the City has the regulations in place to achieve the community's Vision for the future. Additionally, the new ordinance should be more user-friendly, with clear regulations, clickable hyperlinks, tables, and effective graphics that support the text.



## FOCUS ON DESIGN OF PLACES

The conventional zoning model in place in most communities throughout the United States is based on a separation of uses, density controls, and rigid standards for key development attributes (such as setbacks or building height). The primary concern of conventional ordinances is the regulation of use, with little or no attention paid to physical form. The impacts of this paradigm – the loss of traditional urban form and the rise of prototype development styles that have no relation to local context – have been written into the American landscape over the past seventy years.

**Design-based planning and zoning** has the potential to revolutionize how local communities regulate development. The fundamental premise underlying form-based codes is that regulating physical development form – and providing flexibility for use – is the key to producing a better built environment.

Form-based codes use **prescriptive** standards that clearly establish in advance how new development should look, where it should be located, and how it should relate to neighboring streets and buildings. In contrast to the uncertainty of conventional standards, form-based codes offer a high degree of predictability. The community knows in advance what new development will look like while developers know what is expected of them.

The McKenna team will utilize form-based coding in those areas where Madison Heights desires a certain physical character either to be retained, or when a certain physical character is desired from new development. Areas with these characteristics include residential neighborhoods where infill and “missing middle” housing formats are desired, the City Center area surrounding John R and 11 Mile Roads, and areas throughout the City designated Mixed Use Innovation on the Future Land Use Map. Depending upon the area, design-driven zoning provisions could encourage new housing types, continuous street walls, high levels of window transparency, or entrances at sidewalks. Any associated parking would be located behind buildings and unnecessary curb cuts prohibited, to foster an enjoyable pedestrian environment.

Our approach to writing form-based codes has been proven by our record of success, and is based on the following key tenets:

- **Regulate design, not density.** First and second-generation zoning ordinances primarily regulate density while neglecting design. We propose to regulate design first and density second. Density is not ugly or onerous when properly designed, and higher-density development is the greenest kind of development.

By taking a design-first approach, we will be able to incorporate the Goals and Objectives set forth in the 2021 Master Plan for community character, housing, and environmental and economic sustainability. Achieving these ends in a use-based ordinance is difficult and will result in zoning standards that are not much different (and probably no more functional) than your existing zoning ordinance.

- **Allow a mix of uses.** When the first and second generations of zoning ordinances were written, a strict separation of uses in the name of “efficiency” and the protection of residential neighborhoods against non-residential uses were the paramount concerns. We have since learned that a heavy focus on use and a

lack of attention to design (form) leads to unpredictable and sometimes ugly results. Protecting property values and quality of life in residential areas will still be a primary objective of the new City Zoning Ordinance, but we will also add detailed design standards for residential and non-residential uses. These new standards will ensure that new development is appropriately sited and designed. If designed properly, certain non-residential uses in residential areas can actually increase property values and quality of life for City residents.

- **Be sustainable.** The revised ordinance will focus on sustainability at a number of levels. The ordinance standards will require sustainable design, addressing storm water management, rooftop solar installations, minimizing the urban heat island effect, preserving existing natural features, and promoting multi-modal transportation access. The new ordinance will foster the development of complete neighborhoods – walkable neighborhoods that offer a variety of commercial and public services and a range of housing options, in accordance with the 2021 Master Plan.
- **Create a user-friendly document.** We will create a user-friendly code that is formatted for both hard copy and online use. The code will be fully cross-referenced, will be formatted to be easy to read either online or in hard copy, and will be written to be understood by the layperson. The new code will also include an extensive array of diagrams, tables, and illustrations to clarify the text and make the document as intuitive as possible.
- **Build in flexibility.** The new City Zoning Ordinance needs to be flexible enough to encourage and permit a wide range of heretofore unanticipated uses. The ordinance also must include easy and straightforward processes to permit minor modifications to the design standards of the ordinance. This will allow the ordinance to account for situations where small modifications to the design standards will result in an equal or superior project without requiring a trip to see the Zoning Board of Appeals.

With respect to the actual drafting of the ordinance, McKenna has found the following 3-step approach to be successful:

1. **Make use of existing resources.** There are two facets to this:
  - a. **Incorporate existing planning and zoning work into the revision process.** Some of the relevant work to be considered in Madison Heights includes, for example, the 2021 Master Plan, the 2021 Recreation Plan, and the DDA Tax Increment Financing and Development Plan.
  - b. **Tap the intellectual resources of the Community and Economic Development Department, Planning Commission, and Zoning Board of Appeals.** The professionals and appointed officials who have been at the front lines are best able to interpret planning documents, convey the City's vision, and provide an understanding of the details that must be addressed in the ordinance in general, and the form-based code, in particular.
2. **Involve the public to a substantial degree.** McKenna involves the public in two ways:
  - a. Community outreach efforts that incorporate the strategic use of traditional and digital media.
  - b. A visioning process, which is a critical component of creating a form-based code. In this case, we propose two public workshops as the visioning process, because it achieves the three characteristics of a good Vision:
    - i. It results in a Vision of a place the community really wants, after having a thorough understanding of all the implications of the design.
    - ii. The Vision is detailed to a very refined level.
    - iii. The Vision is capable of being implemented.
3. **Seek early buy-in regarding organization and format.** McKenna has found that it is important to seek buy-in from the stakeholders regarding the organization and format of the proposed ordinance before the drafting process begins. This step provides an understanding of what the final ordinance will look like and how each of the chapters and sections relate to each other.

## KEY ELEMENTS OF A HYBRID CODE

We have found that a hybrid code can work for communities that have a wide variety of character and have existing use-based standards that are functioning well in certain geographic areas. To be successful, the form-based standards should be written to apply both to entire districts that are conceived as form-based districts, as well as to existing use-based districts as needed, typically through overlays and design standards. Form-based standards address, at a minimum:

**Use Standards.** Land use is a critical consideration when developing codes for any community. We review existing land uses, and make recommendations as needed to fit the desired character for the area.

**Building Form Standards.** The consultant team will develop an appropriate variety of building forms for each character area. In this way, we ensure that the scale of development is appropriate for the surrounding area. For each form, the code will establish standards for elements like building placement and height, window placement and quantity, entrance placement and quantity, building access design, I proportioning, entrances, parking, vehicular access, service, use, and special design features.

**Street Standards.** Street types will be defined, illustrated, and mapped for the district to ensure that the streets are not developed or redeveloped outside the district context. For each street type, the code will establish standards for sidewalks, planting or furnishings zones, travel lane widths, bike traffic, parking, curb geometry, trees, and/or lighting.

**Landscape Standards.** Landscape standards will be developed that foster aesthetically pleasing developments, minimize adverse visual impacts, and to improve the appearance of the public right-of-way.

**Parking Standards.** Parking standards are crafted reflect the realities of mixed-use developments. Since these areas often feature on-street parking, public parking, transit access, and car sharing, off-street parking reductions may likely be included.



## IMPLEMENTING THE 2021 MASTER PLAN AND ENSURING USABILITY

We know how to implement master plan recommendations that will result in development consistent with Madison Heights' vision for the future – specifically, the policies and recommendations of the 2021 Master Plan. Working with you, the McKenna team will review, analyze, select, and prepare a new City Zoning Ordinance in an approach that best fits Madison Heights and its needs as outlined in the Request for Proposals.

Our approach is based on the following essential elements:

- **Bring the ordinance up-to-date.** McKenna will provide a thorough diagnostic review of the current City Zoning Ordinance to ensure consistency with current Michigan legislation, State and Federal case law, and state-of-the-art zoning practices. We will present this diagnostic review to the Planning Commission in a format that clearly communicates existing issues to be addressed.
- **Include diagrams, tables, and illustrations.** The new City Zoning Ordinance will include an array of graphics, which clarify regulations and make the document as user-friendly as possible. The use of diagrams, tables, and illustrations will reduce the need for lengthy sections of text and results in a concise document.
- **Create a predictable process.** Clear, detailed processes and procedures will be included in the new City Zoning Ordinance. Having a clear and predictable regulatory process is essential to promoting continued investment and sensible development in the City.
- **MEDC's Redevelopment Ready Communities® (RRC) Program.** Incorporate best practices as recommended by the RRC Best Practices Guide.
- **New zoning districts and overlay districts.** Include new zoning districts and overlay districts with form-based elements, where necessary, to align with the 2021 Master Plan's 'City Center' and 'Mixed Use Innovation' future land use designations, as well as the Master Plan's goals for diversity in housing and flexibility in commercial and industrial uses.



Graphic illustration of front-parking design standards.

TABLE 3.1: ALLOWABLE BUILDING TYPES BY DISTRICT

DISTRICT	Building type (Article 4)																			
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	
Government Service	P	P	P	P	P	P	P	P		P	C	P	C	C	C				C	
Downtown Residential								P	P				C				P		C	
Downtown Core											C	C	P						C	
Entertainment											C	P					P	P	C	
Tourism										C	P	P				P				
Medical Center	P	P	P	P	P	P	P		P		C		P	P		C		C		
Arts/Culture										P	P	P					P	C		
Neighborhood Service										P	P	P	P	P					C	

### KEY

- P Permitted
- C Conditional Approval Required
- UP Permitted in Second Story or Higher
- Not Permitted

# Work Plan



## A. PROJECT INITIATION

We will prepare for and facilitate an internal project Kick-Off Meeting with the City Community and Economic Development Director and other key staff people. A second Kick-Off Meeting will be held with the Project Steering Committee, which could include members of the Planning Commission, the City Council, the Zoning Board of Appeals, Neighborhood Planning Councils, the Building Official, the Attorney, and planning staff.

The Kick-Off Meeting's function will be to discuss overall project expectations and issues, and to agree upon the schedule and dates, ensuring that involved parties share the same expectations.

### **Meeting:**

- One (1) Kick-Off Meeting with the City Community and Economic Development Director, and
- One (1) kick-off meeting with the Project Steering Committee

### **Results:**

- Project meeting schedule
- Agreement on review process

## B. DIAGNOSTIC REVIEW

McKenna will review the 2021 Master Plan and consult with City Planning and Zoning staff as a prelude to preparing a Diagnostic Review of the current City Zoning Ordinance and other land development ordinances (e.g., Subdivision, Stormwater, Streets/Sidewalks, etc.). The purpose of the Diagnostic Review is to determine the strengths and weaknesses of the current regulations and arrive at a plan of action for rewriting the ordinance. It is important to take a fresh approach so that all issues are explored.

During this task, McKenna will examine the existing ordinances in light of current state-of-the-art regulatory methods, current legislation and court decisions, and in consideration of goals and objectives expressed in the 2021 Master Plan. In the process of completing the diagnostic review, McKenna will review **Zoning Board of Appeals** decisions for the past few years to identify recurring problems. We will consult with the **City Attorney** about any relevant zoning litigation. The diagnostic review will determine whether the current City Zoning Ordinance and other land development ordinances are consistent with current law, administrative rules, procedures, and regulations, and federal and state pre-emptions (such as laws regarding child and adult care, telecommunications towers, etc.). In a written report, McKenna will advise the City on the impact of laws and court decisions on the current City Zoning Ordinance.

McKenna will complete an evaluation of existing zoning districts in relation to existing and planned future land use. The purpose of this survey will be to collect necessary data to ensure that existing and proposed zoning districts remain in alignment with the Zoning Plan in the 2021 Master Plan as the ordinance rewriting process unfolds.

### Meeting:

- One (1) meeting with the Planning Commission to discuss results of the Diagnostic Review

### Results:

- Written report of Diagnostic Review of Zoning Ordinance and Other Land Development Ordinances

## C. PUBLIC PROCESS

### Community Outreach Efforts

We believe that hosting two (2) Community Workshops is the best approach for public engagement and consensus-building. Workshops allow the public to identify key issues, form Visions for various districts, and begin to design the standards of the new City Zoning Ordinance in collaboration with the McKenna team and City staff members. In addition, our team will develop a communications strategy and materials to advertise the project publicly, and to plan and facilitate public outreach.

### Public Engagement Communications Strategy

We will advertise the project and provide updates on the City's website. If desired, the City's official social media will be used to raise awareness of the project. Our team will provide the content for all print and digital media advertisements.

### Community Workshops

As the draft ordinance is prepared, McKenna will work with the City to plan two (2) Community Workshops. We realize that we are living in an increasingly virtual world, and we are ready to be flexible in format (in-person – indoors or outdoors, virtual, or hybrid) as necessitated by current events; we routinely host events in all formats. Regardless of format, the Workshops will include the following:

1. **Visioning Exercises.** Visioning exercises will allow participants to gain a sense of community vision, values, hopes, problems, needs and issues. A common language is built, and priorities are set. We will have various boards and activities designed to solicit these ideas from participants.

2. **"Kitchen Table Map".** A large-scale aerial photomap of the Madison Heights will be placed on a table around which participants gather. Participants are asked to place notes on the map of where areas of concern are within the City as it relates to zoning regulations. A strong sense of "Aha!!!" takes place when residents and interested persons can gather around a common table – akin to a family gathering around the kitchen table - to share their thoughts and ideas with the planning staff. This exercise can also be effectively held virtually if circumstances require.
3. **Real-Time Design.** Our team's architect and urban designer will be present (in-person or virtual), sketching concepts in real time. This allows the concepts being discussed at the Workshop to "come to life" through sketches and images.
4. **Report Back.** The results of the visioning activities that took place at the first Workshop will be presented and refined at the second Workshop – creating a "feedback loop" where participants will see their ideas and input take shape in the draft Zoning Map and/or Regulating Plan, and draft ordinance elements such as permitted uses by district, building type standards, and architectural standards. Participants can verify that the process is indeed working toward implementation of the community's Vision.

### The Outcome

Based on the results of the Workshops, the project team will create a preliminary Zoning Map and/or Regulating Plan, as well as draft elements of the ordinance pertaining to permitted uses by district, building types and architectural standards.

Meeting:	Results:
<ul style="list-style-type: none"> <li>• Two (2) community workshops</li> </ul>	<ul style="list-style-type: none"> <li>• Public Input Summary</li> <li>• Empowerment of the Public to Influence the Vision</li> <li>• Preliminary Zoning Map and/or Regulating Plan</li> <li>• Preliminary Ordinance Elements</li> </ul>



## D. ANNOTATED OUTLINE AND FORMAT FOR ZONING ORDINANCE

McKenna will next prepare a detailed outline of the new ordinance, with cross-references to comparable sections of the existing ordinances. We will also prepare a format for typical pages, including headers and footers, font type and size related to the hierarchy of content, margins, graphics, and indexing.

McKenna will present the results of the outline and format to the Project Steering Committee for comment and to obtain general agreement about the scope and nature of the proposed changes.

### Meeting:

- One (1) meeting with the Project Steering Committee

### Results:

- Detailed outline of the ordinance
- Formatted pages for review and approval

CHAPTER 2: ZONING DISTRICTS																																																																																																																																																																																																																											
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<b>TABLE OF PERMITTED USES.</b>																																																																																																																																																																																																																											
(A) Provisions for the R-4 Manufactured Housing Park Residential District can be found in <a href="#">Section 2.14</a> .																																																																																																																																																																																																																											
(B) Throughout this table, P means "Permitted by Right" and S means "Permitted by Special Land Use Permit."																																																																																																																																																																																																																											
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## E. ZONING ORDINANCE FIRST DRAFT

We propose to complete the First Draft of the new City Zoning Ordinance in four (4) parts as follows. Concurrently, we will update and revise definitions so that the definitions article is always up-to-date. We will also "track changes" in Microsoft Word so that you can see all the changes that have been made.

- 1. Zoning Districts, Use- and Form-Based Elements.** The first step in drafting the ordinance will be to establish the zoning districts, with both use- and form-based standards as appropriate.
- 2. General Regulations.** This portion of the ordinance will address supplemental regulations that support and enhance the use and design standards.
- 3. Administration and Processes.** The administration section of the ordinance will include all of the procedural and administrative requirements, in compliance with the Michigan Zoning Enabling Act. Tables and graphics will be used to define more clearly the "what" and "how" of zoning code administration.
- 4. Zoning Map/Regulating Plan.** Revisions to the Zoning Map will be required to incorporate any changes deemed necessary to reflect new or consolidated zoning districts, or to more properly zone properties according to the recommendations of the 2021 Master Plan. Amendments to the Zoning Map for form-based zoning districts will be illustrated in a Regulating Plan for those districts. McKenna will note changes to the Zoning Map that will be required by the new City Zoning Ordinance. The new Zoning Map will then be adopted simultaneously with the new City Zoning Ordinance.

### Meeting:

- See Task F, below, for review meetings.

### Results:

- First Draft of new City Zoning Ordinance (Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel and .pdf electronic file). Alternatively, Adobe InDesign may be used with permission of the City.
- First draft revised Zoning Map (ArcView electronic file + .pdf electronic file or other format at the desire of the City).



## F. FIRST DRAFT REVIEW AND PREPARATION OF SECOND DRAFT

All drafts will be 8½" x 11" format for text and 11" x 17" format for the Zoning Map and/or Regulating Plan.

1. **Zoning Ordinance Draft Review by City Staff.** Prior to sending draft to the Planning Commission, we will send the First Draft to the City Community and Economic Development Director and the Project Steering Committee for review and comment. We will revise and update this First Draft Zoning Ordinance based on the staff's input.
2. **Working Meetings.** We will meet with the Project Steering Committee, Planning Commission, and/or City staff up to five (5) times to review the First Draft Zoning Ordinance. The meetings are intended to take place following completion of Task E. Depending on the body responsible for reviewing and revising the First Draft Zoning Ordinance, these meetings can be working meetings of the Planning Commission or regular meetings of the Project Steering Committee.
3. **Prepare Second Draft.** We will prepare the Second Draft of the City Zoning Ordinance based on the input received during Tasks F.1 and F.2. This Second Draft will identify any changes from the First Draft.

Meeting:	Results:
<ul style="list-style-type: none"><li>Up to five (5) review meetings with the Project Steering Committee, Planning Commission, City staff, and/or other key officials or stakeholders.</li></ul>	<ul style="list-style-type: none"><li>First Draft Zoning Ordinance [Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel + .pdf electronic file]. Alternatively, Adobe InDesign may be used with permission of the City.</li><li>Second Draft Zoning Ordinance [Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel + .pdf electronic file]. Alternatively, Adobe InDesign may be used with permission of the City.</li><li>Summary of Changes [Microsoft Word (.doc or .docx) + .pdf electronic file].</li><li>Second Draft Zoning Map/Regulating Plan (ArcView electronic file + .pdf electronic file or other format at the desire of the City).</li></ul>

## G. PUBLIC HEARINGS AND ADOPTION

1. **Public Hearing Presentations.** McKenna will prepare for and present the Second Draft of the new City Zoning Ordinance at two (2) public hearings, one before the Planning Commission (per State law), and one before the City Council for adoption. McKenna will be prepared to answer questions and explain the reasoning behind the regulations. If no further revisions are requested, the Second Draft will then be considered the Adoption Copy of the new City Zoning Ordinance.
2. **Revised Second Draft (if necessary).** Following the Planning Commission public hearing, if necessary, McKenna will revise the Second Draft of the new City Zoning Ordinance as directed by the Planning Commission. We will maintain a list of changes throughout the public hearing process to track the revisions and provide a record for decision makers as they consider approval. The Revised Second Draft will then be considered the Adoption Copy of the new City Zoning Ordinance.
3. **Adoption Copy of the New City Zoning Ordinance and Map and Revision Manual.** Following adoption, McKenna will provide six (6) final copies of the adopted City Zoning Ordinance in hard copy and digital format, and a final copy of the Zoning Map/Regulating Plan in hard copy and digital format. We will also provide a manual describing how to revise the Word document in a manner that preserves the document's built-in formatting features (hyperlinks, automatic numbering, automatic table of contents, indexes, etc.) and in a format that can be regularly maintained by City staff without new software.

Meeting:	Results:
<ul style="list-style-type: none"><li>Two (2) public hearing presentations attended by McKenna</li></ul>	<ul style="list-style-type: none"><li>Adoption of new City Zoning Ordinance</li></ul>

# Proposed Schedule

We propose a 9-month schedule, from start of the project to completion of the Zoning Ordinance.

WORK TASK	MONTH								
	1	2	3	4	5	6	7	8	9
<b>A. Project Initiation</b>									
1. Kick-off Meetings (2 meetings)	X X								
<b>B. Diagnostic (Technical) Review</b>		X							
2. Diagnostic Review (1 meeting)		X							
<b>C. Annotated Outline and Format for Zoning Ordinance</b>			X						
1. Outline and Format (1 meeting)			X						
<b>D. Zoning Ordinance First Draft</b>				X					
1. Public Engagement Workshop - Visioning				X					
2. Zoning Districts/Form-Based Code					X				
3. General Regulations						X			
4. Administration/Processes							X		
5. Zoning Map								X	
6. Public Engagement Workshop – Report-Back									X
<b>E. First Draft Review and Preparation of Second Draft</b>					X	X	X	X	
1. Review with City Staff					X				
2. Technical Meetings for Planning Commission, City Staff, and/or Key Stakeholders (4 meetings)						X	X	X	X
3. Preparation of Second Draft – Text and Map									X
<b>F. Public Hearings and Adoption</b>									X X
1. Public Hearing Presentations (2 meetings)									X X
2. Revised Drafts									
3. Adoption Copies									

X= Meeting

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# Client References

## **LIVONIA, MICHIGAN VISION 21 ZONING ORDINANCE**

**Mark Taormina, AICP**  
**Planning and Economic Development Director**  
City of Livonia  
33000 Civic Center Drive  
Livonia, MI 48154  
(734) 466-2200

## **HOLLAND, MICHIGAN UNIFIED DEVELOPMENT ORDINANCE**

**Mark Vanderploeg**  
**Director of Community and Neighborhood Services**  
City of Holland  
270 S. River Avenue  
Holland, MI 49423  
(616) 355-1300

## **SAULT STE. MARIE, MICHIGAN DOWNTOWN FORM-BASED CODE**

**Kelly Freeman**  
**Community Development Director**  
City of Sault Ste. Marie  
225 E. Portage Ave.  
Sault Ste. Marie, MI 49783  
(906) 632-5703

## **CHELSEA, MICHIGAN ZONING ORDINANCE AND FORM-BASED CODE**

**Julia Upfal, AICP**  
**Community Development Director**  
City of Chelsea  
305 S. Main St., Suite 100  
Chelsea, MI 48118  
(734) 475-1771, Ext. 210

## **HAZEL PARK MICHIGAN FORM-BASED ZONING ORDINANCE (CURRENTLY UNDER DEVELOPMENT)**

**Jeff Campbell**  
**Planning & Economic Development Director**  
City of Hazel Park  
111 E. Nine Mile Rd.  
Hazel Park, MI 48030  
(248) 546-4075

# Related Project Experience

We offer the following recent project examples that demonstrate our experience incorporating innovative zoning mechanisms into existing and new zoning codes. The table below illustrates our use of innovative techniques in each community.

Zoning Technique	Frenchtown Twp.	Dexter Twp.	Oxford	Battle Creek	Chelsea	Sault Ste. Marie	Holland	Livonia
<b>Unified Development Ordinance</b>								
Combining different ordinances into a single one-stop document.	X							
<b>Form-Based Code</b>								
Coding for the design of the built environment, more than the use of the building interior.	X	X	X	X	X	X		
<b>Lean Zoning</b>					X	X	X	X
Reducing the number and complexity of regulations to only those that achieve specific community goals.					X	X	X	X
<b>Innovative Zoning Districts</b>						X		
Districts for specific character areas, districts with few requirements to spur redevelopment, consolidation of districts, districts for unusual situations – zoning for real life!	X	X	X	X		X		
<b>Sustainability and Resiliency</b>								
Protecting natural resources, promoting environmental justice, preventing sprawl, and ensuring high quality of life.	X	X	X	X	X	X	X	X
<b>Modern Organization and Usability</b>								
Organized with the end user in mind, including hyperlinks, tables, charts, and making sure the most used portions of the ordinance are in the front of the book.	X	X	X	X	X	X	X	X



MCKENNA

Communities for real life.

What we did:

**DESIGN**

Zoning  
Form-Based Code

**PLANNING**

Regulation for Redevelopment  
Housing

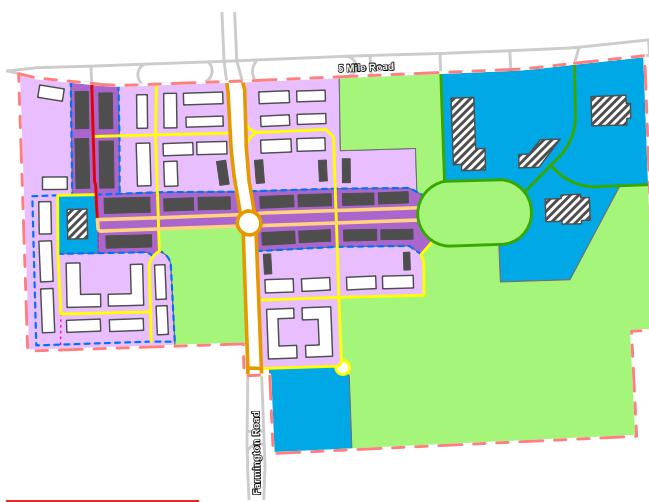
# Livonia Vision 21, Zoning Ordinance

CITY OF LIVONIA, MICHIGAN

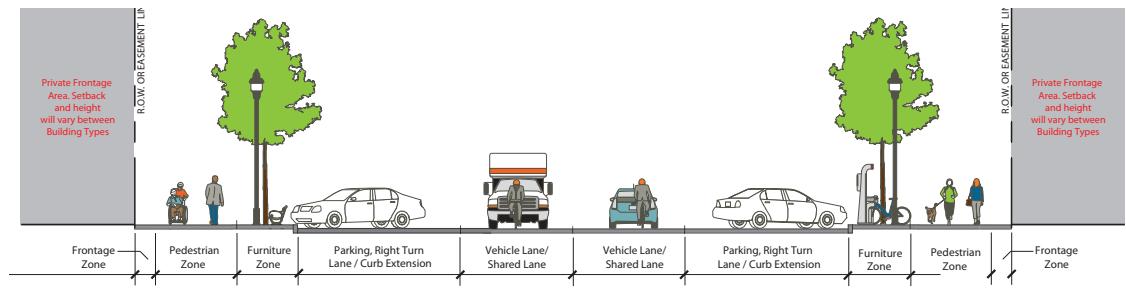
McKenna partnered with the City of Livonia to modernize its zoning ordinance and implement the Livonia Vision 21 Master Plan. The Livonia Vision 21 Zoning Ordinance is designed to create practical and reliable regulations to preserve and improve the City's quality of life.

The Livonia Vision 21 Comprehensive Master Plan outlines several regulatory objectives. 1) reduce and consolidate commercial and residential zoning districts, 2) incorporate standards for new and emerging uses, like solar power, and 3) create new form-based districts to encourage walkable development in the City's priority redevelopment areas, notably, the Civic Campus.

McKenna worked with a technical committee, appointed by City Council, consisting of the ZBA, Planning Commission, Code Enforcement, Building Department, Planning Department, and Attorney, to complete a diagnostic review of the City Ordinance to outline both structural and substantive modifications to accomplish all of the City's goals. McKenna worked with the City of Livonia to create a fresh Zoning Ordinance that remained consistent with community standards.



**LIVONIA V21**  
STARTS NOW





MCKENNA

Communities for real life.

What we did:

DESIGN

Form-Based Coding

PLANNING

Public Engagement  
Zoning

# Unified Development Ordinance

CITY OF HOLLAND, MICHIGAN

The City of Holland is a historic and well-maintained community, with waterfront, neighborhood business districts, legacy industrial areas, and one of Michigan's most successful downtowns.

In spite of its strengths, the City's zoning ordinance was originally written in 1943 and amended—but never fully rewritten—dozens of times since. Recognizing that a code commensurate with the community's expectations was overdue, Holland leaders engaged McKenna to engage in a comprehensive rewrite. Part of this important effort was to incorporate not only zoning regulations, but also the City's subdivision ordinance and other development-related standards; accordingly, the codes were renamed the Unified Development Ordinance.

McKenna and City staff engaged in a comprehensive public outreach program, including a week-long charrette, neighborhood meetings, online surveys, stakeholder engagement, and a series of public hearings held around the City.

The ordinance included a number of innovative elements, including:

- A form-based code for the downtown and select corridors and neighborhood business districts.
- A “greenfield” district to ensure that undeveloped sites on the edge of the city would be built out in an urban format.
- A “redevelopment” mixed use district for legacy industrial areas in the core of the City.
- An airport overlay, consistent with MDOT and FAA regulations, to ensure development near the airport would not be incompatible with aviation.
- A progressive landscaping section rooted in sustainability.



# Downtown Form-Based Code

CITY OF SAULT STE. MARIE, MICHIGAN

The historic legacy community of Sault Ste. Marie brought in McKenna to devise a form based code to improve the walkability and vibrancy of its core. Engaging in a four-day charrette that included an overview of the historic development pattern of the City, McKenna devised a Form Based Code that capitalized on “the Soo’s” unique identity. The Charrette developed a collaborative Regulating Plan for the Form Based Code area, in essence crowdsourcing the Zoning Map.

The Form-Based Code especially focused on unifying the City's multi-centric downtown, promoting the redevelopment of important corridors to link nodes of activity. The Code included building types, and specific triggers for when each type of building should be built.





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What we did:

DESIGN

PLANNING

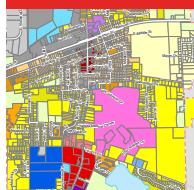
Form-Based Coding

Zoning

# Zoning Ordinance

CITY OF CHELSEA, MICHIGAN

Chelsea  
ZONING ORDINANCE 2020



The City of Chelsea is a vibrant community, regionally known for the quality of housing, recreation, education, and employment opportunities provided to nearby communities in Washtenaw County. Seeking to update their 2010 Zoning Ordinance, the City of Chelsea aspired to evaluate their existing Zoning Ordinance while implementing methods to streamline planning and development procedures aligned with the Michigan Economic Development Corporation's (MEDC) Redevelopment Ready Communities best practices.

McKenna's extensive experience in modernizing zoning ordinances emphasizes the importance of balancing regulatory excellence and centering the public's needs. Comprehensive public engagement efforts throughout the planning process, ensured the Zoning Ordinance would be a user-friendly document for residents who were not familiar with planning jargon or legalese. Tasked with addressing controlled growth that embodied the City's character and future vision, McKenna incorporated form-based zoning code and gentle infill development strategies to allow high-quality housing and public spaces to flourish in newly proposed mixed-use areas within the City.

Through zoning code updates, McKenna aided in reimagining Chelsea's streetscapes with new design standards that encourage beautiful, vibrant, and walkable development similar to the character of Chelsea's downtown. Modernizing parking standards provides flexibility for business owners and developers while encouraging residents to reduce reliance on cars. Together, McKenna and the community of Chelsea were able to formulate a Zoning Ordinance that embodies effective planning processes to ensure the City continues to grow intentionally and with respect to its existing community assets.



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What we did:

**PLANNING**

Zoning Ordinance  
Form-Based Code  
Charrette  
Public Engagement

# Zoning Ordinance

CITY OF BATTLE CREEK, MICHIGAN

A community steeped in Michigan history, Battle Creek is committed to supporting its traditional downtown character and removing development barriers in its neighborhoods and commercial areas commonly caused by outdated Zoning Regulations. Following the adoption of the City's Master Plan in 2018, the City of Battle Creek set out to rewrite their zoning ordinance in order to effectively implement its new Master Plan.

McKenna created a Zoning Ordinance which included form-based coding in areas where Battle Creek desired a certain physical character either to be retained (in the form of historic neighborhoods or commercial corridors), or when a certain physical character is desired from new development. These design-driven zoning provisions encourage continuous street walls, high levels of window transparency, and entrances at sidewalks.

This process also included "right-sizing" the number and type of zoning districts—through consolidation and/or elimination—for the City to provide consistency with the Master Plan.





MCKENNA

Communities for real life.

What we did:

**DESIGN**

Urban Design  
Form-Based Code

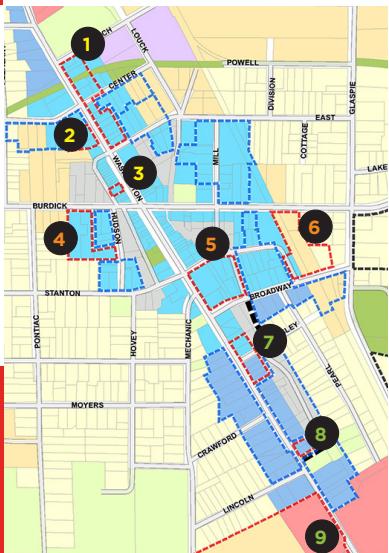
**PLANNING**

Form-Based Code  
Zoning for Redevelopment  
Lean Zoning

# Zoning and Form-Based Code

VILLAGE OF OXFORD, MICHIGAN

During the Village of Oxford's Master Plan Update, the Village identified around a dozen sites for redevelopment. But there was a problem—the Village's own zoning was an impediment to investment in those sites.



SOUTH WASHINGTON

Working with McKenna, the Village simplified and scaled back its zoning ordinance, with a focus on core goals, rather than superfluous regulations. Three zoning districts were eliminated and two more were consolidated into a single district. Requirements for individual uses were curtailed in favor of broad standards applicable to all properties.

In place of the previous complexity, McKenna created a Form Based Code, allowing a broad range of uses while regulating the positioning and massing of buildings to protect the Village's historic character and charm. The project team also protected historic buildings through a Restricted Demolition Zone, and created a "Gateway Greenbelt" requirement to shield pedestrians from busy M-24 using landscaping.

The new Ordinance also included an innovative "Flex" district, which created a market-based process for determining the appropriate uses of a large vacant parcel on the Village's north side.

The new Ordinance had an almost immediate impact several redevelopment sites were immediately targeted for new development almost as soon as it went into effect.

**80-100 SOUTH WASHINGTON** WASHINGTON-ENSLEY



**124-134 SOUTH WASHINGTON** EDISON ALLEY END



**141-161 SOUTH WASHINGTON** WASHINGTON TRIANGLE





# Zoning Ordinance

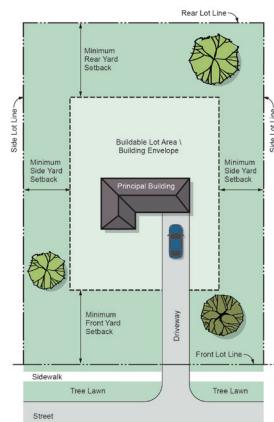
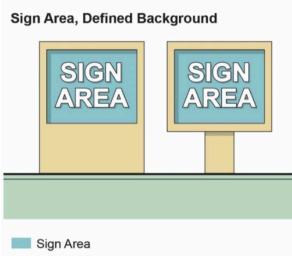
DEXTER TOWNSHIP,  
WASHTENAW COUNTY, MICHIGAN

Article 4,  
**SCHEDULE OF REGULATIONS**

DEXTER TOWNSHIP ZONING ORDINANCE 2020



COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Microbrewery or distillery									S
Motel or hotel									P
Motor vehicle sales									S
Motor vehicle service station or maintenance and repair									S
Outdoor dining area									S
Open air sales									S
Personal service establishment that performs services on site within a completely enclosed building									P
Professional office that performs services on site within a completely enclosed building									P
Recycling collection or transfer station							P	P	S
Retail businesses that supply commodities on the premises within a completely enclosed building, such as food, drugs, alcohol, furniture, clothing, dry goods, books, flowers, jewelry, or hardware									P
Roadside stand	P	P							
Sales of new industrial and construction equipment or the service and repair of such items									S
Self-storage facility									S
Sit-down restaurant or other establishment that serves food and drink for onsite consumption, including an outdoor dining area						S	S		
Sit-down restaurant or other establishment that serves food or drink for on-site consumption								P	
Sod farm	S	S							
Special event facility	S	S					S		
Veterinary Clinic	P	S							P
Watercraft sales, repair, or storage			S			S		P	
Winery	S	S						S	P



McKenna partnered with Dexter Township in Washtenaw County, Michigan to prepare a consolidated Zoning Ordinance, a result of many years' worth of updates and amendments prepared by the Township's Planning Commission, Township Board of Trustees, and staff. Due to the drawn-out amendment process, the Township sought assistance with compiling edits, reviewing technical aspects of the regulations, modernizing the ordinance in regards to recent legal decisions, and reformatting the entire document into an easy-to-use, aesthetically appealing.

McKenna worked to review existing regulation to ensure standards were reasonable, easy to comprehend and enforce, and consistent. McKenna's zoning experts suggested modifications to improve readability, ensure regulatory consistency, and increase efficiency in administering the ordinance, while collaborating with Township staff to integrate fixes to "pain points" and recurring problems with the current ordinance. Concurrently, McKenna's graphic design team prepared a new document layout for the Township that ensured the Ordinance was well-organized and easy to read; the document features hierarchy of regulations, comprehensive tables, and hyperlinks to related sections of the Ordinance. Throughout the process, all changes recommended by McKenna professionals and discussed with the Township Steering Committee were documented for future reference.

Dexter Township's adopted Zoning Ordinance is an example of a collaborative effort to consolidate years of effort into an efficient, appealing, and intuitive set of regulations to guide land development.



MCKENNA

Communities for real life.

What we did:  
**DESIGN**  
Zoning

# Zoning Ordinance

FRENCHTOWN CHARTER TOWNSHIP,  
MONROE COUNTY, MICHIGAN

Encompassing 44 square miles, Frenchtown Township in Monroe County includes just about everything—historic Lake Erie resort neighborhoods, modern subdivisions, a shopping mall, lush farmland, and even a nuclear power plant. But Frenchtown had a major problem restricting its economic development—an 800-page Zoning Ordinance, known around the Township Offices as “the beast.”

Working with McKenna, a Zoning Ordinance Committee of officials, staff, residents, and stakeholders simplified and scaled back the Ordinance, with a focus on core goals, rather than superfluous regulations. Two zoning districts were eliminated and two more were consolidated into a single district. Pages of byzantine regulations were pared back to simple language and easy-to-understand standards.

In place of the previous complexity, McKenna created a simple, easy to use ordinance, featuring a chart of uses that served as a quick-reference guide for the entire ordinance. The Ordinance’s 38 unwieldy Articles were scaled back to just 8. Redundancy and contradictory passages were removed, and regulations on common issues like accessory structures, signage, and fences were consolidated into single sections.

The Township’s staff and officials appreciated the ease of using the new document, including how much smaller and lighter the book became.



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# Team Resumes

On the following pages, please find resumes for our proposed team members.



# Hunter Whitehill

ASSOCIATE PLANNER

## EDUCATION

**Bachelor of Science, Urban and Regional Planning**  
Michigan State University

**Associate of Science Environmental Science and Society**  
Washtenaw Community College

## PROFESSIONAL EXPERIENCE

### Neighborhood Planning

Developed comprehensive neighborhood plan with action-oriented recommendations. Recommendations emphasized the ability to meet daily needs, access to parks and open space, walkability, access to transit and bike networks, access to food, access to multiple housing opportunities, and neighborhood schools.

### Development Review and Zoning

Assists with ongoing development review services including site plan, special land use, land division, variance, and rezoning. Analyzes applications based on applicable zoning and other regulations and present findings to community staff and commissioners. Reviewed and approved zoning permits, including fence and sign permits. Researches and drafts zoning ordinance amendments and complete code rewrites for Michigan cities and townships.

### Zoning

Prepares zoning ordinance updates and reorganizations. Researches and drafts zoning ordinance amendments, including lean zoning, for a wide variety of communities. Includes the regulation of signs, landscaping, parking, wind energy systems, and much more.

### Climate Resilience and Sustainability

Studied abroad in Europe studying best climate resilience practices including geothermal energy science in Iceland, Wind and Solar energy location and process in Germany, as well as the harnessing of hydroelectric energy in Portugal.

### Transportation Planning

Project manager for long-range transportation plans including public involvement, systems analysis, performance improvements, and implementation programs. Grant applications and project evaluations for various Federal, state, and foundation funding opportunities.

### Parks and Recreation Planning

Experience in the development of Parks and Recreation Master Plans per State standards. Project responsibilities involved an inventory of existing facilities, assessing the condition of equipment, and compilation of findings. Led public engagement activities including the creation of online surveys, social media presence, and public input sessions.

### Comprehensive and Master Planning

Master Plan project management including public involvement design, data analysis including maps, alternatives evaluation, and plan implementation. Online community survey construction, stakeholder interviews, and larger format public visioning sessions. Develops plan scope, drafts individual sections, and sees project through adoption according to proper regulatory framework. Assists Planning Commissions with annual community planning and development work programs that loop into comprehensive planning outcomes.

## MEMBERSHIPS

American Planning Association  
Sierra Club  
Michigan Association of Planning

1508 Plymouth Rd. #54  
Ann Arbor, MI 48105

Tel.: 313.610.0969

Email: acook@  
seamlesscollaborative.com

# Adam A. Cook CNU-A NCI FBCI

Experienced private-sector consultant specializing in urban planning, economics, design, and community development. Seeking to leverage my expertise in service to the public and private sectors, through collaboration with like-minded urbanist firms in a multidisciplinary, team environment.

## PROFESSIONAL EXPERIENCE

**Managing Principal**  
Seamless Collaborative LLC  
Ann Arbor, MI  
2010 - present

2018 - 2020 Project management in master planning, urban design, and zoning, in collaboration with McKenna (Northville/Detroit, MI), for municipal clients throughout the Midwestern US.

2018 - 2020 Consultant, MEDC RRC Technical Assistance Program. Design and execution of comprehensive TA programs in multiple Michigan Redevelopment Ready Communities to produce developer RFQ packages for priority redevelopment sites. *Clients: Michigan Municipal League; Michigan Economic Development Corporation*

2018 Development of downtown Form-Based Code for Sault Ste. Marie, MI in collaboration with McKenna (Northville/Detroit, MI) and Campbell Planning & Architecture PLC (Northville, MI). *Client: City of Sault Ste. Marie, MI*

2016 - 2018 Development of downtown urban design plans and Placemaking strategies for Vassar, MI in collaboration with Campbell Planning & Architecture PLC (Northville, MI) and NúñezDesign, Inc. (Troy, MI). *Clients: Michigan Municipal League (Ann Arbor, MI); City of Vassar, MI*

2016 - 2017 Preparation of Retail Target Market Analysis reports and development of retail strategies for twelve Michigan communities in collaboration with LandUse|USA LLC (Laingsburg, MI). *Clients: Western Upper Peninsula Planning & Development Region (MI); City of Monroe, MI*

2016 Local consultant, Vernor Crossing CNU24 Legacy Charrette, Detroit, MI. In collaboration with Thadani Architects + Urbanists and Congress for the New Urbanism (Washington, DC). *Client: Southwest Detroit Business Association*

2015 - 2016 Manager, Michigan Municipal League PlacePlans Implementation Grant program. Executed a statewide technical assistance program aiding five Michigan communities with development of place-based planning and development projects. *Client: Michigan Municipal League*

2013 - 2015 Certified Trainer of MiPlace Partnership Placemaking Curriculum. Conducted single- and multi-day educational sessions in over twenty Michigan communities focused on Placemaking, urban economics, form-based codes, charrettes, regionalism, and place-based planning principles. *Clients: Michigan State Housing Development Authority (MSHDA) and MiPlace Partnership*

2013 - 2014 Program assistance for Michigan Municipal League PlacePlans Program 2013-2014. Participated in selection of eight Michigan communities receiving technical assistance for place-based strategic planning and urban design projects. *Client: Michigan Municipal League*

2014 General Editor, Main Street Unionville (Ontario, Canada) Vision Plan Book. Composed primary text, conducted supplemental research, and organized print-ready content of a large-scale urban design plan for a designated Heritage District in Markham, Ontario, Canada, in collaboration with Michael Morrissey (Toronto), and Torti Gallas & Partners (Silver Spring, MD). *Client: City of Markham, ON*

2013 Stakeholder intake, site analysis, and retail strategies for Main Street Unionville (Ontario, Canada) Precinct Master Plan study. Developed detailed guidance on local zoning by-laws adopted by City of Markham, ON. *Clients: Michael Morrissey, Torti Gallas & Partners, and City of Markham, ON*

# Adam A. Cook CNU-A NCI FBCI

## PROFESSIONAL EXPERIENCE (CONTINUED)

### Planner

Kettren & Associates  
Milford, MI  
2010

### Graduate Research Assistant

Institute for Research on Labor,  
Employment, and the Economy  
University of Michigan  
Ann Arbor, MI  
2009 - 2010

Assisted principal planner consulting for a multi-jurisdictional authority on the planning of a bikeway and trail system in Hillsdale County, Michigan. Performed site research, stakeholder intake, and co-wrote grant applications.

Wrote detailed economic profiles and funding resource guides for distressed communities funded by the U.S. Economic Development Administration; supervised staff of five undergraduate research assistants; interfaced with community stakeholders regarding proposal development for potential funding opportunities; moderated stakeholder focus groups to develop needs assessment and visioning for job creation initiatives.

## SELECTED PUBLICATIONS, PRESENTATIONS, AWARDS

2017 American Society of Landscape Architects, Michigan Chapter. **Merit Award** in Planning and Analysis for Dearborn Living Street Plan, Dearborn, MI, 2016. Co-awardee: HamiltonAnderson Associates.

2017 **Invited Speaker**, "Tactical Placemaking and Pop-Up Retail," Oakland County Main Street Focus Workshop, November 6, 2017, Pontiac, MI.

2016 Forrest, L., Cook, A. "PlacePlans Unlock Valuable Lessons." *The Review: The Official Magazine of the Michigan Municipal League* Mar.-Apr. 2016: 20-23.

2016 **Panelist**, "The Where, Why, and How of Missing Middle Housing Development," Building Michigan Communities Conference, April 25-27, 2016, Lansing, MI.

2015 American Institute of Architects, Detroit Chapter. **Architectural Honor Award** in Urban Design for Vernor Crossing PlacePlan, Detroit, MI, 2015. Co-awardees: Archive Design Studio and Michigan Municipal League.

2011 Research Assistant, *Principles of Urban Retail Planning and Development*, Robert J. Gibbs principal author, John Wiley & Sons, Inc., November 2011.

2010 Design credit, research and structural contributions to *Planning and Community Development: A Guide for the 21st Century*, Norman Tyler and Robert M. Ward principal authors, W.W Norton & Company, December 2010.

## CERTIFICATIONS

2016 National Charrette System (NCI) Management and Facilitation Certificate

2013 Form-Based Codes Institute (FBCI) Core Curriculum Certificate of Completion

2011 Congress for the New Urbanism, Accredited Membership (CNU-A)

2011 National Charrette System (NCI) System Certificate

## EDUCATION

2010 MSc.(ABD) Urban and Regional Planning, Eastern Michigan University, Ypsilanti, MI

2005 B.S. Mathematics; Economics, The University of Michigan-Dearborn, Dearborn, MI



# Michael A. Campbell, M.Arch, RA

## URBAN DESIGNER / ARCHITECT

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**EDUCATION****Master of Architecture**

Taubman College  
University of Michigan

**Bachelor of Science In Architecture**

Taubman College  
University of Michigan

**Master of Business Administration**

Boulder Leeds School of Business  
University of Colorado

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**HONORS**

AIA Honor Award for Planning, 2008  
APA Outstanding Planning Project Award, 2008  
Honorable Mention, Chicago Tribune Architecture Competition

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**PROFESSIONAL EXPERIENCE****CAMPBELL PLANNING & ARCHITECTURE, PLC**

Michigan Municipal League Place Plans, Downtown Concept Site Plans and Renderings  
Sault Ste. Marie and Vassar, MI

America's Best Communities Adaptive Re-Use, Historic Hospital Concept Floor Plans  
Three Rivers, MI

City of Westland Government Center, Concept Site Plans  
Westland, MI

Fort Saginaw Mall Redevelopment Plan, Concept Site Plans and Rendering  
Buena Vista Charter Township, MI

Bronson Hospital Satellite Mixed-Use Campus, Concept Site Plans Campus  
Kalamazoo, MI

Village of Interlochen, Downtown Plan  
Green Lake Township, MI

Concept Site Plans, Design Team  
Michigan State Housing Development Authority

Blueprints for Michigan Downtowns, Lead Designer  
Various Locations, MI

Washtenaw Avenue Corridor Study, Lead Designer  
Washtenaw County Department of Economic Development & Finance, Ann Arbor, MI

City of Kentwood Sub-Area Plans, Design Team Leader  
Kentwood, MI

Laurent Town Plan and Code, Design Team  
McCook County, SD

Metro Health Village, Lead Designer  
Wyoming, MI

Village of Coopersville - Village Addition (Adopted into Master Plan 2003)  
Coopersville, MI



# MCKENNA

## PROFESSIONAL EXPERIENCE

### NEDERVELD, INC. – GRAND RAPIDS, MI

Town Planner and Architect

Downtown Master Plan & Architecture Pattern Book, Hudsonville, MI

Lacey Gateway – New Town, Lacey, WA

Celadon New Town, Grand Rapids Township, MI

Dexter Church of Christ, Lima Township, MI

Banks of Saline Condominiums, Saline, MI

Shaw's Landing – New Town, Meridian Township, MI

Shaw's Landing Architecture, Meridian Township, MI

Great American Sports Complex, Port Sheldon, MI

### GIBBS PLANNING GROUP – BIRMINGHAM, MI

Director of Planning

Eton Street Station – TOD, Birmingham, MI

Macomb Town Center – New Town, Macomb Township, MI

Village of Rochester Hills – Lifestyle Center, Rochester Hills, MI

## TRAINER CERTIFICATION

Smart Code Workshop

Form-Based Code Institute Workshop

Form-Based Codes 101 & 201

National Charrette Institute

Certified Charrette Planner

## ACTIVITIES

Co-Author, 7-Steps for Form-Based Codes w/ CNU Michigan

Co-Author, Fisher's Station Form-Based Code, Kentwood and Wyoming, MI

Presenter, CNU Michigan Conference

Design/Build, Affordable Housing Prototype

Planning Commission, Fenton, MI

Model Township Master Plan (and website creation)

Stuttgart Rail Suburbs, Field Research



# Kyle Mucha, AICP

ASSOCIATE PLANNER

## EDUCATION

**Master of Geography**  
Western Michigan University

**Bachelor of Science in Social Science**  
Grand Valley State University

## PROFESSIONAL EXPERIENCE

### Planning

Manages complex planning and semi-urban design projects, providing preliminary direction to business and residential developers. Coordinates and assist with day-to-day planning needs of municipal government, including conducting site plan reviews, drafting zoning amendments, preparing planning reports, and presenting to planning commissions and governing bodies. Provides feedback and communication to applicants regarding proposed developments as it relates to best practices in planning.

### Zoning

Reviews and revises zoning ordinances as needed to effectuate master plan goals and recommendations, responds to the changing needs of municipalities, and addresses emerging land use issues. Ensures compliance with zoning regulations ranging from single family residential districts to large industrial developments. Ensures proposed projects and continued development of sites meets existing zoning regulations.

### Citizen Engagement

Facilitates initial discussions with members of the public regarding conceptual developmental ideas. Coordinates with residential and business leaders on projects that have a wide range of potential impacts on the community. Actively engages residents, business owners and community leaders to provide input on ordinance and development proposals.

### Redevelopment Planning

Coordinates with municipality officials regarding each step of the redevelopment process including identification of sites, feasibility studies, conceptual site plan design, and zoning. Collaborates with property owners, municipal staff, residents, and other stakeholders to build consensus around project vision and implementation. Developed several marketing materials to entice prospective development leaders to consider the viability of a given site to meet business needs and requirements.

### Geographic Information Systems (GIS)

Analyzes spatial data through mapping software (ESRI – ArcMap & ArcPro). Designs digital maps with geographic data and other data sets to assist the public, boards, commissions and policy makers in making decisions based on data visualization.

### Ordinance Compliance

Oversees ordinance regulations and enforcement for municipalities as it relates to community quality, blight elimination, zoning standards, neighborhood improvement. Reviews community enhancement ordinances across multiple municipal jurisdictions and make recommendations for improvements. Coordinates site inspections with other municipal departments as it pertains to ordinance violations.

## MEMBERSHIPS

American Institute of Certified Planners  
American Planning Association  
American Planning Association  
– Water Planning Network, Steering Committee

Michigan Association of Planning  
Grand Valley State University Alumni Network

## SELECT PRESENTATIONS

“Parks! The Demand For Change” – American Association of Geographers, National Conference



# Nani Wolf

ASSISTANT PLANNER

## EDUCATION

**Master of Urban and Regional Planning**  
University of Michigan

**Bachelor of Arts – Environmental Science**  
University of Michigan

## PROFESSIONAL EXPERIENCE

### Community Planning

Developed comprehensive plans, aging-in-place plans, and health assessments for small communities, ranging from entire towns to individual neighborhoods within large cities. Researched and analyzed existing conditions, gathered and balanced public feedback, and created effective, clear, community-specific recommendations. Additionally, wrote and edited copy for development projects, including letters of intent, impact statements, and variance requests. Worked with Michigan communities of all sizes to create master plans and provide continuous planning services. All community planning work focuses on identifying common visions for the future and creating concrete strategies that improve residents' quality of life.

### Public Engagement

Applied engagement best-practices across various municipal programs, including transportation master planning, traffic calming, and annexation. Planned and organized engagement events—focus groups, surveys, interviews, public meetings —across the full lifetime of projects. Facilitated on-site meetings and engaged with residents and public officials. Designed engagement plans, including RRC-compliant plans, and helped execute them in conjunction with master plans. All public engagement work focuses on authentic, equitable, and continuous involvement.

### Sustainability and Environmental Planning

Developed Great Lakes coastal land suitability analysis metrics and site impact assessment guidelines. Audited the master plans and zoning ordinances of municipalities for environmentally friendly land use policies. Conducted ecological assessments of habitats and streams and used the results to make purchasing recommendations to local conservancies. Created open space, natural land, and surface water recommendations for communities that are vulnerable to natural hazards.

### Administration and Program Management

Oversaw the environmental assessment program of a regional non-profit and managed a team of volunteer assessors, as well as day-to-day program operations. Administered a municipal transportation commission by coordinating meetings, materials, and public and staff relations.

## MEMBERSHIPS

American Planning Association  
Michigan Association of Planning  
International Association for Public Participation (IAP2)

## TEACHING

**Instructor**, University of Michigan Taubman College. Graduate-level course on GIS principles and programs, including Esri ArcPro and QGIS.

**Instructor**, University of Michigan. Undergraduate-level course on American culture, focusing on equity, race and ethnicity, and power dynamics from 1770-present.



# Carrie Leitner

ART DIRECTOR

## EDUCATION

**Bachelor of Fine Arts in Graphic Design**  
University of Michigan

**Internet Professional Curriculum Courses**  
Washtenaw Community College

## SOFTWARE EXPERTISE

Highly proficient in Adobe Creative Suite (InDesign, Illustrator, Photoshop) and Microsoft Office (Word, Powerpoint).

## PROFESSIONAL EXPERIENCE

### **Document Design and Layout – Planning and Zoning**

Designed and produced simple and complex layouts for documents including community master plans, zoning ordinances, and urban design plans.

### **Downtown and Retail Corridor Branding**

Created brands and identities for private firms and Michigan downtowns and corridors. Developed multiple concepts for elaboration in a range of styles. Branding included downtown logos, document design, banners, brochures, and wayfinding signage.

### **Art Director Municipal Projects**

Created initial design and messaging concepts for a multitude of high profile municipal clients, capital campaigns and annual giving initiatives.

### **Image Editing and Production**

Edited complex photographic and illustration graphics using Photoshop and Illustrator for zoning ordinances and master plans. Managed elaborate projects including color correction, recreation plan renderings, and branding for municipal electrical energy use education.

### **Illustration and Visualization – Zoning, Planning, and Design**

Produced graphic ideas quickly and successfully which conveyed the clients' vision. Rendered detailed zoning graphics, facade improvements, and corridor and neighborhood visualization using Adobe Photoshop.

### **Website Design and Implementation for Public Engagement**

Planned website architecture to clearly deliver content for stakeholder use under simplified navigation. Formatted websites to include municipal documents for public review and comments.

### **Hand Renderings and Art Work**

Created privately-commissioned portraits in pencil and charcoal. Created the first annual Charlevoix (MI) Venetian Festival poster in oil pastel. Appeared in the Charlevoix Waterfront Art Fair exhibiting pen and watercolor paintings of local street scenes and building sketches. Rendered several site and landscape concept plans with pen and marker.



# Cost Proposal

McKenna proposes to complete the Madison Heights Zoning Ordinance Rewrite for a lump sum of \$55,000. Additional services beyond the scope of work described in this proposal can be provided at the hourly rates listed below. This fee is based on the desired work program included in the RFP with the anticipated City staff and Project Steering Committee contributions as described therein.

## DELIVERABLES SUMMARY

### Documents:

- Six (6) bound hard copies of the completed City Zoning Ordinance.
- One digital copy of the completed City Zoning Ordinance in Microsoft Word. Alternatively, Adobe InDesign may be used if permitted by the City.
- One digital copy of the complete Zoning Ordinance in Adobe PDF format.
- Zoning Map and/or Regulating Plan in GIS digital format.
- All community outreach materials, including publicity fliers, public notices, maps, graphics, charts, and boards that will be brought to Community Workshops, as well as result summaries.

TASK	BASE FEE
Task A: Project Initiation	\$5,000
Task B: Diagnostic Review	\$10,000
Task C: Public Engagement	\$5,000
Task D: Annotated Outline and Format	\$8,000
Task E: Zoning Ordinance First Draft	\$12,000
Task F: First Draft Review and Second Draft Preparation	\$10,000
Task G: Public Hearings and Adoption	\$5,000
<b>TOTAL</b>	<b>\$55,000</b>

General administrative burden or overhead, costs of supplies and materials, transportation costs, and other direct costs are accounted for in the task-by-task fee breakdown above.

## MCKENNA PROFESSIONAL FEE SCHEDULE

Effective through December 31, 2022

Professional Classification	Rate Per Hour*
President	\$150
Executive or Senior Vice President	\$140
Vice President	\$135
Director	\$125
Senior Principal or Manager	\$120
Principal	\$115
Senior	\$100
Building Official	\$85
Building Code Inspector	\$75
Associate	\$90
Assistant	\$85
Administrative Assistant	\$44

\* Rates include the following overhead: Accounting, Advertising and Promotion, Books, Publications and Maps, Business Entertainment, Charitable Contributions, Computers, Furniture and Fixtures, Graphics Supplies and General Insurance, Interest, Legal, Licenses, Meals, Memberships and Subscriptions, Office Equipment, Office Space and Parking, Office Supplies, Postage (Except Overnight), Professional Dues, Software, Taxes and Telephone.

These rates do not include photography, outside reproduction, document or materials purchases, which are invoiced additionally. Rates also do not include reimbursable costs for travel, courier, overnight mail, etc. Mileage will be invoiced at the Federal mileage rate.

These hourly rates are valid through the above date, after which they may change per classification by a percentage equal to the increase in the Consumer Price Index for the prior 12 months per U.S. Department of Labor, Bureau of Labor Statistics.

# Sample Ordinances

The following pages include examples from recently completed McKenna zoning ordinances. The examples illustrate how tables, graphics, and cross references can simplify zoning ordinances and make them more user-friendly.

**McKenna ordinances feature:**

- Ample graphics – professional graphic designer on-staff
- Web-ready, user-friendly formatting
- Hyperlinked cross-references within the document
- The .pdf document contains a navigable table of contents
- Form-based and/or conventional standards- (FBC institute certified)

Typically, we draft ordinances in Microsoft Word and convert to Adobe .pdf format for email and web distribution.

Also, McKenna has extensive experience working with Municode, and understands the complexities of reformatting under this system without loss of content or ease of use.



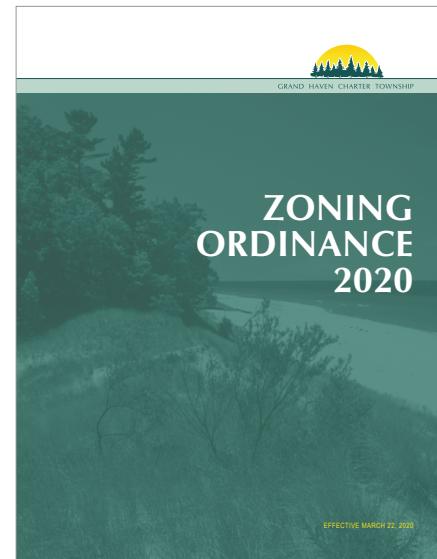


**MCKENNA**

Communities for real life.

# Sample Ordinance

## GRAND HAVEN CHARTER TOWNSHIP, MI



**2.8** CHAPTER 2: ZONING DISTRICTS  
ZONING ORDINANCE 2020

GRAND HAVEN CHARTER TOWNSHIP

**Section 2.09**  
**TABLE OF PERMITTED USES.**

(A) Provisions for the R-4 Manufactured Housing Park Residential District can be found in [Section 2.14](#).  
(B) Throughout this table, P means "Permitted by Right" and S means "Permitted by Special Land Use Permit."

Community Uses	AG	RP	RR	R-1	R-2	R-3	C-1	C-2	I-1	Standards
Accessory Structures (Side or Rear Yards)	P	P	P	P	P	P	P	P	P	<a href="#">10.01</a>
Accessory Structures (Front Yards)	S	S	S	S	S	S	S	S	S	<a href="#">12.07</a>
Airports	S								S	<a href="#">12.04</a>
Bus Terminal								S		<a href="#">12.11</a>
Cemeteries			P				S			<a href="#">12.12</a>
Government Buildings	S	S	S	S	S	S	S	S	S	<a href="#">12.04</a>
Hospitals							S	S		<a href="#">12.22</a>
Institutions of Higher Education	S					S	S	S		<a href="#">12.23</a>
K-12 Schools				S	S	S	S	S		<a href="#">12.25</a>
Marinas				S	S	S	S	S		<a href="#">12.29</a>
Temporary Outdoor Events	S				S	S	S	S		<a href="#">12.43</a>
Parking Garage					S	S	S	S		<a href="#">12.04</a>
Public Parks	P	P	P	P	P	P	P	P	P	
Recreation – Indoor				S	S	S	S	S	S	<a href="#">12.37</a>
Recreation – Outdoor				S	S	S	S	S	S	<a href="#">12.38</a>
Religious Institutions			S	S	S	S	P	P		<a href="#">12.39</a>
Conservation Area	S	S	S							<a href="#">12.16</a>
Wireless Tele-communications										<a href="#">See Section 12.49</a>

GRAND HAVEN CHARTER TOWNSHIP

CHAPTER 2: ZONING DISTRICTS  
ZONING ORDINANCE 2020

**2.9**

Agricultural Uses	AG	RP	RR	R-1	R-2	R-3	C-1	C-2	I-1	Standards
Agriculture	P	S	S							<a href="#">12.08</a>
Agri-Tourism	S	S	S				S	S		<a href="#">12.09</a>
Greenhouse / Nursery	P	S	S				S	S		<a href="#">12.04</a>
Housing for Farm Labor	P	S	S							
Keeping of Animals (Non-Intensive Livestock Operations)										<a href="#">See Section 14.02</a>
Intensive Livestock Operations	S									<a href="#">12.24</a>
Kennels	P	S	S				S	S	S	<a href="#">12.26</a>
Mineral Mining	S	S								<a href="#">12.31</a>
Roadside Farm Stands	P	S	S	S	S	S				<a href="#">12.40</a>
Wineries	S	S	S				S	S		<a href="#">12.48</a>

Residential Uses	AG	RP	RR	R-1	R-2	R-3	C-1	C-2	I-1	Standards
Family Daycare Homes	P	P	P	P	P	P				
Group Daycare Homes	S	S	S	S	S	S				<a href="#">12.19</a>
Home Composting	P	P	P	P	P	P				
Minor Home-Based Businesses	P	P	P	P	P	P				<a href="#">12.21.A</a>
Major Home-Based Businesses	S	S	S	S	S	S				<a href="#">12.21.B</a>
Manufactured Housing Parks										<a href="#">2.14</a>
Multiple Family Dwellings							P			<a href="#">12.04</a>
State Licensed Residential Facilities (Non-Child Daycare)	<sup>6-6</sup> Residents	P	P	P	P	P	P			
<sup>7+</sup> Residents	S	S	S	S	S	S				
Nursing or Convalescent Homes			S				P	S	S	<a href="#">12.32</a>
Residential Units on Upper Floors of Mixed Use Buildings							S	S		<a href="#">12.04</a>
Single Family Dwellings	P	P	P	P	P	P				<a href="#">12.04</a>
Two-Family Dwellings							S	P		<a href="#">12.04</a>

EFFECTIVE MARCH 22, 2020

EFFECTIVE MARCH 22, 2020

### Zoning Graphics

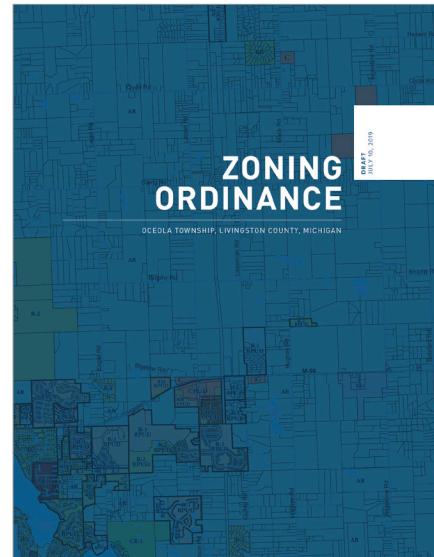
Our library of McKenna-designed zoning graphics ready to customize and add clarity and visual interest to the ordinance.

Parking Lot Island Options



# Sample Ordinance

## OCEOLA TOWNSHIP, MI



4

## ARTICLE 4: USES AND DIMENSION TABLES

OCEOLA TOWNSHIP ZONING ORDINANCE

SECTION 4.02:  
Schedule of Regulations

All buildings, uses, and parcels of land shall comply with the dimensional standards set forth in the table below. Exceptions to the standards for each zoning district are provided in the footnotes following the table.

ZONING DISTRICT	LOT REGULATIONS			MINIMUM SETBACKS (ft)			STRUCTURE REGULATIONS		
	Minimum Lot Area (excluding set backs, sq. ft.)	Minimum Lot Width* (excluding frontage ft.)	Maximum Lot Coverage	Lot Depth	Front Yard	Side Yard	Rear Yard	Maximum Building Height Stories	Minimum Dwelling Unit Floor Area (sq. ft.)
AR § 3.01	50,000 (a)(i)	120 (b)(i)	15%	150 (i)	70 (i)	20 (i)	50 (i)	2.5 (i)	960 (i)(y) (excluding garage)
RR § 3.02	50,000 (d)	120	20%	150	70(35) (a)(b)	20	35	2.5	30
R-1 § 3.03	1 acre (no sewer) 30,000 (sewer) (a)(b)(i)	120 (i)	30%	depth max 4x width	70 (b)(b)	20	50	2.5	30
R-2 § 3.04	30,000 (no sewer) 20,000 (d) (sewer)	120 (i) 100 (i) (sewer)	30%	depth max 3x width (i)	70 (i)(b)(b)	20 (i)(g)(b)	50 (i)(h)	2.5	30
R-3 § 3.05	12,000 (b)(i)(D.U.) 20,000 (b)(i)(D.U.)	80 (1 D.U.)(c)	30%	depth max 3x width	35	10	50	2.5	30
MHP § 5.0	5,500 (individual site size) (i)	\$ 5.02	none	\$ 5.03	\$ 5.03			2.5	35
RM § 3.06 (5 acres min.) (b)(b)	45,000 net setbacks (i)	120 (frontage)	none	none	70	50	50	2	none
CR-1 § 3.07	40 acres	400 (frontage)	none	none	100	100	100	2	35
CR-2 § 3.08	5/40 acres (m)	300 (frontage)	none	none	100	100	100	2	85
C § 13.09 (10 acres min.) (i)(i)	90,000 net setbacks (i)	660 (frontage) (district)	none	660 (district)	150	50 if abutting residential	25	none	40
OS § 3.10	none (i)	100 (frontage)	none (i)	none	75 (o)	15	25	none	40
MI § 3.11 (40 acres min. ind. R.O.W.)(i)(g)	none	80	40%	none (g)	50 (p)	40	40	2	40

\* Minimum lot width is measured at front yard setback line.

4-6 DRAFT - JULY 10, 2019

## ARTICLE 4: USES AND DIMENSION TABLES

OCEOLA TOWNSHIP ZONING ORDINANCE

4

SECTION 4.03:  
Footnotes to Schedule of Regulations

- (a) Horse riding stables. Minimum size 20 acres. The number of horses kept at a riding stable shall not exceed one per acre. **Campgrounds:** minimum size 20 acres. Day camps: minimum size 10 acres. Churches: the minimum lot area shall be 3 acres. **Well Drilling, Environmental Drilling, and Environmental Consulting operations:** subject to the following conditions: minimum site size shall be 3 acres.
- (b) Well drilling, environmental drilling, and environmental consulting operations, subject to the following conditions: Minimum frontage shall be 200 feet along a major thoroughfare.
- (c) Bed and Breakfast Facilities. The minimum size of rental room shall be 120 square feet. The minimum size for manager/owner living quarters shall be 450 square feet.
- (d) Churches. The minimum lot area shall be 3 acres.
- (e) The keeping of horses (equine) provided that there is a minimum of 5 acres for 1 to 3 horses, and 1 additional acre for each additional horse.
- (f) Lots in the following locations shall be allowed to be used for single family development, provided that the following dimensional requirements are met:
  - Lots recorded in the Howell Lake Manor subdivision as 12/0192 which are a minimum of sixty (60) feet in width.
  - Platted lots or parcels or lots of record as of 12/0192 in the Oakwoods Country Club, Oakcrest Beach, or Howell Lake Oak Grove subdivisions which are eighty (80) feet in width.
  - Platted lots or parcels or lots of record in the Oakwoods Country Club, the Oakcrest Beach, the Howell Lake Manor or the Howell Lake Oak Grove subdivisions, shall be subject to the following minimum yard setbacks for a single-family dwelling:
    - Front: 25 feet
    - Side: Least One – 15 feet, Total of Two – 20 feet.
    - Rear: 40 feet
- (g) Emergency Vehicle Access. A minimum 15-foot clear pathway to the back of the lot for emergency vehicle access must be provided on each lot or parcel.
- (h) Detached Garage Setbacks. Detached garages shall be placed behind the front building line of the dwelling, except that on a lot front in Residential District 2, a detached garage may be located on the street side of the dwelling. On a lot front in the Residential District 2, the minimum front setback for the garage shall be 10 feet or the average of the property lines on the lots on either side of the garage, on the same side of the street, whichever is greater. The averaged front setback standard shall apply only to detached garages, not to outbuildings or garages attached to the dwelling. All other requirements of this ordinance shall continue to apply.
- (i) Minimum Lot Area. Minimum lot area shall be 12,000 square feet per one family dwelling and 20,000 square feet per 2 family dwelling, exclusive of road right-of-way. All other uses shall have a minimum lot area of 20,000 square feet, unless a larger minimum area is specified in this Ordinance. All parcels and lots must be served by sanitary sewer.
- (j) Parcel Size. The minimum parcel size for manufactured housing parks shall be fifteen (15) acres. Site Size. The manufactured housing parks shall be developed with sites having a minimum size of five-thousand five-hundred (5,500) square feet per manufactured housing unit. This square foot minimum for any one site may be reduced twenty percent (20%) provided that the individual site shall be equal to at least four-thousand-four-hundred (4,400) squarefeet.
- (k) Apartments. up to ten (10) units per acre. **Condominiums:** up to seven (7) units per acre.
- (l) **Convallescent homes:** may rent rooms of a minimum of 90 square feet if other amenities are provided.
- (m) Any use permitted by right under Commercial Recreational District L, provided the parcel is at least forty (40) acres in size. The following uses permitted only by special use permit: ski resorts-minimum 40 acres, fairgrounds-minimum 40 acres, race tracks-minimum 40 acres.
- (n) Medical and Dental Clinics. Minimum lot size shall be 40,000 (forty thousand) square feet and maximum lot coverage shall not exceed thirty-five percent (35%), including accessory uses and structures. **Office complexes:** (two or more structures) exceeding 30,000 (thirty thousand) square feet in floor area 1) Exterior walls of opposite or adjacent buildings shall be located no closer than one and one half (1.5) times the height of the highest building wall, but in no case closer than fifty (50) feet; 2) Buildings shall be so located and arranged that all structures have access to the emergency vehicle access. 3) Minimum lot area shall not exceed sixty percent (60%), including accessory uses and structures. 4) The ratio of total floor area to lot area shall not exceed one (1).
- (o) For those uses located along M-59, the setback shall be determined from any officially proposed right-of-way, the front setback may be used for marginal access drives and street parking. A ten (10) foot landscaped strip shall be provided and maintained between the edge of the existing or proposed right-of-way and the pavement.
- (p) When a service drive parallel to the thoroughfare is required the nearest edge of the service drive shall be set back a minimum one hundred twenty (120) feet from the thoroughfare right-of-way.

DRAFT - JULY 10, 2019 4-7

## Easy to Read Tables

*Consolidating regulations into charts reduces allows for easier interpretation and reduces the possibility for conflicting regulations – all while reducing the length of the ordinance.*

CALIPER OF PRESERVED TREE	NUMBER OF TREES (IN INCHES) CREDITED
over 12	3
8 to 12	2
2 1/2 to 8	1

Note: Caliper measurement for existing trees is the diameter at a height of four and one half (4.5) feet above the natural grade. (Diameter at Breast Height - D.B.H.)

The following trees are not eligible for preservation credits:

Apple	European Alder	Malus (sp.)	Scotch Pine
Autumn Olive	Hackberry	Norway Maple	Siberian Elm
Box Elder	Hawthorn	Poplars	Silver Maple
Buckthorn	Locust (sp.)	Red Pine	Willows

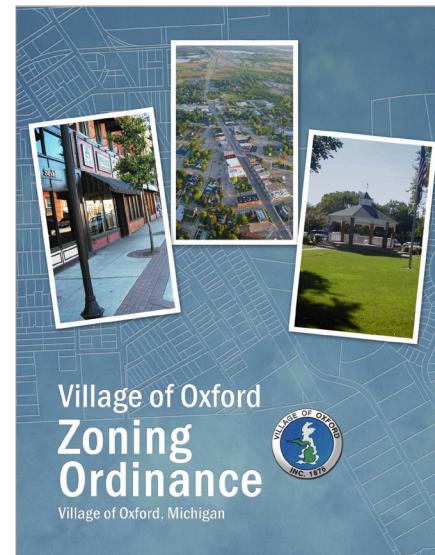


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Communities for real life.

# Sample Ordinance

VILLAGE OF OXFORD, MI



## ARTICLE 3: ZONING DISTRICTS AND USES

### SECTION 3.4.12 • C-1, TRANSITION DISTRICT - INTERNAL DRIVE

#### REGULATIONS SCHEDULE

BUILDING HEIGHT - PRINCIPAL BUILDING	
In Stories:	3 Stories (2 Stories Min.)
In Feet:	40 Feet (30 Feet Min.)
LOT STANDARDS	
Minimum Lot Width:	See Footnote 1
Minimum Usable Floor Area:	See Footnote 1
Per Unit Principal Building:	N/A
Building Lot Width Ratio:	85% Min.; 100% Max.
SETBACKS - PRINCIPAL BUILDING	
Front Yard:	10 Feet Min.; 35 Feet Max.
Side Yard (One):	0 Feet
Side Yard (Total of Two):	0 Feet
Rear Yard:	0 Feet*

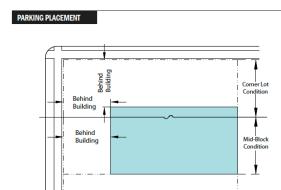
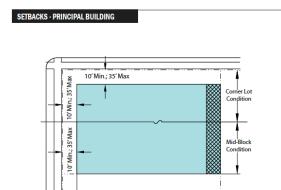
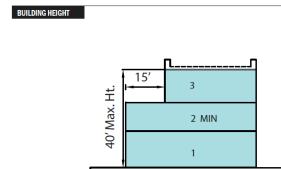
#### FOOTNOTES

1. Minimum lot area and width shall be determined by the use, setbacks, and other requirements of the Ordinance.
2. If the width of the structure facing the interior side of the corner window is greater than the width of the building, a minimum 10 foot setback shall be required.
3. A minimum 5 foot wide sidewalk for pedestrian ingress and egress shall be maintained between the rear of the building and the back of curbs adjacent to a public or private street, roadway, or alley, or off-street parking lot. Where the rear of the building is adjacent to a curb or curb and gutter, the sidewalk shall be located 5 feet from the curb or curb and gutter and 5 feet from the rear of the building and the nearest edge of pavement used for a public or private street, roadway, or alley, or off-street parking lot. The sidewalk shall be continuous and shall not be interrupted by any structures or trees thereon. The sidewalk shall maintain a 5 foot wide clearance free from any encumbrances, including but not limited to light poles, landscaping, sheet metal, or other structures or materials. A building projection above the clear path shall maintain a minimum vertical clearance of 14 feet above the grade of the pedestrian area.

See Form Based Code for additional regulations.

Graphics are illustrative only. Refer to REGULATIONS

SCHEDULE for setback and height information.



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VILLAGE OF OXFORD ZONING ORDINANCE  
ADOPTED 09.24.13. EFFECTIVE 10.16.13

## ARTICLE 3: ZONING DISTRICTS AND USES

The Following Sections (known collectively as the Form Based Code) apply to all parcels located within the C-1 Core and C-1 Transition Districts. Illustrations, drawings, and photographs are for illustrative purposes only.



### SECTION 3.4.13.1 • FORM-BASED CODE INSTRUCTIONS

**A. Application Requirements.** The provisions of this Form Based Code are activated by "shall" or "must" when required, "should" or "encouraged" when recommended, and "may" when optional.

**B. Conflict.** Where there appears to be a conflict between the regulations of this Form Based Code and other sections of the Zoning Ordinance (as applied to a particular development), the requirements specifically set forth in this Form Based Code shall prevail. For development standards not addressed in this Form Based Code, the other applicable sections of this Zoning Ordinance shall be used as the requirement.

### SECTION 3.4.13.2 • PERMITTED AND OPTIONAL REGULATIONS

Wherever in this Form Based Code reference is made to permitted and optional improvements, permitted improvements shall be permitted by-right, while optional improvements shall require the approval of the reviewing body. An optional improvement or layout may be permitted by the reviewing body if it is consistent with the following criteria:

**A.** The requested option is consistent with the intent of the C-1 District.

**B.** The requested option is consistent with existing or planned development on adjacent or nearby parcels.

**C.** The requested option will not negatively impact the potential of adjacent parcels to develop in accordance with the standards of this Form Based Code.

**D.** The requested option will, in the opinion of the reviewing authority, result in a superior site design or layout than would be permitted improvement or layout.

#### SECTION 3.4.13.3 • STREET NETWORK AND BLOCKS

Any development must provide an interconnected network of streets, drives, or other public passageways. The Village of Oxford has a largely developed street network with few remaining opportunities for new streets. The C-1 Core and C-1 Transition Districts will not necessarily require new street layouts; however, the guidelines outlined below will establish standards to ensure a walkable, pedestrian-friendly downtown district as new development occurs over time:

**A. Blocks.** The street network need not form an orthogonal grid; however, sufficient intersections shall be provided to create walkable and pedestrian scale development.

**1. Block Perimeter.** The maximum block perimeter in a form-based district is 2,200 feet.

**2. Block Length.** The portion of any block between intersecting streets may not exceed 500 feet without a dedicated pedestrian pass through providing access through the block to another street.

**3. Pedestrian Pass-Throughs.** Pedestrian pass-throughs shall have a minimum width of five feet, shall be designed so they may be used for loading or loading docks, and shall be designed to be safe and accessible for pedestrians.

Security lighting sufficient to maintain a minimum light level of one foot candle measured one foot above grade level shall be provided in pedestrian pass-throughs.

**4. Interior Streets.** Interior streets are not required to intersect at ninety degree angles, and may be bent or curved, but must connect to other streets. Jogs or cornerstone offsets shall be at least 100 feet for interior streets.

**B. Perimeter Street Intersections.** Intersections of interior streets along any perimeter street shall be separated by at least 330 feet.

**C. General Requirements.**

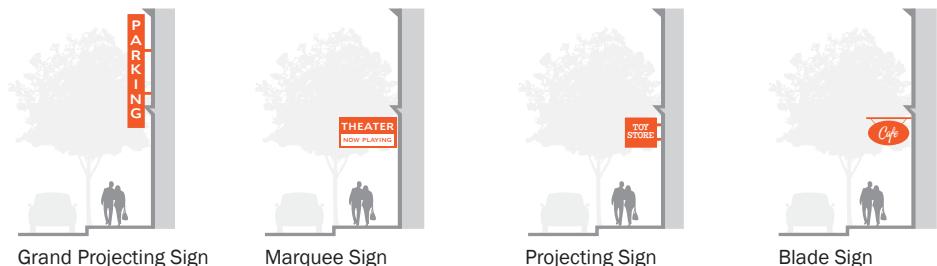
**1. Street Connectivity.** Street connections for the continuation of the street network onto adjacent properties shall be provided when the potential exists for

VILLAGE OF OXFORD ZONING ORDINANCE  
ADOPTED 09.24.13. EFFECTIVE 10.16.13

41

## Maps and Diagrams

Using visual mediums in the ordinance allows for simpler interpretation and explanation – especially for complex topics like form-based regulations and overlay districts.



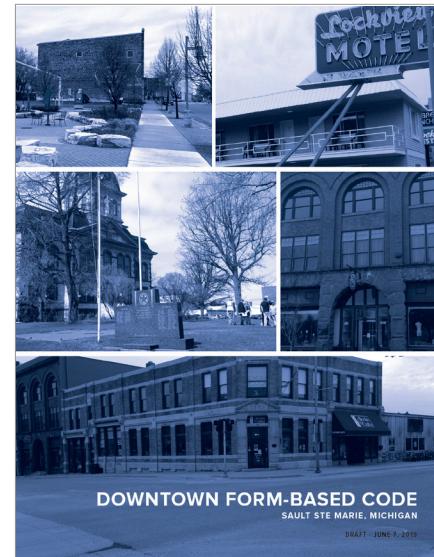


**MCKENNA**

Communities for real life.

# Sample Ordinance

CITY OF SAULT STE. MARIE, MI



**DOWNTOWN FORM-BASED CODE**  
SAULT STE MARIE - MICHIGAN

**G. ROWHOUSE**

**TABLE 4.G.1: ROWHOUSE - SPECIFIC REQUIREMENTS**

1. Residential units existing side-by-side within building enclosure with each unit extending from foundation to roof.
2. Parking at rear or within building at ground floor with parking entrance at rear of building.
3. Side parking lots prohibited.
4. Opaque exterior walls through which window and door openings appear to have been "punched" as through paper in a ring binder.
5. Pattern of solids and voids generated by the vertical and horizontal alignment of windows and doors in variously repeating sizes.
6. Window groupings encouraged, with groups of up to 3 allowable.
7. Ground floor (finished floor) 24" to 30" above grade.
8. Min. 6'-6" deep required from porch maximum 30" above grade with decorative rail 28" - 36" above porch floor (porches may be individual or shared and continuous across front of building).
9. Individual main entrance articulation. Porch may be shared (entrances may have separate doors or share a vestibule).
10. Window screens to be made of wood or, if non-masonry structure, windows to have 3 1/2" ht. painted wood aprons added beneath sills to width of cased openings.
11. Floor to floor heights limited to 10'-6".

**APPENDIX A** **APPENDIX B** **APPENDIX C** **APPENDIX D** **APPENDIX E** **APPENDIX F** **APPENDIX G** **APPENDIX H** **APPENDIX I** **APPENDIX J** **APPENDIX K** **APPENDIX L** **APPENDIX M** **APPENDIX N** **APPENDIX O** **APPENDIX P** **APPENDIX Q** **APPENDIX R** **APPENDIX S** **APPENDIX T** **APPENDIX U** **APPENDIX V** **APPENDIX W** **APPENDIX X** **APPENDIX Y** **APPENDIX Z**

**4-16 ARTICLE 4: BUILDING TYPES AND FAÇADES** DRAFT - JUNE 7, 2019

**DOWNTOWN FORM-BASED CODE**  
SAULT STE MARIE - MICHIGAN

**TABLE 4.G.2: ROWHOUSE - NUMERICAL PARAMETERS**

Building Size	Width	Height	Height-to-Width Ratio	Depth	Lateral Spacing	Depth of Recess	Extent of Projection
32' to 160'	34' (a)	2 to 1.0	≤ 66'	(b)	n/a	n/a	n/a
Window Units - Rectangular	32' to 36' (l)	56" to 72" (m)	1 to 2.25 (c)	n/a	(d)	n/a	n/a
Individual Window Units within Window Groups	20' to 32'	54" to 72" (m)	2 to 3	n/a	3.5" to 4" (e)	4" (f) (g)	n/a
Sills	1" to 4" (h)	(h)	n/a	(i)	n/a	(j)	1" to 1.5"
Exterior Doors	32' to 36'	80" to 84"	n/a	n/a	≥ 15" (j)	n/a	n/a
Window Casing (non-masonry structures)	(k)	(k)	n/a	1" to 1.25"	n/a	n/a	n/a
Building Trim (non-masonry structures)	(k)	(k)	n/a	1" to 1.25"	n/a	n/a	n/a

(a) Refer to Definitions, Article 7  
 (b) Refer to Schedule of Regulations, Section 4.05.  
 (c) If ratio is 1.6, window must be single sash.  
 (d) Spacing dimension shall either be divided by one half (0.5) the width of the exterior wall masonry unit, or by 4".  
 (e) Projection refers to the distance from window casing to window.  
 (f) Applicable to all masonry-clad buildings, bay windows excepted.  
 (g) Pediment windows on masonry-clad buildings, excepted.  
 (h) Pediment refers to the extent of sill projection beyond either the side of the window casing or the masonry opening.  
 (i) Depth refers to the extent of sill projection.  
 (j) For any one building wall.  
 (k) Refer to Figure 2.11.  
 (l) Kitchen, bathroom, accent, and half height single-sash windows excepted.  
 (m) Stroke of concrete: either 5.33" or height of two brick courses; Brick: 3.5" to 4"; Wood: 1.5" to 2".

**TABLE 4.G.3: ROWHOUSE - ALLOWABLE MATERIALS**

	Brick	Terra Cotta	Sandstone	Limestone	Formed Concrete	Beveled Cedar Siding	Other
Building Wall	X		X			X	Portland cement stucco, Cement board (a)
Accents	X	X	X	X	X		Painted Wood
Window and Door Trim (s)	(b)	X	X	X	X		Cedar
Window Sills (a)	(b)	X	X	X	X		Cedar
Columns	X	X	X	X	X		Wood

(a) Cement siding and trim shall be installed with the smooth side facing outward. Visible wood grain embossing or rough-sawn surfaces are prohibited.  
 (b) Soldier course.

**TABLE 4.G.4: ROWHOUSE - ALLOWABLE USES**

Residential	
Office	

**APPENDIX A** **APPENDIX B** **APPENDIX C** **APPENDIX D** **APPENDIX E** **APPENDIX F** **APPENDIX G** **APPENDIX H** **APPENDIX I** **APPENDIX J** **APPENDIX K** **APPENDIX L** **APPENDIX M** **APPENDIX N** **APPENDIX O** **APPENDIX P** **APPENDIX Q** **APPENDIX R** **APPENDIX S** **APPENDIX T** **APPENDIX U** **APPENDIX V** **APPENDIX W** **APPENDIX X** **APPENDIX Y** **APPENDIX Z**

**4-17 ARTICLE 4: BUILDING TYPES AND FAÇADES** DRAFT - JUNE 7, 2019

## Form-Based Code

*Form-Based Codes regulate the design, architecture, and massing of buildings, reducing the focus on land use, and improving the quality of the built environment.*



**MCKENNA**

Communities for real life.

# Sample Ordinance

CITY OF HOLLAND, MI

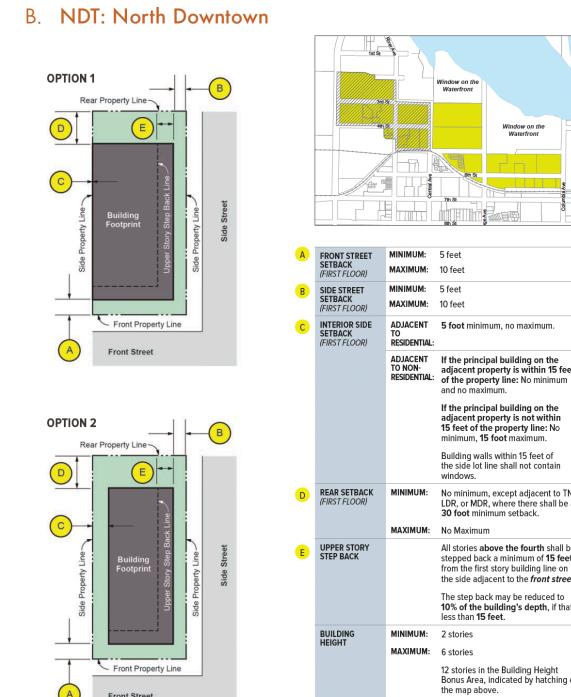
Holland  
Michigan

## ARTICLE 3: Form-Based Code

DRAFT SEPTEMBER 22, 2020

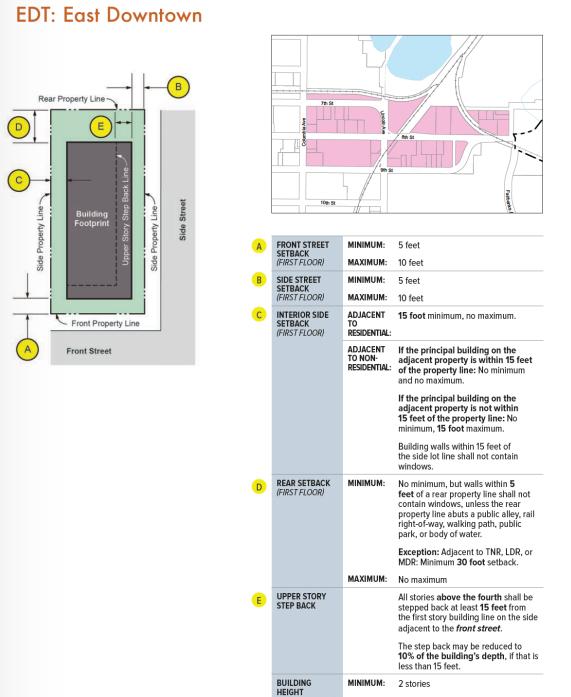
**ARTICLE 3: FORM-BASED CODE**

**B. NDT: North Downtown**



OPTION	SETBACK	MINIMUM	MAXIMUM	NOTES
OPTION 1	A: FRONT STREET SETBACK (FIRST FLOOR)	5 feet	10 feet	
	B: SIDE STREET SETBACK (FIRST FLOOR)	5 feet	10 feet	
	C: INTERIOR SIDE SETBACK (FIRST FLOOR)	5 feet minimum, no maximum		
	D: REAR SETBACK (FIRST FLOOR)	If the principal building on the adjacent property is within 15 feet of the property line: No minimum, 15 foot maximum.		
	E: UPPER STORY STEP BACK	All stories above the fourth shall be stepped back a minimum of 15 feet from the first story building line on the side adjacent to the front street.		
OPTION 2	A: FRONT STREET SETBACK (FIRST FLOOR)	5 feet	10 feet	
	B: SIDE STREET SETBACK (FIRST FLOOR)	5 feet	10 feet	
	C: INTERIOR SIDE SETBACK (FIRST FLOOR)	5 feet minimum, no maximum		
	D: REAR SETBACK (FIRST FLOOR)	No minimum, except adjacent to TNR, LDR, or MDR, where there shall be a 30 foot minimum setback.		
	E: UPPER STORY STEP BACK	All stories above the fourth shall be stepped back a minimum of 15 feet from the first story building line on the side adjacent to the front street.		
	BUILDING HEIGHT	2 stories	6 stories	12 stories in the Building Height Bonus Area, indicated by hatching on the map above.

**C. EDT: East Downtown**



SETBACK	MINIMUM	MAXIMUM	NOTES
A: FRONT STREET SETBACK (FIRST FLOOR)	5 feet	10 feet	
B: SIDE STREET SETBACK (FIRST FLOOR)	5 feet	10 feet	
C: INTERIOR SIDE SETBACK (FIRST FLOOR)	15 feet minimum, no maximum		
D: REAR SETBACK (FIRST FLOOR)	No minimum, but walls within 5 feet of a rear property line shall not contain windows, unless the rear property line abuts a public alley, rail right-of-way, walking path, public park, or body of water.		
E: UPPER STORY STEP BACK	All stories above the fourth shall be stepped back at least 15 feet from the first story building line on the side adjacent to the front street.		
BUILDING HEIGHT	2 stories	6 stories	

**ARTICLE 3: FORM-BASED CODE**

**B. NDT: North Downtown**

**C. EDT: East Downtown**

**DRAFT SEPTEMBER 22, 2020**

**UNIFIED DEVELOPMENT ORDINANCE**  
CITY OF HOLLAND, MICHIGAN

## Zoning for Character

*Understanding the nuances of various neighborhoods is key to ensuring zoning increases quality of life and incentivizes economic development.*

### SECTION 3.10 FRONTAGE TYPES:

BUILDING TYPE	CDT	NDT	EDT	WDT	CENT	RM	SIXT	WASH	SSV
Shopfront	P	P	P	P	P	P	P	P	P
Lobby	P	P	P	P	P	P	X	L	X
Forecourt	L	P	P	P	P	P	X	L	X
Arcade	L	P	P	P	X	X	P	L	X
Common Yard	X	P	P	P	X	P	X	L	X

**P** Permitted on all properties in Sub-District, provided that all requirements of UDO are met, as determined by Planning Commission during Site Plan Approval

**L** Permitted on limited properties in Sub-District (see Section 3.08) provided that all requirements of UDO are met, as determined by Planning Commission during Site Plan Approval

**S** Requires Special Use Approval by Planning Commission, in addition to Site Plan Approval

**X** Not Permitted

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**CITY OF MADISON HEIGHTS**  
**ELECTRONIC COUNCIL AGENDA REQUEST FORM**

SUBMITTED TO: \_\_\_\_\_

SUBMITTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

FOR CONSIDERATION AT THE COUNCIL MEETING OF: \_\_\_\_\_

**ACTION REQUESTED**

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

**DESCRIPTION OF ITEM**

**IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS**

**POLICY CONSIDERATION**

**FINANCIAL IMPACT**

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 <sup>nd</sup> Acct.	_____		_____
Other Comments	_____		_____

**REVIEW CHECKLIST**

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

CITY MANAGER \_\_\_\_\_ DATE \_\_\_\_\_



February 22, 2022

Melissa R. Marsh, City Manager  
City of Madison Heights  
300 West Thirteen Mile  
Madison Heights, MI 48071

**RE: Madison Heights Civic Center Complex Bid Package #1  
Contract Award Recommendations**

Dear Ms. Marsh:

Frank Rewold & Sons Inc. is pleased to present the attached contract recommendations for the MHCC Project Bid Package #1. These contract recs are for two of the long lead items in the project, the elevator and the HVAC equipment. These contract recs fall within the amounts allocated in the latest budget.

This bid package was publically bid according to the State of Michigan and City of Madison Heights requirements.

The following are notes to be included with the contract recs.

- All contracts are based on the plans and specifications issued for bids.
- All contracts include taxes.
- The elevator is a complete furnish and install contract.
- The elevator contract will require a 30% (or \$26,852) down payment prior to start of shop drawings.
- The elevator installation will be performed by union labor.
- The HVAC contracts are to supply equipment only.
- The HVAC contracts will be assigned to a future HVAC installation contractor for final coordination.
- Some monies (depends on credit terms) will need to be released to the HVAC equipment suppliers after approval of shop drawings and before beginning fabrication.

There are three pages to follow. A summary of the contracts for approval, backup information for the contracts to be awarded, and a listing of all bids received.

If there are any questions on the contract recommendations, please contact me at (248) 618-0220.

Sincerely,  
**FRANK REWOLD & SONS INC.**

Mike Gagnon  
Project Executive

Attachments  
c: David Gassen, PIA

**City of Madison Heights****MHCC Bid Package #1 Contract Recommendations Summary**

<b>Bid Package</b>	<b>Contractor</b>	<b>Contract Amount</b>
Elevator	Kone, Inc.	\$ 89,508
HVAC - Cabinet Unit Heaters	Bennett, Holland and Associates, Inc.	\$ 11,622
HVAC - Air Terminal Units	Carrier Great Lakes	\$ 42,029
HVAC - Roof Top Units	Carrier Great Lakes	\$ 173,728
HVAC - Boilers	The Macomb Group, Inc.	\$ 31,148
HVAC - Hydronic Pumps and VFDs	RL Deppmann Company	\$ 11,084
<hr/> <hr/> <hr/>		
<b>Total Contract Awards</b>		\$ 359,119
Allowances and Contingencies		\$ -
<b>Total Project Costs</b>		\$ 359,119
Potential costs if executed now and cancelled by April 29, 2022 - not to exceed: \$ 10,000		

Contract Recommendations		Subtotals	Totals
<u>Elevator</u>			
Kone, Inc.	Base Bid	\$ 88,508	
11864 Belden Court	Sales / Use Tax	Included	
Livonia, MI 48150			
	Performance and Labor Bond	1,000	
	Contract Recommendation		\$ 89,508
<u>HVAC - Cabinet Unit Heaters</u>			
Bennett, Holland and Associates, Inc.	Base Bid	\$ 10,964	
25550 North River Road, Suite A	Sales / Use Tax	658	
Harrison Twp., MI 48045			
	Performance and Labor Bond	NA	
	Contract Recommendation		\$ 11,622
<u>HVAC - Air Terminal Units</u>			
Carrier Great Lakes	Base Bid	\$ 42,029	
33601 Schoolcraft Road	Sales / Use Tax	Included	
Livonia, MI 48150			
	Performance and Labor Bond	Future By Design Builder	
	Contract Recommendation		\$ 42,029
<u>HVAC - Roof Top Units</u>			
Carrier Great Lakes	Base Bid	\$ 204,555	
33601 Schoolcraft Road	Sales / Use Tax	Included	
Livonia, MI 48150	To use one unit for RTU 1 in lieu of two	\$ (24,559)	
	To delete supply fan VFD bypass	\$ (2,844)	
	To delete condenser fan VFD	\$ (3,424)	
	Performance and Labor Bond	Future By Design Builder	
	Contract Recommendation		\$ 173,728
<u>HVAC - Boilers</u>			
The Macomb Group, Inc.	Base Bid	\$ 29,385	
6600 E. 15 Mile Road	Sales / Use Tax	1,763	
Sterling Heights, MI 48312			
	Performance and Labor Bond	NA	
	Contract Recommendation		\$ 31,148
<u>HVAC - Hydronic Pumps and VFDs</u>			
RL Deppmann Company	Base Bid - Pumps	\$ 6,645	
46575 Magellan Drive	Base Bid - VFDs	3,812	
Novi, MI 48377	Sales / Use Tax	627	
	Performance and Labor Bond	NA	
	Contract Recommendation		\$ 11,084
	Total Contract Recommendations		\$ 359,119
<u>Other Project Costs</u>		Subtotals	Totals
	<u>Allowances and Contingencies</u>		
	General Contingency 0%	\$ -	
	Permits and Fees	Future Contract Awards	
	Contingency & Allowance Subtotal		\$ -
	Total Project Costs		\$ 359,119

Contractor	Base Bid	Taxes	Bond	Total	Notes
<b>Elevator Bids</b>					
KONE	\$ 88,508	Included	\$ 1,000	\$ 89,508	Low bid used
ThyssenKrup	\$ 119,500	Included	\$ 1,195	\$ 120,695	
Otis	\$ 101,900	Included	\$ 450	\$ 102,350	Late bid
<b>HVAC - Cabinet Unit Heaters</b>					
Bennett, Holland	\$ 10,964	\$ 658	NA	\$ 11,622	Low bid used
MAP	\$ 11,980	\$ 719	NA	\$ 12,699	Late bid
<b>HVAC - Air Terminal Units</b>					
Carrier Great Lakes	\$ 42,029	Included	Future	\$ 42,029	Bid used
MAP	\$ 28,620	\$ 1,717	NA	\$ 30,337	Late bid, no controls
<b>HVAC - Roof Top Units</b>					
Carrier Great Lakes	\$ 204,555	Included	Future	\$ 204,555	Bid used, see accepted alternates
JOC	\$ 154,000	\$ 9,240	NA	\$ 163,240	Tempmaster - not to spec, offered alternate to meet spec was \$66,000 higher
<b>HVAC - Boilers</b>					
Macomb Group	\$ 29,385	\$ 1,763	NA	\$ 31,148	Bid used
Carrier Great Lakes	\$ 30,264	Included	NA	\$ 30,264	LAARS Boiler - not to spec
RL Deppmann	\$ 28,743	\$ 1,763	NA	\$ 30,506	NTI Boiler - not to spec
<b>HVAC - Hydronic Pumps and VFDs</b>					
RL Deppmann	\$ 10,457	\$ 627	NA	\$ 11,084	Low bid used
MAP	\$ 11,720	\$ 703	NA	\$ 12,423	Late bid

**CITY OF MADISON HEIGHTS**  
**ELECTRONIC COUNCIL AGENDA REQUEST FORM**

SUBMITTED TO: \_\_\_\_\_

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FOR CONSIDERATION AT THE COUNCIL MEETING OF: \_\_\_\_\_

**ACTION REQUESTED**

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

**DESCRIPTION OF ITEM**

**IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS**

**POLICY CONSIDERATION**

**FINANCIAL IMPACT**

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 <sup>nd</sup> Acct.	_____		_____
Other Comments	_____		_____

**REVIEW CHECKLIST**

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

CITY MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

PROJECT: Office 365 Tenant Migration for Government Licenses

SUMMARY: Migration to Microsoft 365 Government Controlled Tenant

OBJECTIVE: Add additional security benefits of the Microsoft GCC Verified tenant program

CITY OF MADISON HEIGHTS 300 West Thirteen Mile Road, Madison Heights, MI 48071

Contact: Melissa Marsh  
melissamarsh@madison-heights.org  
(248) 583-0829

Project Manager: Amanda Lawrence  
Lead Engineer: Blake Boyd  
#114

#### WORK BREAKDOWN

##### **1. Project Documentation**

- a. Document all new passwords
- b. Document all new domain registrars
- c. Update spam filter information
- d. Create and update the standard operating procedures
- e. Document any Azure AD synchronization
- f. Verify sync from all tools in the documentation system
- g. Link all relevant objects in the documentation system

##### **2. Verify Source Environment**

- a. Verify users to be migrated
- b. Verify information to be migrated
- c. User mailboxes, calendars, and contacts

##### **3. Setup Office 365 Tenant**

- a. Replicate groups and validate sync
- b. Add and assign licenses
- c. Setup best security practices
- d. Spam filter, MFA, Smart Links, Anti-Phish, DKIM, DMARC

##### **4. Setup BitTitan Projects**

- a. Create client in MSP Complete
- b. Connect source and destination endpoints
- c. Apply migration licenses
- d. Create needed projects in MigrationWiz

##### **5. Run Data Pre-Stage**

- a. Migrate data that is older than 30 days

##### **6. MFA**

- a. Assist with communication for pre-registering users for MFA
- b. Setup any Office location exceptions in Azure

- c. Verify legacy authentication is disabled in Office 365 tenant

**7. Final Migration**

- a. Start full migrations on BitTitan projects
- b. Remove Domain from previous tenant
- c. Verify domain via DNS entries in new tenant
- d. Adjust DNS records
  - i. MX, CNAME, TXT, and SRV, DMARC, DKIM, SPF records
- e. Disable legacy authentication in the tenant
  - i. Assist with issues related to retiring legacy authentication
- f. Reconfigure discovery location - Autodiscover and Autodiscover URL on Exchange Server

**8. Post-Migration**

- a. Assist with post migration issues related to retiring legacy authentication
- b. Train users on self-service passwords resets

**BUDGET**

**Labor:**

Project Management (\$4,500 covered by BPI contract)

N/C

Migration from Exchange to Office 365 (\$9,200 covered by BPI contract)

N/C

**Materials:**

Microsoft 365 licenses: GCC (\$672 for 84 G1 at \$8/user/month + \$1300 for 65 G3 at \$20/user/month + 1 G5 at \$35/user/month + 1 Azure P1 at \$6/user/month)

\$3,850.00

Tenant Migration Utility BitTitan (\$25 per mailbox + \$350 for support license)

Backup Spanning for 365 (\$3/mailbox/month)

*Pricing subject to change based on end of month user count.*

Estimated Total Due when project is complete

\$3,850.00

Annual License Cost

29,196.00

Monthly License Cost

2,433.00

**APPROVAL**

PRINT NAME

SIGNATURE

DATE

**CITY OF MADISON HEIGHTS**  
**ELECTRONIC COUNCIL AGENDA REQUEST FORM**

SUBMITTED TO: \_\_\_\_\_

SUBMITTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

FOR CONSIDERATION AT THE COUNCIL MEETING OF: \_\_\_\_\_

**ACTION REQUESTED**

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PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

**DESCRIPTION OF ITEM**

**IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS**

**POLICY CONSIDERATION**

**FINANCIAL IMPACT**

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
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Amount Available in 2 <sup>nd</sup> Acct.	_____		_____
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DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

CITY MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

**QUOTE: Microsoft Windows Data Center 2022****CITY OF MADISON HEIGHTS 300 West Thirteen Mile Road, Madison Heights, MI 48071**

Contact: Melissa Marsh  
melissamarsh@madison-heights.org  
(248) 583-0829

Project Manager: Amanda Lawrence  
Lead Engineer: Chris Morrison  
#156

**BUDGET****Materials:**

Microsoft Windows Data Center 2022 4x 16 packs at \$6,156.00 each  
*Pricing subject to change.*

\$24,624.00

**APPROVAL**

PRINT NAME

SIGNATURE

DATE

**CITY OF MADISON HEIGHTS**  
**ELECTRONIC COUNCIL AGENDA REQUEST FORM**

SUBMITTED TO: \_\_\_\_\_

SUBMITTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

FOR CONSIDERATION AT THE COUNCIL MEETING OF: \_\_\_\_\_

**ACTION REQUESTED**

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

**DESCRIPTION OF ITEM**

**IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS**

**POLICY CONSIDERATION**

**FINANCIAL IMPACT**

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 <sup>nd</sup> Acct.	_____		
Other Comments	_____		

**REVIEW CHECKLIST**

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

CITY MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

**CITY OF MADISON HEIGHTS,  
OAKLAND COUNTY, MICHIGAN**

**AMENDMENT TO THE CODE OF ORDINANCES**

An Ordinance to add to Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 26, Article 1, Division 1, Section 26-8, of the Code of Ordinances, City of Madison Heights, Michigan, by prohibiting Distracted Driving.

**THE CITY OF MADISON HEIGHTS ORDAINS:**

**SECTION 1. Amendment.**

That Chapter 26, Article 1, Division 1, Section 26-8, of the Code of Ordinances, City of Madison Heights, Michigan, is hereby amended in its entirety to read as follows:

**Section 26-8 – Distracted Driving**

(a) “Distracted Driving” means the following:

(1) The physical manipulation of any wireless electronic entertainment or two-way communication device, including but not limited to cell phones, mobile computers such as tablets or laptops, walkie-talkies, or computer-aided dispatch systems, by dialing numbers, scrolling, typing, or entering letters, numbers, symbols, and/or text, or any combination thereof; or by playing games and utilizing applications; or by sending, receiving, and reading of any non-voice data in a device while the motor vehicle is in operation on any highway or street or place open to the general public within the City of Madison Heights. As used in this subsection, a wireless two-way communication device does not include a global positioning or navigation system that is affixed to the motor vehicle or the use of a hands-free device.

(2) The physical manipulation or handling of any wireless electronic entertainment or two-way communication device for the purpose of speaking into, listening to voice data, or reading, while the motor vehicle is in operation on any highway or street or place open to the general public within the City of Madison Heights; or

(3) Any action by the driver of a motor vehicle that diverts his or her attention from operating motor vehicle while that vehicle is on any highway, street or place open to the public within the City of Madison Heights, with such action including but not limited to: eating, reading, writing, performing personal hygiene/grooming, physical interaction with pets, passengers or unsecured cargo.

(4) A person violating Section subjection (a) shall be deemed responsible or a civil infraction and a fine of one hundred dollars.

(b) Subsection (a) shall not apply to a person using any wireless electronic entertainment or two-way communication device, while performing one or more of the following acts:

- (1) Reporting a traffic accident, medical emergency, serious road hazard, road rage incident, or the presence of a suspected drunk driver on the road.
- (2) Reporting an occurrence or situation in which the person believes his or her personal safety is in jeopardy.
- (3) Reporting or averting the perpetration or potential perpetration of a criminal act against the individual or another person.
- (4) Carry out official duties as a police officer, law enforcement official, member of a fire department, or operator of an emergency vehicle.

#### **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 of 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 ad 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 4:30 p.m. on regular business days.

**CITY OF MADISON HEIGHTS**  
**ELECTRONIC COUNCIL AGENDA REQUEST FORM**

SUBMITTED TO: \_\_\_\_\_

SUBMITTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

FOR CONSIDERATION AT THE COUNCIL MEETING OF: \_\_\_\_\_

**ACTION REQUESTED**

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	UNFINISHED BUSINESS	_____

**DESCRIPTION OF ITEM**

**IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS**

**POLICY CONSIDERATION**

**FINANCIAL IMPACT**

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 <sup>nd</sup> Acct.	_____		
Other Comments	_____		

**REVIEW CHECKLIST**

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

CITY MANAGER \_\_\_\_\_ DATE \_\_\_\_\_



# MEMORANDUM

Date: February 22, 2022  
To: City of Madison Heights City Council  
From: Matt Lonnerstater, AICP – City Planner  
Subject: Zoning Text Amendment (21-11) – Temporary Certificates of Occupancy

## Introduction

City staff proposes the attached text amendment to extend the length in which temporary certificates of occupancy can remain effective. The current Zoning Ordinance limits a temporary certificate of occupancy to six (6) months. As proposed, the text amendment will allow the City to grant a temporary certificate of occupancy for up to one (1) year.

## Background

Prior to formally occupying a building or site, tenants within the City of Madison Heights must first obtain a certificate of occupancy (CO). The Community and Economic Development (CED) Department issues a CO when a building and/or site has been constructed to completion in compliance with building and zoning codes and related site plans.

In certain cases, a tenant may wish to occupy a building or site before all necessary work has been completed. In these situations, Madison Heights may issue a temporary certificate of occupancy (TCO) to allow a tenant to occupy a portion of the building/site while the outstanding work is completed. For example, the CED Department may issue a TCO for a restaurant and allow them to open for business prior to the installation of a dumpster enclosure or landscape island if the Department finds that no substantial hazard will result. Thus, the restaurant is afforded additional time to satisfy all remaining building/zoning issues and ultimately apply for a permanent CO.

Section 10.703 of the Zoning Ordinance – *Certificate of Occupancy* – currently allows the CED Department to issue TCOs up to a maximum of 180 days (6 months). Due to current market and labor conditions, however, staff has found that many property owners and tenants are unable to complete all required building and site work within the six month TCO allowance; this, in turn, has resulted in prematurely-issued permanent COs and several incomplete projects.

To remedy this situation, staff recommends increasing the maximum length of a temporary certificate of occupancy from six (6) months to one (1) year. Staff believes that this amendment will give property owners and tenants adequate time to properly meet all building and zoning code requirements and site plan conditions without risking TCO expiration.

The Planning Commission held a public hearing on January 18<sup>th</sup>, 2022 and subsequently recommended approval of the proposed text amendment, as presented.

*Text Amendment 21-11 – Temporary Certificates of Occupancy.*

**Next Step**

Staff recommends that City Council approve the second and final reading.

**Ordinance No. 2177  
City of Madison Heights  
Oakland County, Michigan  
Zoning Text Amendment 21-11**

**An ordinance to amend Ordinance 571, being an ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights, by amending Appendix A, Section 10.703 – Certificate of Occupancy – to extend the length in which the Community and Economic Development Department may issue a temporary certificate of occupancy.**

The City of Madison Heights ordains:

**Section 1.** *Section 10.703 – Certificate of Occupancy* - is hereby amended to read as follows:

[...]

(5) *Temporary certificates.* Nothing in this Ordinance shall prevent the city from issuing a temporary certificate of occupancy for a portion of a building or structure in process of erection or alteration, provided that such temporary certificate shall not be effective for a period of time in excess of ~~90-days~~ six (6) months and may not be renewed more than once for a total of ~~180-days~~ one (1) year provided that such portion of the building, structure or premises is in conformity with the provisions of all applicable ordinances. The applicant for a temporary certificate of occupancy shall, prior to the issuance of said temporary certificate, deposit with the City of Madison Heights the required fees and performance guarantees established by resolution of city council.

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

---

Roslyn Grafstein, Mayor

---

Cheryl Rottmann, City Clerk

**CERTIFICATION:**

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on \_\_\_\_\_, 2022.

---

Cheryl Rottmann, City Clerk

ZOTXT 21-11 (Ordinance 2177)

Planning Commission Introduction and Discussion: December 21<sup>st</sup>, 2021

Planning Commission Public Hearing: January 18<sup>th</sup>, 2022

City Council First Reading: February 14<sup>th</sup>, 2022

City Council Second Reading: February 28th, 2022

Adopted: TBD

Published: TBD

Effective: TBD

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**Ordinance No. 2177**  
**City of Madison Heights**  
**Oakland County, Michigan**  
**Zoning Text Amendment 21-11**

**An ordinance to amend Ordinance 571, being an ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights, by amending Appendix A, Section 10.703 – Certificate of Occupancy – to extend the length in which the Community and Economic Development Department may issue a temporary certificate of occupancy.**

The City of Madison Heights ordains:

**Section 1.** *Section 10.703 – Certificate of Occupancy* - is hereby amended to read as follows:

[...]

(5) *Temporary certificates.* Nothing in this Ordinance shall prevent the city from issuing a temporary certificate of occupancy for a portion of a building or structure in process of erection or alteration, provided that such temporary certificate shall not be effective for a period of time in excess of six (6) months and may not be renewed more than once for a total of one (1) year provided that such portion of the building, structure or premises is in conformity with the provisions of all applicable ordinances. The applicant for a temporary certificate of occupancy shall, prior to the issuance of said temporary certificate, deposit with the City of Madison Heights the required fees and performance guarantees established by resolution of city council.

**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.

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**Section 5. Effective Date.**

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**Section 6. 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 12:30 p.m. and 4:30 p.m. on regular business days.

---

Roslyn Grafstein, Mayor

---

Cheryl Rottmann, City Clerk

**CERTIFICATION:**

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on \_\_\_\_\_, 2022.

---

Cheryl Rottmann, City Clerk

ZOTXT 21-11 (Ordinance 2177)

Planning Commission Introduction and Discussion: December 21<sup>st</sup>, 2021

Planning Commission Public Hearing: January 18<sup>th</sup>, 2022

City Council First Reading: February 14<sup>th</sup>, 2022

City Council Second Reading: February 28th, 2022

Adopted: TBD

Published: TBD

Effective: TBD

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# CITY OF MADISON HEIGHTS

## PLANNING COMMISSION MEETING MINUTES

January 18, 2022  
Council Chambers – City Hall  
300 W. 13 Mile, Madison Heights, MI 48071

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### 1. CALL TO ORDER

Chair Champagne called the meeting of the Madison Heights Planning Commission to order at 5:32 p.m.

### 2. ROLL CALL

Present: Chair Josh Champagne  
Member Bruce Conn  
Member Eric Graettinger  
Mayor Roslyn Grafstein  
City Manager Melissa Marsh  
Member James Smith  
Member Grant Sylvester (arrived late at 5:41 pm)

Absent: Member Cliff Oglesby, Member Bliss

Also Present: City Planner Matt Lonnerstater  
Assistant City Attorney Tim Burns  
Business Services Coordinator Mary Daley

Motion by Commissioner Grafstein, supported by Commissioner Graettinger to excuse Members Bliss, Oglesby, and Sylvester (arrived at 5:41 pm).

Motion carried unanimously.

### 3. APPROVAL OF AGENDA

Motion by Commissioner Marsh, Supported by Commissioner Conn, to approve the agenda for tonight's meeting.

Motion carried unanimously.

### 4. APPROVAL OF MINUTES

Motion by Commissioner Conn, supported by Commissioner Smith, to approve the minutes of the regular Planning Commission meeting of December 21, 2021.

Motion carries unanimously.

## 5. PUBLIC HEARING:

### a. Zoning Text Amendment ZTA 21-11: Temporary Certificates of Occupancy

Planner Lonnerstater introduced the Zoning Text Amendment ZTA 21-11 to propose an extension on the length in which temporary certificates of occupancy can remain effective. The current Section 10.703 of the Zoning Ordinance limits a temporary certificate of occupancy to six (6) months. As proposed, the text amendment will allow the City to grant a temporary certificate of occupancy for up to one (1) year.

Due to current market and labor conditions, Staff has found that many property owners and tenants are unable to complete all required building and site work within the six month TCO allowance; this, in turn, has resulted in prematurely-issued permanent COs and several incomplete projects.

To remedy this situation, Staff recommends increasing the maximum length of a temporary certificate of occupancy from six (6) months to one (1) year. Staff believes that this amendment will give property owners and tenants adequate time to properly meet all building and zoning code requirements and site plan conditions without risking TCO expiration.

Chair Champagne opened the public hearing at 5:37 p.m. to hear comments on ZTA 21-11. Seeing there were no comments, public comment portion was closed at 5:38 p.m.

**Motion by Marsh, supported by Conn to recommend approval of text amendment ZTA 21-11 to City Council.**

**Motion Carried.**

## 6. MATTERS FOR CONSIDERATION

### a. Request for Proposals (RFP) for Zoning Ordinance Rewrite

City staff has issued a Request for Proposals (RFP) to hire a qualified planning consulting firm to assist with a comprehensive rewrite of the Madison Heights Zoning Ordinance. Staff is seeking to develop a new, user-friendly Zoning Ordinance that is consistent with the Madison Heights 2021 Master Plan. The new Zoning Ordinance will also help Madison Heights obtain certification through the Michigan Economic Development Corporation's (MEDC) 'Redevelopment Ready Communities' (RRC) program.

Staff believes that a zoning ordinance overhaul is warranted in order to accomplish the following objectives:

- Implement the goals and objectives of the 2021 Master Plan.
- Incorporate user-friendly formatting techniques such as hyperlinking, text, tables and illustrations.
- Include new zoning districts/overlay districts with form-based elements, where necessary, to align with the 2021 Master Plan's 'City Center' and 'Mixed-Use Innovation' designations.
- Promote 'people-oriented' site and building design.
- Identify opportunities for process simplification and flexibility.
- Incorporate modern standards for adaptive reuse and infill development.

As part of the zoning ordinance rewriting process, the work program will include an assessment of the current zoning ordinance, public outreach, consistent updates at Planning Commission and City Council, and the submittal of final documents including a new Zoning Ordinance and, potentially, a new Zoning Map.

Chair Champagne inquired if this will be a complete rewrite of the Zoning ordinance. Planner Lonnerstater explains that rather than piecemeal it, it will be a complete rewrite because often amending one part of the ordinance affects other parts of the ordinance. So it makes sense to amendment it in its entirety so that all components make sense.

The RFP submittal deadline is January 28th, 2022. Per Planner Lonnerstater, volunteers are being sought to serve on a selection committee to help guide this project and one of the volunteers should be from the Planning Commission. The selection committee will be chosen and at their first meeting, they will select their top choice firms to interview. At their second meeting, they will conduct the interviews with those firms selected.

**Motion by Grafstein, seconded by Sylvester, to appoint Eric Graettinger to be a representative on the selection committee and Josh Champagne as the alternate.**

**Motion carries unanimously.**

## **7. PUBLIC COMMENT - For items not listed on the agenda**

No public comment.

## **8. ANNUAL REPORT TO CITY COUNCIL**

The Planning Commission is required to send to Council an annual report each year. Planner Lonnerstater reviews the 2021 annual report with the Commission and highlights the 2021 Master Plan, all of the Zoning Text amendments that came before the Commission and were recommended for approval to City Council, all approved rezonings, and a site plan that was approved.

**Motion by Sylvester, seconded by Graettinger to send the 2021 Planning Commission Annual Report to City Council as written.**

**Motion carries unanimously.**

## **9. ELECTION OF PLANNING COMMISSION OFFICERS**

**a. Chair**

**Motion by Grafstein, supported by Graettinger to appoint Josh Champagne as Chairperson.**  
**Motion carries unanimously.**

**b. Vice Chair**

**Motion by Grafstein, supported by Marsh to appoint Bruce Conn as Vice Chair.**  
**Motion carries unanimously.**

**c. Secretary**

**Motion by Marsh, supported by Grafstein to appoint Grant Sylvester as Secretary.  
Motion carries unanimously.**

**10. MEMBER UPDATES**

No member updates.

**11. PLANNER UPDATES**

Planner Lonnerstater congratulated the new Planning Commission officers on their appointments and shared his excitement for the upcoming year.

**12. ADJOURNMENT OF MEETING**

Meeting adjourned by the Chair at 5:56 p.m.

Special City Council Meeting  
Madison Heights City Council  
Madison Heights, Michigan  
February 14, 2022

A Special City Council Meeting of the Madison Heights City Council was held on Monday, February 14, 2022 at 6:00 p.m. in the Executive Conference Room at the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Mayor Grafstein and Mayor Pro Tem Corbett (remotely from Oakland County, Michigan). Councilmembers: Bliss, Fleming, Rohrbach, Soltis and Wright. City Manager Marsh, Assistant City Attorney Sherman, Assistant City Attorney Burns and City Clerk Rottmann.

Others Present: Police Chief Haines, CED Director Tucker.

**CM-22-39. Meeting Open to the Public.**

There were no members of the public wishing to speak.

**CM-22-40. Closed Meeting – Legal Opinion.**

Mayor Grafstein requested a motion to move into Closed Meeting at 6:03 p.m.

Motion by Councilman Bliss, seconded by Councilor Rohrbach to move to a Closed Meeting at the discuss a Legal Opinion that is exempt from disclosure as provided for under Section 8 of the Open Meetings Act.

Roll Call Vote:

Yea: Bliss, Corbett, Fleming, Rohrbach, Soltis, Wright, Grafstein

Nay: None

Motion Carried

**CM-22-41. Adjournment.**

There being no further business, Mayor Pro Tem Grafstein adjourned the meeting at 7:12 p.m.

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Roslyn Grafstein  
Mayor

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Cheryl E. Rottmann  
City Clerk

Regular Meeting  
Madison Heights City Council  
Madison Heights, Michigan  
February 14, 2022

A Regular Meeting of the Madison Heights City Council was held on Monday, February 14, 2022 at 7:30 p.m. in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Mayor Grafstein and Mayor Pro Tem Corbett (remote from Madison Heights, Oakland County). Councilmembers: Bliss, Fleming, Rohrbach, Soltis and Wright.

Others Present: City Manager Marsh, Assistant City Attorney Sherman, and City Clerk Rottmann.

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

**CM-22-. Random Acts of Kindness Proclamation.**

City Manager Marsh read the Random Acts of Kindness Proclamation and urged all citizens to join in observing the week by committing acts of goodwill towards others. Retired Councilwoman Scott provided written statement on the City's history on the proclamation and encouraged all to make kindness the norm.

**CM-22-. Rezoning Request 21-01 (Ordinance No. 2175) – 26783  
Lenox Ave., Second Reading. (NO ACTION TAKEN)**

City Manager Marsh noted that the applicant has asked that the rezoning request be postponed to be considered with a Special Use application. She stated that since the notification was already published, the public hearing should go forward and it is the discretion of Council on whether to move forward on the rezoning request.

Mayor Grafstein opened the public hearing on Ordinance No. 2175, Rezoning Request No. 21-01 to rezone 26783 Lenox Ave from R-3, Residential, to P-1, Vehicular Parking District at 7:37 p.m.

City Clerk Rottmann read a letter opposing the rezoning request from resident Joe Siwicki. Seeing no one wishing to speak, Mayor Grafstein closed the public hearing at 7:38 p.m.

No action was taken by City Council.

**CM-22- .                    Rezoning Request No. 21-02, Ordinance No. 2176 –**  
**26744 Osmun Street, Second Reading.**

City Manager Marsh reviewed Rezoning Request No. 21-02 for City Council.

Mayor Grafstein opened the public hearing on Ordinance No. 2176, Rezoning Request No. 21-02 to rezone 26744 Osmun Street from R-3, Residential, to B-3, General Business at 7:40 p.m.

Seeing no one wishing to speak, Mayor Grafstein closed the public hearing at 7:41 p.m.

Motion by Councilman Bliss, seconded by Councilor Rohrbach, to approve Rezoning Request No. 21-02, Ordinance No. 2176 – 26744 Osmun Street from R-3 Residential to B-3, General Business on Second Reading, as follows:

ORDINANCE NO. 2176  
CITY OF MADISON HEIGHTS,  
OAKLAND COUNTY, MICHIGAN

An Ordinance to amend Ordinance Number 571, being an ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending the zoning map in connection therewith.

THE CITY OF MADISON HEIGHTS ORDAINS:

SECTION 1. That the Zoning Map in connection with the Zoning Ordinance of the City of Madison Heights shall be amended so that the zoning on the following described property, to-wit:

T1N, R11E, SEC 24 GROVELAND SUBN S 70 FT OF N 97 FT OF LOT 253.

*PIN 44-25-24-105-002. 26744 Osmun St.*

Shall be changed from R-3, Residential, to B-3, General Business.

SECTION 2. 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. This ordinance shall take effect ten (10) days after its adoption and upon publication.

Yea: Bliss, Corbett, Fleming, Rohrbach, Soltis, Wright, Grafstein

Nay: None

Motion Carried.

**CM-22-. Meeting Open to the Public.**

There were no members of the public wishing to speak.

**CM-22-34. Nancy Minkler and James Smith – Resignations from Boards and Commissions.**

Motion by Councilor Rohrbach, seconded by Councilman Fleming, to accept the resignation from Nancy Minkler from the Library Advisory Board and James Smith from the Planning Commission, declare the seats vacant, and send Certificates of Appreciation for their service.

Yea: Corbett, Fleming, Rohrbach, Soltis, Wright, Bliss, Grafstein

Nay: None

Motion Carried.

**CM-22-. Ordinance No. 2178 – Distracted Driving Ordinance, First Reading.**

Motion by Councilor Rohrbach, seconded by Councilor Wright, to adopt Ordinance No. 2178, Distracted Driving Ordinance, by name and title only on First Reading as follows and schedule a Second Reading on February 28, 2022:

ORDINANCE NO. 2178  
CITY OF MADISON HEIGHTS,  
OAKLAND COUNTY, MICHIGAN

An Ordinance to add to Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 26, Article 1, Division 1, Section 26-8, of the Code of Ordinances, City of Madison Heights, Michigan, by prohibiting Distracted Driving.

Yea: Fleming, Rohrbach, Soltis, Wright, Bliss, Corbett, Grafstein

Nay: None

Motion Carried.

**CM-22-.      Ordinance No. 2177, Zoning Text Amendment 21-11 -  
Temporary Certificates of Occupancy, First Reading.**

Motion by Councilman Bliss, seconded by Councilor Rohrbach, to adopt Ordinance No. 2177, Zoning Text Amendment 21-11 – Temporary Certificates of Occupancy by name and title only on First Reading as follows and schedule a Second Reading for February 28, 2022:

ORDINANCE NO. 2177  
CITY OF MADISON HEIGHTS  
OAKLAND COUNTY, MICHIGAN  
ZONING TEXT AMENDMENT 21-11

An ordinance to amend Ordinance 571, being an ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights, by amending Appendix A, Section 10.703 – Certificate of Occupancy – to extend the length in which the Community and Economic Development Department may issue a temporary certificate of occupancy.

Yeas: Rohrbach, Soltis, Wright, Bliss, Corbett, Fleming, Grafstein  
Nays: None  
Motion Carried.

## **CM-22-.** **Minutes.**

Motion by Councilman Bliss, seconded by Councilman Soltis, to approve the Regular City Council meeting minutes of 01-24-22, as printed.

Yeas: Soltis, Wright, Bliss, Corbett, Fleming, Rohrbach, Grafstein  
Nays: None  
Motion Carried.

**CM-21-37. Mayor and Council - Comments.**

Mayor Pro Tem Corbett stated that he will be discussing his health challenges with the public in the near future and although he planned to attend this evening, his immune system is currently compromised and prevented his in-person attendance. He stated that due to a new Attorney General Opinion, he is able to attend the meeting remotely this evening.

Councilman Bliss had no comments this evening.

Councilor Wright reminded everyone to practice kindness. He stated that many struggle with their mental health, so please be kind.

Assistant City Attorney Sherman had no comments this evening.

City Manager Marsh had no comments this evening.

City Clerk Rottmann stated that the next round of boards and commission appointments will take place at the next City Council meeting. If you are interested in serving, you can find an application on our City website. Applications need to be submitted by the end of the week. If you have any questions, please reach out to the Clerk's office.

Councilor Rohrbach wished everyone a Happy Valentine's Day, Random Acts of Kindness Week and Black History Month. She reminded everyone to be kind.

Councilman Fleming expressed thanks to City employees, Parks and Recreation staff and volunteers that helped to put together the Blizzard Blast, Heart Challenge, and Coffee Concerts, noting that these are great events that bring the community together.

Councilman Soltis stated stay safe and keep visiting our local establishments like restaurant Betsy Ross.

Mayor Grafstein wished everyone a Happy Valentine's Day. She stated that perhaps Random Acts of Kindness should be year round; everyone has challenges that we may not see, so remember to be kind. The next meeting is February 28<sup>th</sup>.

**CM-22-.** **Adjournment.**

There being no further business, the meeting was adjourned at 7:52 p.m.

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Roslyn Grafstein  
Mayor

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Cheryl E. Rottmann  
City Clerk

**CITY OF MADISON HEIGHTS**  
**ELECTRONIC COUNCIL AGENDA REQUEST FORM**

SUBMITTED TO: \_\_\_\_\_

SUBMITTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

FOR CONSIDERATION AT THE COUNCIL MEETING OF: \_\_\_\_\_

**ACTION REQUESTED**

PRESENTATION	_____	FUTURE PUBLIC HEARING	_____
PUBLIC HEARING – SPECIAL APPROVAL	_____	BID AWARDS / PURCHASES	_____
PUBLIC HEARING – OTHER	_____	ORDINANCE - FIRST	_____
COMMUNICATION	_____	ORDINANCE - SECOND	_____
REPORT	_____	OLD BUSINESS	_____

**DESCRIPTION OF ITEM**

**IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS**

**POLICY CONSIDERATION**

**FINANCIAL IMPACT**

No Impact	_____	Fee Waiver Proposed	_____
Budgeted Fund Name(s)	_____	Department Name	_____
Appropriated in Acct. No.	_____	Budget Amount	_____
Amount Available in Acct.	_____	Budget Amount	_____
Second Account Number	_____	Revenue Generated	_____
Amount Available in 2 <sup>nd</sup> Acct.	_____		_____
Other Comments	_____		_____

**REVIEW CHECKLIST**

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

CITY MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

# Memorandum

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**To:** Melissa Marsh, City Manager

**From:** Cheryl Rottmann, City Clerk

**Date:** February 18, 2022

**Re:** February 2022 Boards and Commission Appointments

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Attached is the listing of boards and commission vacancies as of February 18, 2022. The names of current members who are requesting reappointment are listed. Next to their names are the word "**WILLING**." If there is an alternate member currently serving on a board that has a full-member opening, their name is listed with the word "**\*ALTERNATE**" along with their alternate term-expiration date. All other applicants are then listed in the order their applications were received in the City Clerk's Office.

Staff is recommending that appointments to each board be approved in one motion. For example:

Environmental Citizens Committee:

Motion to appoint the following to the Environmental Citizens Committee:

John Doe, full term, expiring 2/28/26

Sally Volunteer, full term, expiring 2/28/26

Leader Jill, alternate term, expiring 2/28/25

In addition, Mayor Grafstein requested the Board and Commission Staff Review report originally sent to City Council in October be attached for your review.

**To:** **Honorable Mayor and City Council**  
**From:** **Melissa R. Marsh, City Manager**  
**Date:** **October 5, 2021**  
**Subject:** **Boards and Commission review**

Mayor Grafstein has requested a staff review of non-required Boards and Commissions. Therefore, staff and I have compiled the attached review of each non-statutorily required board and commission for the period of September 1, 2020 – August 30, 2021.

### **ART'S BOARD**

Number of Meetings: 10

Average Functions (if applicable): 4

Staff time:

Board Liaison	74 hours
DPS	10 hours (events/special request)

Accomplishments September 1, 2020 – August 30, 2021

- Mural at Rosie's Park
- Trail Tunes Event – October 2020 and August 2021
- Applied for and participated in DIA Inside/Out program
  - o Kick-off Virtual event
  - o Virtual Scavenger Hunt
  - o Bike Map Tour
- Ground Mural at Civic Center Park
- Pumpkin Walk
- Scarecrow contest with Active Adult Center and Recreation
- Participated in Drive through Tree Lighting Event
- Juneteenth Art Contest

Quality of Life CAB Grants Received:

• \$5,500 Rosie's Park Mural	Completed	Funded by the CAB
• \$2,800 Quality of Life Grant (Gala)	Not Started	Held in Escrow account for 2022
• \$800 Ground Murals	In Process	Approximately \$330 remaining
• \$2,000 Huffman Mural	In Process	New Call to Artist Spring 2022

## **INFORMATION TECHNOLOGY ADVISORY COMMITTEE**

Number of Meetings: 3

Average Functions (if applicable): n/a

Staff time\*:

Board Liaison 6 hours

\* Both City Manager and Deputy are voting members as well as staff liaison.

Accomplishments September 1, 2020 – August 30, 2021

- Reviewed Requests for Proposal (RFP) for Information Technology Provider
  - o Reviewed submittals in response to the RFP
  - o Interviewed finalist
  - o Made recommendation to Council

## **PARKS AND RECREATION BOARD**

Number of Meetings: 6\*

Staff time: 86.5 hours

\* Three of the meetings consisted of round robin discussion and staff updates without any action of board motions being made.

Accomplishments September 1, 2020 – August 30, 2021

- Participated in the Parks and Recreation Master Plan
- As a citizen-led board, is extremely helpful when it comes to making decisions regarding play equipment and other park amenities. In these regards, they are acting in their advisory capacity to both Staff and Council.
- Recently has an events subcommittee become active
  - o Providing initiatives such as Treads on Tuesday
  - o Collaborating with other boards and events by running a game booth at Trail Tunes and Juneteenth.

Quality of Life CAB Grants Received:

- \$200 Yoga in the Park Series      Completed      Completed by recreation staff

## **Staff Recommendations**

Staff recommends moving to quarterly meetings with special meetings held as needed. It has become increasingly difficult to confirm a quorum, to the extent that we do not often know if we have one until the meeting is starting. Student representation is getting harder to come by as well; we currently have none, we have historically had a Lamphere representative, getting one from Madison is difficult, and we have not had a student member from Bishop Foley for at least ten years.

## **ENVIRONMENTAL CITIZEN COMMITTEE**

Number of Meetings: 10

Staff time: 100 hours

Accomplishments September 1, 2020 – August 30, 2021

- Participated in Arbor Day Celebration led by DPS
- Bloom Project subcommittee planted three native plant gardens
- Blue Jean Recycling event

Quality of Life CAB Grants Received:

• \$ 500 Arbor Day Event	Not Started	2022	Held in Escrow
• \$1,200 Native Garden Signs/Planting installed by DPS)	Not Started		Held in Escrow (signs

## **Staff Recommendations**

Staff recommends that the Bloom Project become a non-city committee group separate from the Environmental Citizens Committee. The Environmental Citizens Committee has become almost exclusively focusing on the Bloom Project subcommittee, which to date, has installed three native plant gardens.

Staff recommends moving to quarterly meetings with special meetings held as needed. Although many projects are mentioned or placed on the agenda, the meeting composition is somewhat routine, consisting of no project updates, as there has been little further movement on these initiatives. Several projects have been cancelled when the members leading them unexpectedly resigned from the board, or when the scope of work changed due to necessary logistic concerns. The board receives a tree program update; this program is exclusively handled by DPS.

## **ACTIVE ADULT ADVISORY BOARD**

Number of Meetings: 3

Staff time: 52 hours

Accomplishments September 1, 2020 – August 30, 2021

- Clearing Board for Feasibility Study for Active Adult Center Rebuild
- Holiday Decoration Awards
- Beautification Awards

Quality of Life CAB Grants Received:

- \$2,500 Open House On Hold Pending COVID

The Active Adult Advisory Board is informational in nature, and focuses on programming at the Center. It acts as a clearing house for the needs and concerns of the seniors, and handles the reinvestment of fundraising and escrow funds. The primary focus of the board, as of late, has been their portion of the Civic Center Campus project, and the reopening of programs at the Center that were suspended due to the pandemic.

## **LIBRARY ADVISORY BOARD**

Number of Meetings: 3

Staff Time: 25 hours (includes planning and attending the Books and Beats Event)

Accomplishments September 1, 2020 – August 30, 2021

- Books and Beats 2021 (in conjunction with Trail Tunes) – August 2021
- Provided Kaboom Grant Input
- Provided Civic Center Project Input

Quality of Life Grant Received

- Books and Beats - \$2,000      Completed Spent \$1,175

The Library Advisory Board meets on an on call basis as needed, and serves as a citizen sounding board for the Library Director and staff. Its official mission is to act as an Advisory Board to study and make recommendations for short and long term improvement to the City's Library System. The board has been meeting on a quarterly basis,

The civic center complex project will continue to see ongoing input by the Library Advisory Board. Books and Beats saw the establishment of a subcommittee to work on this project, and it is possible that use of subcommittees may continue, as applicable.

## **Historical Commission**

Number of Meetings: 1

Staff Time: 25 (coordinating room tours, visits and requests)

Accomplishments September 1, 2020 – August 30, 2021

- Maintained and operated the Heritage Rooms
- Brainstormed on the Heritage Rooms and associated activities.
- Processed Heritage Room donations made in memory of Jack Scott.

The Historical Commission now meets as needed. Prior to the Board and Commission revision, the City Charter had the Historical Commission meeting three times a year, in January, April and October. The Commission met just once in the reporting period only because of the pandemic. The November 5, 2020 meeting was held via Zoom.

The Commission resumes in person meetings on October 6, 2021, and will also be regrouping with new members appointed ahead of the November 2020 meeting, and additional new members appointed since, with the passing of two members, and the resignation of a third after being hired as a City employee. In addition to regular meetings, the Historical Commission and the staff liaison spend time scheduling and operating the Heritage Rooms.

## **Human Relations and Equity Commission**

Number of Meetings: 16  
Number Attended by Staff Liaison: 13

Number of Functions: 1

Staff Time:

- City Manager 23 hours
- Dep. City Manager 30 hours
- Board Liaison 74.25 hours (28.25 hours of total were at the overtime rate of pay)

Accomplishments September 1, 2020 – August 30, 2021

- Juneteenth Festival
- Gender Changes on all City Forms
- Various proclamations

Staff recommendations:

Staff recommends that the Juneteenth Celebration transfer over to be handled by the non-profit Madison Heights Citizens United. Staff also recommends that the HREC focus on developing a work plan for the upcoming year and move meetings to quarterly or bi-monthly basis with special meetings scheduled as needed. There are many exiting examples of Human Relation Advisory Board plans that could be used as an initial guide such as [HRAB Strategic Plan \(mesaaz.gov\)](http://mesaaz.gov)

## Board and Commission Vacancies

BOARD	TERM TYPE	MAYOR'S APPT?	TERM LENGTH	TERM EXPIRATION	APPLICANTS FIRST NAME	LAST NAME	APP DATE
ARTS BOARD	R		3	8/31/2023	MICHAEL JASON JENNIFER VASILIKI JENNIFER WILLIAM	COVERT THEODOROFF ZMARZLIK HARRIS NAGLE MEIR	ALT TERM EX. 8/31/23 ALT TERM EX. 8/31/24 ALT TERM EX. 8/31/24 2/9/2022 2/18/2022 2/18/2022
CIVIL SERVICE COMMISSION	R		6	2/28/2028	KEVIN	SCHEID	WILLING
CONSTRUCTION BOARD OF APPEALS	R		2	8/31/2023			
	R		2	8/31/2023			
	R		2	8/31/2022			
DOWNTOWN DEVELOPMENT AUTHORITY/BROWNFIELD REDEVELOPMENT AUTHORITY	R		3	2/28/2026	RICKEY GORDON	BUSLER DAVIGNON	WILLING WILLING
	R		3	2/28/2026			
					WAYNE VAUGHN SYED NANCY JOHN DEL ALEXIS ALEXANDRA	REIF DERDERIAN MURTAZA SMITH SPREITZER LORANGER WILKERSON IAQUINTO	8/9/2021 8/16/2021 8/9/2021 8/9/2021 8/9/2021 10/28/2021 2/18/2022 1/12/2022
ENVIRONMENTAL CITIZENS COMMITTEE	R		3	2/28/2025	NICKOLE	FOX	WILLING
	R		3	2/28/2025			
	R		3	2/28/2025			
	R		3	2/28/2024			
					JASON COREEN	THEODOROFF PORTER	ALT TERM EX. 2/28/23 ALT TERM EX. 2/28/24
HISTORICAL COMMISSION	R		3	2/28/2025	MARTHA	KEHOE	WILLING
	R		3	2/28/2025	DELIZA	LEE	WILLING
	R		3	2/28/2025	JUSTIN	SUAREZ	WILLING
	R		3	2/28/2025			
	R		3	2/28/2024			
	R		3	2/28/2023			
	A		3	2/28/2025	WILLIAM	MEIR	2/28/2022

## Board and Commission Vacancies - continued

BOARD	TERM TYPE	MAYOR'S APPT?	TERM LENGTH	TERM EXPIRATION	APPLICANTS FIRST NAME	LAST NAME	APP DATE
HUMAN RELATIONS & EQUITY	R		2	8/31/2023			
	R		2	8/31/2023			
					NICKOLE	FOX	ALT TERM EX. 8/31/22
					VASILIKI	HARRIS	8/9/2021
					AMY	LEWIS	8/9/2021
					EVAN	RICHMAN	8/9/2021
					CHRISTINA	RODGERS	8/9/2021
					SANDRA	QUACKENBUSH	12/6/2021
					TOYA	AARON	2/18/2022
					MERRI	BUSCH	2/18/2022
					EMILY	REETZ	2/18/2022
INFORMATION TECHNOLOGY ADVISORY COMMITTEE	R		3	2/28/2025	DALE	GARDNER	WILLING
	R		3	2/28/2025	CURTIS	KOGELMAN	WILLING
	A		3	2/28/2025	ROBERT	DIDUR	WILLING
	A		3	2/28/2025	PAUL	TIMMINS	WILLING
					DEL	LORANGER	10/28/2021
					JOHN	MCNEILLY	8/19/2021
					DAVID	RAFTERY	8/16/2021
LIBRARY ADVISORY BOARD	R		2	8/31/2023			
	R		2	8/31/2022			
	R		2	8/31/2022			
	A		2	8/31/2023			
					ANJELA	FREEMAN	2/18/2022
					AMANDA	MAY	2/18/2022
					JENNIFER	NAGLE	2/18/2022
					WILLIAM	MIER	2/18/2022
PARKS RECREATION ADVISORY BOARD	R	Y	2	2/28/2024	JEREMY	CARROLL	WILLING
	R	Y	2	2/28/2024	JOHN	DZEROOGIAN	WILLING
	R	Y	2	2/28/2024	VASLIKI	HARRIS	WILLING
	R	Y	2	2/28/2024			
	A	Y	2	2/28/2024			
					VITA	PALAZZOLO	ALT TERM EX. 2/28/23
					TOYA	AARON	2/18/2022
					MERRI	BUSCH	2/18/2022
					DEDRA	LESAGE	2/18/2022
					DELIZA	LEE	2/18/2022
					GARY	MCGILLIVRAY	2/18/2022
					MATTHEW	ORLANDO	2/18/2022
					LISA	WRIGHT	2/23/2022

## Board and Commission Vacancies - continued

BOARD	TERM TYPE	MAYOR'S APPT?	TERM LENGTH	TERM EXPIRATION	APPLICANTS FIRST NAME	LAST NAME	APP DATE
PLANNING COMMISSION	R ZBA Rep	Y Y	3 3	2/28/2025 2/28/2022	CLIFFORD	OGLESBY	WILLING
ZONING BOARD OF APPEALS	R R A		3 3 3	2/28/2025 2/28/2025 2/28/2025	CLIFFORD	OGLESBY	WILLING
					DEBRA CIONA CHRISTINA CASSANDRA JOHN DEL MATTHEW	OTT HALL RODGERS BARRAGAN MCNEILLY LORANGER ORLANDO	ALT TERM EX. 2/28/24 8/9/2021 8/9/2021 8/16/2021 8/19/2021 10/28/2021 2/18/2022