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REGULAR MEETING of the PAINT CREEK TRAILWAYS COMMISSION

Held at the City of Rochester Municipal Offices, 400 Sixth Street
Rochester, Oakland County, Michigan 48307

CALL TO ORDER: The Tuesday May 19, 2015 meeting was called to order by Chairperson Becker at 7:00 p.m.

Voting Members Present: Rock Blanchard, Linda Gamage, Stephanie Morita, Neal Porter, Kim Russell (*enter 7:03 p.m.*), Alice Young

Voting Alternates Present: Mike Bailey, Martha Olijnyk

Non-Voting Alternates Present: David Becker, Lynn Loeb, Donni Steele

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

Voting Members Absent: Andy Zale

Alternates Absent: Dale Hetrick, Steve Sage, Richard Schultz, Lisa Sokol

Village of Lake Orion Non-Voting Alternate Absent: Doug Hobbs

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

PLEDGE OF ALLEGIANCE: All rose and recited the Pledge.

APPROVAL OF AGENDA:

MOTION by Young, seconded by Bailey, ***Moved***, to approve the May 19, 2015 agenda as presented.

Ayes: All Nays: None

MOTION CARRIED.

PUBLIC COMMENT: None

CONSENT AGENDA:

a. Minutes – April 21, 2015 Regular Meeting, approve and file

b. Treasurers Report – April 2015, receive and file

MOTION by Blanchard, seconded by Olijnyk, ***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 \$432.70. In addition to the recorder's monthly fee, this amount includes a Chase Card purchase for three display boxes and pewter spikes for the Recognition Ceremony and Facebook ads. The estimated unrestricted fund balance is \$73,000.

MOTION by Gamage, supported by Morita, ***Moved***, to approve the invoices presented for payment in the amount of \$432.70 and orders be drawn for payment.

Ayes: All Nays: None

MOTION CARRIED.

APPROVAL: Temporary Permit Request – Run Michigan Cheap – June 27, 2015: Ms. Myers commented that Mr. James Frank, representing Frank Race Management, completed a successful event back in April and would like to use the trail again on June 27th. There are no other events scheduled for this day. He is back to answer any questions because there was discussion last time about the event being a for-profit run. He will be donating 20% of the profits to a local school team and 10% of the profits to the Trail Commission. He donated \$150 to the trail from the last event. Mr. Frank indicated the last event went very well, the group profited \$200, and a lot of participants asked for another race in the area. Solaronics has offered to open both their parking lots for the event. He puts on about 25 races all around Michigan per year using public trailways, and anticipates 75-100 participants for this event. Ms. Myers indicated the permit fee has been received, and she is awaiting the insurance paperwork.

MOTION by Porter, seconded by Bailey, *Moved*, to approve the temporary permit for the Run Michigan Cheap event on June 27, 2015, pending receipt of the insurance paperwork.

Ayes: Bailey, Gamage, Morita, Olijnyk, Porter, Russell, Young

Nays: Blanchard

MOTION CARRIED.

DISCUSSION: Oakland Township Cider Mill Connector – Professional Engineering

Associates: Mr. Matthew Hocking of PEA explained the proposed pathway project. The purpose is to provide an ADA compliant connection from the trail to the Cider Mill. The newly constructed bridge pedestrian pathway on Orion Road will be used as a connection point from the Cider Mill to the bridge and from the bridge over to the trail. Conceptual plans of the project have been provided for review. An 8-foot wide asphalt pathway will go from the Cider Mill to the bridge, and from the bridge up to the right-of-way line of the trail. Within the trail right-of-way, the material will be limestone. The existing Flagstar Bank connection to the trail will be closed. Four non-regulated trees on Flagstar property will be removed, but will be replaced at the connection point to the trail, location to be worked out. Ms. Myers feels this is a great project as it provides safe access from the trail to the Cider Mill, rather than using Gallagher Road. Ms. Libby Dwyer, Chairperson for Safety Paths and Trails in Oakland Township is also present to ask for support for the project. Mr. Hocking indicated the plans are required to go through site plan approval by Oakland Township Planning Commission and the Township Board, so there will be additional comments on the plans. He is hoping to get conceptual approval by the Commission tonight, and will be in contact with Ms. Myers throughout the process. Final plans will come back before the Commission.

MOTION by Blanchard, seconded by Olijnyk, *Moved*, that the Commission approves the concept of the Cider Mill pathway connector improvements.

Ayes: All Nays: None

MOTION CARRIED.

APPROVAL TO HIRE: Part-time Administrative Assistant and Part-time Bike Patroller:

Ms. Myers indicated she and Chairman Becker have completed a lot of interviews over the last month, and stated they have chosen Chris Gray to be the Administrative Assistant and are recommending David Boboltz, a Mountain Bike Patroller with the Clinton River area Mountain Bike Association, for the Bike Patroller. Information about the Ms. Gray was included in the packet and background information about Mr. Boboltz was summarized. Both were present and came forward to introduce themselves. Ms. Myers is hoping the Commission will approve hiring both individuals.

MOTION by Blanchard, seconded by Morita, *Moved*, to approve hiring Ms. Gray as the 2015 Administrative Assistant.

Ayes: All Nays: None

MOTION CARRIED.

MOTION by Young, seconded by Bailey, *Moved*, to approve hiring Mr. Boboltz as the 2015 Bike Patroller.

Ayes: All Nays: None

MOTION CARRIED.

DISCUSSION/APPROVAL: As-Needed Legal Services: Ms. Myers explained that per discussion last month, Chairman Becker, Ms. Olijnyk, Ms. Steele and Ms. Myers interviewed the three selected attorneys – Kevin Laidler, Lisa Hamameh and Randall Pentiuik (Ms. Steele was unavailable to interview Mr. Pentiuik). All three attorneys were impressive and could represent the Commission well. Determining the best candidate is difficult as all have strengths in different areas. Based on the interviews, the attorneys are ranked in order of Hamameh, Pentiuik, and Laidler. The interviewers feel Ms. Hamameh and Pentiuik were tied, with a slight edge to Ms. Hamameh due to her previous work with the Commission, as Mr. Laidler does not have a lot of experience with municipal work as an attorney. Ms. Hamameh is unable to attend Commission meetings due to a commitment the same evening, however if an issue is very serious, she could make arrangements to attend our meeting or send someone else from her firm at the same rate. A comparison spreadsheet was provided for review. The Commission discussed how important attending meetings would actually be as we are not asking for attendance at every meeting, and the tie-breaker could possibly be that Ms. Hamameh would make arrangements to cover our meeting if required. There is money in the budget that could be used for legal services. A contract will be signed with the selected firm for their services.

MOTION by Blanchard, seconded by Young, *Moved*, that the Commission hire the firm of Foster, Swift, Collins & Smith PC, with Ms. Hamameh as the lead attorney, for the As-Needed Legal Services to the Commission for a two-year period.

Ayes: All Nays: None

MOTION CARRIED.

DISCUSSION/APPROVAL: Clarkston/Kern Vandalism Action Program: Ms. Myers indicated she and Ms. Young met last month with Lt. Toth, Operations Director Jeff Stout, and Parks Director Aaron Whatley to discuss the ongoing issues in Orion Township. Included in the packet is a log report that Lt. Toth provided detailing tickets and arrests from October 2013 to present, so they have been actively investigating the reports that have been made. Part of the issue with the Clarkston/Kern intersection is a lack of an address, so it was difficult to identify calls at that location in the police report database. There is now an address for the vault toilet, (1125 Kern Road) and all officers have been instructed to use this address if they get called to the scene. Based on this meeting, Ms. Myers developed a Vandalism Action Program divided into five issues and action programs for each: Vandalism at the vault restroom, Maintenance of the vault restroom, Graffiti and Destruction on the northwest side of Clarkston/Kern, Graffiti on the Goldengate Road bridge, and Bald Mountain Recreation Area Property (“painted rocks”). Publicity has been placed on Facebook and has been reached and shared by thousands. This has really helped to spread the word, which led to an article in the Lake Orion Review regarding the “Painted Rocks” issue. The Clinton River Watershed Council monitors this area and is very concerned about the spray paint cans going into the water. They worked with students at Lake Orion High School to produce a public service announcement that was played at Lake Orion High School about these concerns. It is hoped the video will be played at other High Schools in the area, and will also be put on the website. Locks have been installed on the vault restroom and the Friends Group has hired a local couple to lock the restroom Friday, Saturday and Sunday evenings and unlock it Saturday, Sunday and Monday mornings. Since the surveillance signs have been posted, the incidents have dropped. The Friends Group is reimbursing Orion Township for surveillance cameras that are being placed outside the restroom. It might be advantageous to close the restroom from November 1st to April 1st. Ms. Myers commented she is receiving excellent cooperation from the officials in Orion Township and the Sheriff’s office. Orion Township has plans to paint the inside of the restroom. It was suggested that lighting be installed at the restroom, and Ms. Myers offered to contact DTE Design Department to see what it would take to get electricity on site. She will also check out solar lighting. Lt. Toth will be giving a presentation at next month’s meeting. It is the consensus that the Action Program is very

comprehensive and reflects all the suggestions the Commission made last month, and Ms. Myers was thanked for all her work.

MOTION by Russell, seconded by Olijnyk, *Moved*, to approve proceeding with the Vandalism Action Program and to research solar lighting.

Ayes: All Nays: None

MOTION CARRIED.

DISCUSSION: For-Profit Use of the Paint Creek Trail: Ms. Myers commented the second request of Frank Race Management to use the trail for their event is only the second time a for-profit group has asked to use the trail. There was a lot of discussion last March about for-profit groups using the trail and there was some dissention. She spoke with the Chairman about this, and thought it might be appropriate to revisit the topic to see how everyone feels about for-profits events. She researched other municipalities and organizations; information was included in the packet. Rochester Hills does not allow for-profit use of the Clinton River Trail; they feel that tax payer funded properties should not be used for profit. Other places allow it, sometimes for free and sometimes charging a fee. Current policy is that for-profit groups pay a \$30 temporary application fee, non profit groups pay a \$10 fee. There is also a Commercial policy in place charging several hundred dollars to use the trail for commercial advertising. The Commission needs to determine if they want to change the policy, and if so, how. The comment was made that as this was only the second request by a for-profit group, no policy change needs to be made. Each event request can be evaluated individually, the Commission can always deny a request. If the requests become numerous, the number of participants could be looked at to see if the Commission will incur additional costs associated with the event – these costs need to be passed on to the sponsor. The trail is really for the users, not for events. Perhaps limiting the amount of events per year needs to be looked at. Some members feel changing the policy is premature and unnecessary. To make it less personal, a good policy needs to be in place. After discussion, most members favored a sub-committee review this issue.

MOTION by Morita, seconded by Blanchard, *Moved*, to start a sub-committee to examine the issue of whether the Commission needs a policy for events, and if so, what the policy should be. Findings will be brought back to the Commission.

Ayes: All Nays: None

MOTION CARRIED.

Volunteers for the sub-committee include Mr. Blanchard, Ms. Morita and Ms. Loebs. Meeting dates should be given to the Trail Manager to be posted on the website.

MANAGER'S REPORT: In addition to the written report, Ms. Myers commented that the Tienken parking lot is closed. The draft 2016 budget will be on next month's agenda.

COMMISSIONER REPORTS: Ms. Russell reported that sea lamprey, a very invasive species, have been spotted in Paint Creek by the U.S. Fish and Wildlife Service. Ms. Myers advised that she had already been working with them to educate trails users and neighbors about Lampricide treatment.

ADJOURNMENT:

Upon motion by Morita, seconded by Gamage, the Chairperson adjourned the Regular Meeting at 8:40 p.m.

Ayes: All Nays: None

MOTION CARRIED.

NEXT MEETING: June 16, 2015 at 7:00 p.m. – Charter Township of Orion Offices

Respectfully submitted,

KRISTEN MYERS, Trail Manager

ANDY ZALE, Trailways Secretary