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REGULAR MEETING of the PAINT CREEK TRAILWAYS COMMISSION
Paint Creek Cider Mill Building
4480 Orion Road, Rochester, Michigan 48306

CALL TO ORDER: The Tuesday, June 19, 2018 meeting was called to order by Vice-Chairperson Blanchard at 7:00 p.m.

Voting Members Present: Rock Blanchard, Frank Ferriolo, Linda Gamage, Kim Russell (*enter 7:20 p.m.*), Jeff Stout, Hank Van Agen

Voting Alternates Present: Lynn Loeb

Non-Voting Alternates Present: Robin Buxar

Village of Lake Orion Non-Voting Member Present: None

Voting Members Absent: Susan Bowyer, Donni Steele

Alternates Absent: Chris Barnett, David Becker, Ben Giovanelli, Chris Hagen, Jenny McCardell, Martha Olijnyk

Village of Lake Orion Non-Voting Alternate Absent: Shauna Brown

Others Present: Kristen Myers, Trail Manager, Chris Gray, Assistant Trail Manager, Dan Butterworth, Bike Patroller, Sandi DiSipio, Recording Secretary

PLEDGE OF ALLEGIANCE: All rose and recited the Pledge.

APPROVAL OF AGENDA:

MOTION by Gamage, seconded by Ferriolo, ***Moved***, to approve the June 19, 2018 agenda as presented.

Ayes: All Nays: None

MOTION CARRIED.

PUBLIC COMMENT: Jackson Miller, a high school senior and youngest Friends of the Paint Creek Trail board member, explained he is looking forward to completing an Eagle Scout project with the Commission, possibly something at the Cider Mill Gateway Project site. He will be joining the members on the field trip after the meeting.

CONSENT AGENDA:

- a. Minutes – May 15, 2018 Regular Meeting, approve and file
- b. Minutes – May 30, 2018 Joint Meeting with OTPRC, approve and file
- c. Minutes – June 5, 2018 Special Meeting, approve and file
- d. Treasurers Report – May 2018, receive and file

The May 15, 2018 Regular Meeting minutes were removed from the Consent Agenda. Ms. Myers reported that the Oakland Township Parks and Recreation Commission approved the joint meeting minutes as presented last week.

MOTION by Loeb, seconded by Ferriolo, ***Moved***, to approve the Consent Agenda as amended.

Ayes: All Nays: None

MOTION CARRIED.

Correction to May 15, 2018 Regular Meeting Minutes – Page 11, halfway down the page, change the words from “not something the Commission was not aware of” to “not something the Commission was aware of”.

MOTION by Gamage, seconded by Van Agen, to approve the May 15, 2018 Regular Meeting Minutes as amended.

Ayes: All Nays: None

MOTION CARRIED.

APPROVAL OF INVOICES: Ms. Myers presented the invoices in the amount of \$12,853.56. In addition to the recorder’s monthly fee, this amount includes Foster Swift Collins & Smith professional legal services for the Village of Lake Orion issue for May, 2nd Qtr wages and FICA for the Manager and Assistant Manager positions, and date plates for recognition display boxes. Estimated unrestricted fund balance is approximately \$100,000.

MOTION by Ferriolo, supported by Gamage, **Moved**, that the invoices presented for payment are approved in the amount of \$12,853.56 and orders be drawn for payment.

Ayes: All Nays: None

MOTION CARRIED.

APPROVAL: Bike Patroller Position: Ms. Myers introduced Dan Butterworth, a Rochester Hills resident who lives near the trail and applied for the job. Ms. Myers and Mr. Becker went through 11 applications, interviewed two candidates and they are impressed with Mr. Butterworth, who is a recently retired teacher, and also does work with the Oakland Country Jail helping people to obtain GED’s. He loves the trail and wants to get out there. Mr. Butterworth introduced himself and said he’s lived next to the trail for over ten years and is out there almost every day. He’s excited about the job and looks forward to working with everyone. Mr. Boboltz, the former bike patroller, has offered to train Mr. Butterworth. If the Commission agrees, there is a motion in the packet to hire Mr. Butterworth as the part-time bike patroller.

MOTION by Stout, seconded by Van Agen, **Moved**, to hire Dan Butterworth as the part-time seasonal Paint Creek Trail Bike Patroller, at a rate of \$11.00 an hour, not to exceed 400 hours for the 2018 season.

Ayes: All Nays: None

MOTION CARRIED.

The Commission welcomed Dan.

DISCUSSION: Speed Limit on the Paint Creek Trail: Ms. Myers prepared a memo researching the speed limits on trails in Michigan. Most trails don’t have speed limits; Mackinac Island is 20 mph and Polly Ann Trail has a 15 mph speed limit. Commissioner Ferriolo also supplied information about speed limits around the country for review. Ms. Myers indicated that 15 mph seems to be a standard speed limit. The Rails-to-Trails Conservancy article reports that some trails have strict speed limits that are monitored and enforced, others advise a certain speed but trust trail users to police themselves. Mr. Blanchard had brought this up previously as an option. Ms. Myers highlighted the sections that were pertinent in each article. A couple months ago when the Commission talked about the Other Power Driven Mobility Devices policy and whether or not to have a speed limit for these devices, and discussion evolved into whether the trail should have a speed limit for everyone. Mr. Ferriolo said the reason people are concerned about the E-bikes is the fear; people who walk the trail are afraid of bikes going fast and coming up behind them. He thinks if there is no one in front of someone on an E-bike, they are going to naturally approach 20 mph max because there’s little effort. With the regular bikes there’s still more of an opportunity to brake and the rider is more in control. It seems like the 15 mph target is where everyone is at. He feels the Commission should go with this and have it self policing because it gives some temperament to the whole trail in terms of what we expect, because we know that people on ebikes can go much faster than 20 mph. We want to let users know the Commission doesn’t want them to do that, rather than have nothing on the trail relative to speed limits. He likes the idea of the 15 mph limit, but is this encouraging people to move up to that

speed? Mr. Stout agreed with the 15 mph limit and said the Commission can argue about how to enforce the speed limit, but the actuality is that we're not. Without signage you don't have an avenue to stop something. He thinks that the self imposed, as fast as conditions will allow you, makes sense. Without signage there is no tool for enforcement. Ms. Loebs said the fastest she goes on a paved trail is 14 mph, and thinks 15 mph is fast enough. She asked if the trail will become littered with signs; she does not want to see excessive signage. Ms. Myers indicated she may recommend putting them on the ½ mile mileage marker signs, so it's not an additional sign. Ms. Gamage asked how many complaints about bikers going too fast have been made this year. Ms. Myers said none yet this year, the biggest complaint right now is about the surface. She did receive a call from someone who claims she was passed by an E-bike and complained about the speed. Ms. Gamage agrees that the Commission doesn't want to people to be in fear on the trail, feels users are pretty smart and aren't out to hurt people, and are for the most part, careful. One of the things she heard was to go at safe speeds as trail conditions allow. There has been a great safety campaign going on and she's not in favor of putting a number on the speed limit for many reasons. If something is put in trail literature or on existing signs suggesting travel at a safe speed pending conditions, that's OK for now. She doesn't like implementing rules that can't be enforced, would require more signage and aren't necessary at this point. We still have to see how E-bikes play out, and can always implement limits in the future. Mr. Van Agen agrees with the fear factor about E-bikes. He has tried out both Class 1 and 2 bikes and said they make exactly the same noise as a pedal bike. He found himself going slower on the E-bike as he had more time to look around the trail. He would have problems with the speed limit; the signage should be only at intersections or parking lots and not in between. He doesn't feel the E-bikes will come close to utilizing full speed. He feels a reminder to travel at a safe speed and if we find issues with it, update the signage. Ms. Buxar feels it's a wise idea to have a 15 mph limit. If it's self policed, and advisory to do 15 mph, noticed in the parking lots, it's something to make people aware to not go flying by. She's constantly being passed by bikes, but doesn't know their speed. A lot of the more experienced bikers are traveling at a good clip. She feels the 15 mph speed limit is reasonable at this point. Ms. Russell thinks self policing is important and having a speed limit is also important. There are issues on the Clinton River Trail. It's not individual bikers they are having issues, it's with the groups. She thinks the Commission needs to put a speed limit because 20 mph for a group is nothing – they can go up to 40 mph quickly. The problem is you can't hear the E-bikes. She doesn't want to put additional signage out, but on the bridges and in parking lots it's important. She's a fan, and then if something does happen, it's not vague. Anytime you have vague rules, you're in trouble legally; you don't have a leg to stand on. She is in favor of the 15 mph limit. A reminder is good. You can't catch everyone that's going over the speed limit, but you can help them realize what the Commission is trying to do for the trail. It should be safe for everyone. Mr. Ferriolo feels it behooves the Commission in tandem with what happened with the 20 mph capability for E-bikes. If we put in the 15 mph limitation, it's saying something to address this concern even though we can't control it. It's an effort to cater to the other half of users of the trail. The Polly Ann Trail is already at 15 mph, and our trail would be at 15 mph. We project an image and other people look to us for guidance. The Clinton River Trail wants to see what our trail does because they have to make a decision. Ms. Gamage asked how the Polly Ann Trail came up with their 15 mph limit. Ms. Myers' guess is that they followed the Rails-to-Trails Conservancy, and that it's a generally accepted limit. Ms. Russell said the Commission needs to listen to the walkers and bikers and even it out. We need to set the tone and put the 15 mph out there, so that people are respectful as the trail is very populated. This is a good compromise. Mr. Blanchard is in favor of the 15 mph speed limit, but maybe state "or lower as conditions require". Ms. Gamage commented if bike groups are the issue, maybe the Commission can educate them. Ms. Myers has talked to the bike shops, and they try telling everyone, but many cyclists don't listen – they don't have control over cycling teams.

MOTION by Ferriolo, seconded by Russell, *Moved*, to set the speed limit on the Paint Creek Trail to 15 mph.

Mr. Scott Crawford, a Rochester resident, came forward and stated if you're out on the road, and there's a speed limit, you are always required to drive at a speed that is safe for the conditions. If you make a speed limit on the trail, it's the same thing. You have to behave for the conditions on the trail up to a certain limit. He's not afraid of E-bikes, but is not in favor of them. The trail is a non-motorized trail, and these are bikes with motors on them. The State of Michigan says these bikes are non-motorized. The fact that the trail is a non-motorized trail, and you allow something with a motor on them is opening it up to a lot of other things. Ms. Myers explained they were given their own classification by the State, that's why they are considered non-motorized.

Vote on the Motion

Ayes: Blanchard, Ferriolo, Loeb, Russell, Stout, Van Agen

Nays: Gamage

MOTION CARRIED.

UPDATE: National Trails Day Report: Ms. Myers compiled a memo with photos about the event. It was cool in the morning, but nice. There was not much of a turnout, as there were a lot of competing events that morning, especially on the Polly Ann Trail. But those that did come really enjoyed themselves. It was great to see Alice Tomboulion and Peggy Johnson at the ribbon cutting. Lake Orion Lumber was excited to take part in the ribbon cutting. Thank you to Commissioners Olijnyk and Steele who helped with the recognition ceremony as Chairperson Becker was unable to be there. Everyone honored with the spikes loved their awards. The Mounted Patrol kicked off the event. A lot of elected officials attended the event. The Dinosaur Hill Hiking Stick craft was a hit, and the Orion Art Center offered a "paint your own tile" craft. It was a nice event for opening the path and acknowledge those who have contributed to the trail.

MANAGER'S REPORT: In addition to her written report, Ms. Myers reported about the unfortunate suicide near the trail, which was awful. The news reported that it was Rochester Hills, but it was actually Oakland Township. She spoke with Ms. Hamameh today; the attorneys are scheduled to meet on June 29th. The next Friends Group meeting is on July 12th at the Cider Mill at 6:30 p.m. The Ralph Wilson Jr. Foundation are expressing some interest in helping to fund any shortfall the Commission may have with the Bridge 33.7 project. MDOT has talked to them on our behalf. She was contacted by the DNR today, who was also contacted by one of their board members asking about the project. We are waiting to get numbers from our engineer to have an idea of how much the shortage will be, and meet their deadlines for a letter of intent. They make the determination in September on what they will grant. The project will be put out to bid in October, with work starting in late February or March next year. Because of the timing, some of the bidders suggested money could be saved by changing the time of the year the project will be done. Ms. Myers will be out of the country September 11-24, taking her daughter to Austria to get her ready for her 10 month Fulbright scholarship. Ms. Russell asked if the project off the Clinton River Trail going to be part of the re-bid for Bridge 33.7. Ms. Myers said it would be in the re-bid for resurfacing which will go out right after the bridge. Ms. Russell said because this is such a small resurfacing project, could this possibly be brought up to the Wilson Foundation? Ms. Myers will check this out. Mr. Blanchard wants to make sure the bridge project gets re-bid in the fall. Ms. Myers reported she is getting calls about hogweed on the trail, and has been checking them out. All reports of hogweed on the trail have been false; it's actually cow parsnip, a plant that looks similar. She will continue working with the communities to investigate each concern, in case hogweed actually shows up on the trail. To her knowledge, the closest confirmed report of hogweed was in Lansing a few years ago.

COMMISSIONER REPORTS: Ms. Gamage reported she was appointed for another three years on the Commission. Mr. Ferriolo will be working to get sponsors for the Labor Day Bridge Walk event. Mr. Stout reported Orion Township received a 1.6 million TAP grant – the largest award in SEMCOG history, for the Iron Belle Connector on Clarkston Road connecting to the Paint Creek Trail. Congrats!! Ms. Russell reported Music in the Park is on Thursday nights. Ms. Myers said there's a concert in Bear Creek Park this Friday.

ADJOURNMENT OF REGULAR MEETING:

MOTION by Gamage, seconded by Ferriolo, *Moved*, to adjourn the Regular Meeting at 7:50 p.m.

Ayes: All Nays: None

MOTION CARRIED.

The Commission proceeded to the Site Visit at the Cider Mill Gateway Project Site.

NEXT MEETING: July 17, 2018 at 7:00 p.m. – Rochester Municipal Offices

Respectfully submitted,

KRISTEN MYERS, Trail Manager

HANK VAN AGEN, Secretary

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