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REGULAR MEETING of the PAINT CREEK TRAILWAYS COMMISSION
City of Rochester Municipal Offices
400 Sixth Street, Rochester, Michigan 48307

CALL TO ORDER: The Tuesday, August 21, 2018 meeting was called to order by Chairperson Becker at 7:00 p.m.

Voting Members Present: Susan Bowyer, Frank Ferriolo, Linda Gamage, Kim Russell, Donni Steele (*enter 7:03 p.m.*), Jeff Stout, Hank Van Ager

Voting Alternates Present: Lynn Loebs

Non-Voting Alternates Present: David Becker, Martha Olijnyk

Village of Lake Orion Non-Voting Member Present: None

Voting Members Absent: Rock Blanchard

Alternates Absent: Chris Barnett, Robin Buxar, Ben Giovanelli, Chris Hagen, Jenny McCardell

Village of Lake Orion Non-Voting Member Absent: Brad Mathisen

Village of Lake Orion Non-Voting Alternate Absent: Vacant

Others Present: Kristen Myers, Trail Manager, Chris Gray, Assistant Trail Manager, Sandi DiSipio, Recording Secretary

PLEDGE OF ALLEGIANCE: All rose and recited the Pledge.

APPROVAL OF AGENDA:

MOTION by Bowyer, seconded by Gamage, *Moved*, to approve the August 21, 2018 agenda as presented.

Ayes: All Nays: None

MOTION CARRIED.

PUBLIC COMMENT: None

CONSENT AGENDA:

a. Minutes – July 17, 2018 Regular Meeting, approve and file

b. Treasurers Report – July 2018, receive and file

MOTION by Loebs, seconded by Russell, *Moved*, to approve the Consent Agenda as presented.

Ayes: All Nays: None

MOTION CARRIED.

APPROVAL OF INVOICES: Ms. Myers presented the invoices in the amount of \$10,501.48. In addition to the recorder's monthly fee, this amount includes Foster Swift Collins & Smith professional legal services for July, reimbursement to Bike Patroller for supplies, Mannik Smith Group invoice for trail resurfacing work specification work, field visits and Bridge 33.7 design and permit revisions, Oakland County Mounted Patrol services for June, Labor Day Bridge Walk entertainment and promotional item, dog waste bags, two Bike Patrol jerseys logo/embroidery, a prorated membership to Michigan Recreation & Parks, and Sir Speedy Printing for newsletter printing and mailing services. Estimated unrestricted fund balance is approximately \$100,000.

MOTION by Stout, supported by Van Agen, *Moved*, that the invoices presented for payment are approved in the amount of \$10,501.48 and orders be drawn for payment.

Ayes: Bowyer, Ferriolo, Gamage, Loebbs, Russell, Stout, Van Agen

Nays: Steele

MOTION CARRIED.

APPROVAL: Temporary Permit, Orion Arts Center – Dragon on the Lake 5k, August 25,

2018: Ms. Myers introduced James Jenkins, representing the Orion Art Center/Dragon on the Lake, the applicant. Staff has received the insurance paperwork, and Ms. Myers is recommending waiver of the \$10 fee based on the support received from the Orion Arts Center on National Trails Day and the trail extension. Mr. Jenkins, 306 S. Broadway, Lake Orion, came forward and explained they plan a 5k run on Saturday, August 25, 2018 from 9-10:00 a.m. The route starts at Anderson & Front, to the Kern Road connector and back. He expects about 100-150 participants. In response to a question about the reason for waiving the fee, Ms. Myers explained in the temporary permit policy it says that any organization the Commission has a relationship with or any of the municipalities can receive a waiver of the fee.

MOTION by Gamage, seconded by Stout, *Moved*, to approve the temporary permit for the Orion Art Center's event on August 25, 2018, waiving the application fee.

Ayes: All

Nays: None

MOTION CARRIED.

DISCUSSION: Limited Access Permit Request, 905 Hidden Oak Hill Lane, Rochester

Hills: Ms. Myers provided the Commission with the letter sent to the homeowner, Mr. & Mrs. Andrews explaining the process. They are relatively new homeowners, and have responded to the letter. They completed the Limited Use Permit Application and provided sketches and designs of what they are doing. Ms. Myers introduced the homeowner. Mr. Ken Andrews, 905 Hidden Oak Hill Lane, came forward and explained they moved into the house a year and a half ago specifically because it was connected to the trail. There was an existing dirt connection there that they assumed was sanctioned. Since that time, he's done limited maintenance on it to try to keep it safe and usable. Some of the neighbors also use the path as it's the only way to get to the trail from their neighborhood without going all the way to Tienken and back around. Without their path, the neighbors would have no direct access to the trail. Mr. Andrews welcomes the 10-12 neighbors to use it when they want. The applicants have been stewards of the pathway and have tried to maintain it. This year they had an issue because they have a 3 year old and a 3-month old, and while trying to get up the very steep slope, the stroller almost tipped. That is what prompted them to change the grade to make it safer and easier to use. He provided an elevation sketch that illustrates the challenge. The original slope is about 21 degrees, and he plans to reduce that to around 6 degrees, which makes it much safer. He plans to use limestone, so it should blend in and not be obtrusive. If they could not use their pathway, they would have to walk down Orion Road and cut through Papa Joe's plaza. Mr. Stout commented this is about as perfect as an application could be. The application contains everything the Commission would like to have – natural materials, drainage, and the neighbors also use the access. There is a 12-inch drain pipe, and Mr. Van Agen said it's placed very appropriately for the water flow, and the path is almost an ADA grade – nice job. He suggested putting some concrete on the sides to stabilize the path, and maybe move the "private property" sign closer to where it's viewable from the trail to give trail users the notice that it's private property. Mr. Andrews said he will put the sign far enough back where it's not visible from the trail, about 50-60 feet down the path. Upon a question, Mr. Andrews said filling out the application was a little daunting at first, and will pass on some suggestions to simplifying the form. Ms. Myers indicated Mr. Andrews was the first person to fill out the application. Mr. Ferriolo commented the suggestion about concrete along the side is not a requirement, just a suggestion. Mr. Andrews said his original plan was to allow the natural slope of the rock to settle, and if it's stable, he'll leave it. If not, he will do something

to firm it up. The Commission thanked the applicant for his complete submission and welcomed him to the neighborhood.

MOTION by Stout, seconded by Gamage, *Moved*, to approve the Limited Access Permit for 905 Hidden Oak Hill Lane, Rochester Hills.

Ayes: All Nays: None

MOTION CARRIED.

DISCUSSION: Personnel Ad Hoc Committee update: Manager & Recording Secretary:

Mr. Becker commented the Committee consists of Messrs. Van Agen, Blanchard, Becker and Ms. Steele. The Manager's position was posted August 10th. Ms. Myers reported that she and Ms. Gray have gone through the applicants and chosen six they think are worthy of review. There were 42 applicants they feel are not qualified, and two that are a maybe. Mr. Becker reported the Committee will be receiving these resumes tonight and will begin discussions as soon as possible. If anyone on the Commission wishes to review the resumes, Chair Becker welcomes them to do so. A recommendation will be submitted to the Commission before Ms. Myers' leaves. The Committee has just started reviewing the Secretary replacement. They are looking for different recommendations – the salary for the secretary and the other being the benefits and risk of having video records versus written records. The Committee is leaning strongly for maintaining detailed written minutes – that will be a recommendation for the Commission to act on within a few months. He reported that Ms. DiSipio said she would consider staying on as the secretary if the Commission could acquire some decent equipment to work with. She doesn't want to be derelict in her job by having antiquated equipment break down during a meeting. There will be a lot of options for the Commission to consider, and the Committee will keep everyone informed as progress is made. Ms. Russell suggested the Committee look at the other entities because our minutes are excellent and very detailed, similar to Planning Commission minutes. Maybe the Commission could use some of the talents that already exist in the communities, or maybe someone that already does these types of minutes for other communities would like to do these minutes. The salary should be comparable to other communities. She is not in favor of having another salaried position, so if we could use someone who is already doing this in a similar way and match their pay, there may be someone who is willing to pick up a few more hours to do the minutes. Mr. Ferriolo suggested getting in touch with each municipality and ask if there are any recording secretaries for their commissions might be interested in what the Commission may offer and submit their application, so we could solicit interest. The Commission needs to address the issue of equipment for anyone in the future. Ms. Steele indicated Orion Township secretaries are full time, and it's probably more money to pay a recording secretary, unless you are thinking they would do it as a in-kind service. Ms. Russell said she wasn't thinking of an in-service, as Rochester has contract employees, but it would be good to have this comparison. The Committee will have more information next month on salaries and approaches to this issue.

UPDATE: Bridge 33.7 Sinkhole – Ground Penetrating Radar Results: Ms. Myers indicated she first suspected something was wrong when a trail user reported there was a huge hole south of the bridge. She immediately contacted Oakland Township maintenance staff who brought in equipment, supplies, and some gravel. This is similar to what happened 10 years ago which made the Commission realize something was wrong with the bridge. The Oakland Township Parks Maintenance and the bike patroller got the hole filled quickly. Ms. Myers immediately sent photos and dimensions of the sinkhole to the engineer. Ms. Milos-Dale wanted it checked to see what happened. This happened after a rain event, and she wanted to make sure it would stay and wouldn't open up again and that the bridge structural integrity wasn't affected. There was enough money in the emergency funds to hire Mannik Smith to come out with their ground penetrating radar. It is their opinion that the structural integrity of the bridge is fine – they said there were a few gaps in the bottom. They came out within a week to make sure there wasn't a major problem. When it first happened, the Commission said no vehicles whatsoever could

cross. Ms. Myers contacted all the public service safety agencies in the area and said no one could drive across the bridge. The engineers are saying it is safe right now for vehicles to drive across it, but the signs are still in place. Ms. Myers said she doesn't want to take any chances. The Parks Maintenance staff knows they can cross it, but because there have been some significant rain events, and they want the Commission to monitor it and keep an eye on it, she feels for the moment they should limit any vehicle access possible in case this happens again. She's very glad there was no structural damage. Mr. Ferriolo said at the Parks meeting, Ms. Milos-Dale pointed out that the bridge was OK to drive vehicles over. He wasn't aware that it was all clear because the Commission didn't put anything out yet. He wants to make sure that the Commission is suggesting it continues to be safe for safety vehicle traffic, and wants to make sure the Commission put something out to alert people. Ms. Myers explained she had to alert so many people, her fear was that if she gave them the go-ahead now, and there are other rain events and something opens up, she will have re-contact everyone. She still thinks it would be smart to avoid the bridge if possible. If someone has to cross it, cross it – but she doesn't want to make anything worse right now. If safety vehicles can avoid driving on it, it's best not to at this point. She's being conservatively safe. They will check it after a rain, and this may change. Ms. Olijnyk asked how this will affect the bridge project as we talked about making the span smaller – does this impact the span. Ms. Myers indicated the engineers said the 61 foot span will be fine. Ms. Russell wants to know if emergency vehicles can't use the bridge, if it will add time to an emergency situation. Ms. Myers indicated no time would be added if you're going from Rochester Hills, if you're coming from Oakland Township it might take a minute or two. Ms. Russell wants to make sure if there is an emergency on the trail, no time is added to the rescue – if they can drive on the bridge that's fine. Ms. Myers explained the ambulance could still come down from Silver Bell and walk across the bridge, so it won't affect the time. Mr. Ferriolo commented the Commission is not the ones to decide if it's safe. According to the engineer, it's OK to cross, but we need to keep checking it. If you need to cross, just to it cautiously. This needs to be communicated.

APPROVAL: Paint Creek Brochure reorder: Ms. Myers indicated a memo from Ms. Gray was included in the packet. The last reorder was for 7500 brochures in March of 2017, the cost was \$1,555 with a \$5.00 delivery fee. We do have money in the budget allocated for brochures. Just because there is so much change and that we're behind on signs and updated brochures, she's recommending reordering 2500 – 7500 more brochures to keep the Commission going for now. The three map pages are always in the top 10 visits to the website, the boxes are always filled and requests for brochures are always received from the municipalities for their new residents. She would like the Commission to consider placing a short term order for 7500 brochures at a cost of \$1,550 now. Ms. Myers will ask that the email address be changed. Suggested changes might include something about e-bikes. Ms. Gamage suggested that a QR code be placed on the outside of the brochure box – this might assist people instead of them taking an actual brochure. Ms. Gamage is in favor of ordering a smaller supply and put the QR code on the brochure box. The bike fix-it station station at Tienken should also be added on the brochure.

MOTION by Bowyer, seconded by Van Agen, **Moved**, to order 7500 brochures at a cost of \$1550.00

Ayes: All Nays: None

MOTION CARRIED.

DISCUSSION: Labor Day Bridge Walk update: Ms. Myers said the Commission is getting a lot of local press on the event. Only 9 people have registered so far on-line – so people are starting to register. She is hoping for great weather and that we'll have a great turnout of almost 400. Thanks to Mr. Ferriolo for getting great sponsors. Not sure how we're doing on volunteers. Ms. Myers will forward the link for volunteers to all members. Ms. Gamage said she would have her son say something at school for students looking to do community service. Ms. Russell

indicated Stoney Creek High is looking for projects for the football team, so she will send this information on. A question was asked where the donations would be applied to – Ms. Myers said the motion was to have the funds go to the bridge project, but a month later there were questions. The newsletter indicated the donations would go toward improvements on the trail. Ms. Gamage asked what happened to the Moon River soap donation for the event. Ms. Gray explained Moon River could do the bar soap, but not include wrapping or packaging. With the time constraint for staff, they decided to go with the keychain. Thanks to everyone who is working on this event.

MANAGER’S REPORT: In addition to her written report, Ms. Myers added she and Chairman Becker had a conference call from the public sector consultants that are doing work on behalf of the Ralph Wilson Foundation. They were asking about the organizational structure and how the Commission is funded and other information. She believes this is the first step in them suggesting the Commission apply for funds for the bridge. She indicated the Commission doesn’t have the numbers yet, but could possibly be down \$50,000 to \$200,000 on the bridge depending on steel prices, but won’t know until the prices come in. They were on the call for an hour and it went very well. The trail is very well regarded by the organization because we are a success. She believes the Foundation will be interested in helping to pick up any difference between what was budgeted and the costs will be.

COMMISSIONER REPORTS: Ms. Russell thanked everyone who is working on the Labor Day Bridge Walk. She asked how Ms. Myers’ leaving the Commission will affect the Friends Group. Ms. Myers indicated her parents resigned from the board last year, and there is a new president who lives in Kings Cove and is very active. Ms. Myers is currently secretary for them and will stay on till the end of the year. There are 5 or 6 active volunteers who are trying to get more people to join. She offered to help them with the transition, but is worried about the long-term sustainability of the group because the average age is 65. There may be issues long-term if other active people don’t join. Ms. Russell stated that the Mocerri Blossom Hill senior center development on 2nd and Elizabeth, will be adding reflector lights on all the trail crossings in the City. The Overlook project behind the OPC will put \$80,000 toward the Clinton River Trail – maybe some of this funding could be used for the Commission’s overlook project. Ms. Steele reported that a play structure will be installed in Camp Agawam which will be a path along the way between the Paint Creek and Polly Ann Trail. This will be a showcase between the two trails along Clarkston Road. Chair Becker thanked Mr. Van Agen for his work on the limited use permit, and asked if the Commission should look at limiting the number of private access onto the trail as he’s getting a little concerned about the number of accesses. It’s the consensus that access to the trail be dealt with on a case-by-case basis.

ADJOURNMENT OF REGULAR MEETING:

MOTION by Loebbs, seconded by Gamage, *Moved*, to adjourn the Regular Meeting at 8:15 p.m.
Ayes: All Nays: None

MOTION CARRIED.

NEXT MEETING: September 18, 2018 at 7:00 p.m. – Rochester Municipal Offices

Respectfully submitted,

KRISTEN MYERS, Trail Manager



HANK VAN AGEN, Secretary