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**REGULAR MEETING of the PAINT CREEK TRAILWAYS COMMISSION
Rochester Municipal Offices
400 Sixth Street, Rochester, MI 48306**

CALL TO ORDER: The Tuesday, August 20, 2019 meeting was called to order by Chairperson Becker at 7:00 p.m.

Voting Members Present: Rock Blanchard, Susan Bowyer, Frank Ferriolo, Linda Gamage, Kim Russell, Donni Steele, Jeff Stout, Hank Van Agen

Voting Alternates Present: None

Non-Voting Alternates Present: David Becker, Clara Pinkham

Village of Lake Orion Non-Voting Member Present: None

Voting Members Absent: None

Alternates Absent: Chris Barnett, Robin Buxar, Ben Giovanelli, Chris Hagen, Martha Olijnyk, David Walker

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

Village of Lake Orion Non-Voting Alternate Absent: Vacant

Others Present: Brian Marzolf, Interim Trail Manager, Chris Gray, Assistant Trail Manager, Sandi DiSipio, Recording Secretary

PLEDGE OF ALLEGIANCE: All rose and recited the Pledge.

Chairperson Becker introduced and welcomed Ms. Clara Pinkham, the new alternate for Rochester Hills.

APPROVAL OF AGENDA:

MOTION by Bowyer, seconded by Gamage, *Moved*, to approve the August 20, 2019 agenda as presented.

Ayes: All Nays: None

MOTION CARRIED.

PUBLIC COMMENT: None

CONSENT AGENDA:

- a. Minutes – July 16, 2019, Regular Meeting, approve and file
- b. Minutes - July 24, 2019, Special Meeting, approve and file
- c. Treasurers Report – July 2019, receive and file

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

Ayes: All Nays: None

MOTION CARRIED.

APPROVAL OF INVOICES: Ms. Gray presented the list of invoices totaling \$25,484.72. In addition to the recorder's fee, this amount includes Giffels Webster professional services for the Master Plan, Foster Swift Collins & Smith legal services for reviewing Resurfacing, MNRTF

Agreement and Signage Project documents, Mannik Smith Group invoices for the Bridge 33.7 Renovation and the Resurfacing Construction Engineering Administration, Oakland Mounted Patrol services for June and July, and refreshments for the Master Plan Open House refreshments. Estimated unrestricted fund balance is \$53,136.

MOTION by Gamage, seconded by Bowyer, *Moved*, that the invoices presented for payment are approved in the amount of \$25,484.72 and orders be drawn for payment.

Ayes: All Nays: None

MOTION CARRIED.

Ms. Gray mentioned since there is no scheduled September meeting, she knows there will be certain invoices to be paid and asked for guidance on how these invoices should be handled. The Chair suggested these invoices be administratively approved and paid by staff if deemed to be correct, and the Commission can retroactively review and approve at the October meeting.

MOTION by Ferriolo, seconded by Van Agen, *Moved*, to approve that staff pay the September invoices, with retro review and approval by the Commission at the October meeting.

Ayes: All Nays: None

MOTION CARRIED.

DISCUSSION/APPROVAL: Limited Use Permit, East Clarkston Road Pathway Project:

Mr. Marzolf indicated the application has been received and looks good. Mr. Mark Landis of OHM is present on behalf of Orion Township. He indicated the application has been submitted, and included a revised plan to address the comments raised last month, particularly the concrete approach previously proposed to abut the trail path. This approach has been pulled back two feet off the trail and a gravel transition strip was provided. They also provided the way finding signage at the intersection. The Commission thanked OHM for the updated detailed plan and indicated this is a great connection. Ms. Steele added that ad hoc committee met with Mr. Landis and approved the application.

MOTION by Bowyer, seconded by Blanchard, *Moved*, to approve the Limited Use Permit for the East Clarkston Road Pathway Project.

Ayes: All Nays: None

MOTION CARRIED.

DISCUSSION/APPROVAL: Signage Design Orientation Meeting #1, Landscape Architects and Planners:

Mr. Ford, Landscape Architects and Planners, came forward and introduced himself. He indicated he traveled the Trail this evening with Mr. Marzolf all the way to where the bridge was out and back. They drove up to Lake Orion and walked that area. Part of his mission is to get an understanding of what the project entails. Given the scope, they will be doing the gateways and different types of signage, looking at the current logo to see if there is a better or different way to capture the essence of what we're trying to do. He saw some really good stuff and some mis-matched stuff. Part of the project is organization and part is regulation, and the other part is to give it a look and feel that represents the mission and what is to be accomplished. He is pleased there is not a September meeting as it gives him more time to do the work. He wants to come back at the time and share their impressions and artistic ideas. They will be looking at road crossings, gateways and directional signage, and coming back with recommendations. He asked the members to provide them their expressions or what they think should happen in the crossings. Mr. Marzolf has agreed to act as the recipient of the communications through email. Mr. Ford is looking for verbal, artistic or photograph expressions of design of what members would like to accomplish. He would like this information within the next two-three weeks – this would be extremely helpful. They have done a lot of signage in the past, but wants the Commission's input on what they want to accomplish. Ms. Bowyer suggested forwarding the previous art contest winners. Mr. Blanchard indicated the Commission is about to start a pollinator garden; these ideas and signage could be included as part of the package. Mr. Ford indicated their task is to define way finding and crossing signage – there's a category for interpretative signs. But they are not doing interpretative signs as they are very involved and

detailed, but they will provide the framework for interpretative signs and the Commission can put the content within the framework. A lot of work is getting a common theme so that everything speaks to the trail and people will know they are on the trail. Ms. Russell asked if the pictures just help Mr. Ford with ideas? He responded yes, to give him the vision. Today he got Mr. Marzolf's idea, but wants everyone else's ideas. He indicated it's time to refresh the trail branding for consistency. Mr. Ferriolo doesn't want to direct creativeness, and would like to see what Mr. Ford interprets to come up with something fresh for the trail. Mr. Ford said what they try to do is to find the essence of the brand, and the members will help with supplying this information. He indicated he designed the Clinton River Trail logo and signs and to see them in abundance is impressive. He also liked the standardization of the signage within the city of Rochester. He commented that the entry into Lake Orion and downtown Rochester is a wonderful beginning to a trail. There are also different signs scattered around, benches facing in the wrong directions, and areas where people are parking where they shouldn't be – this is kind of disorganized. The overall trail system is really nice. Mr. Marzolf indicated there is a four sided kiosk where the Clinton River Trail meets the Paint Creek Trail – this is a great example of what could be done and wants to share his confidence with Mr. Ford in knowing that he will come up with something special. Not that the grant money will be enough to cover this, it won't be. With what we're spending of the grant for LAP to come up with the plans, it will give us the idea and amount of cost to budget for the future to get it all done. It's more expensive than you think. He feels good that they can come up with something great. Ms. Steele suggested that benches facing the wrong way and other things Mr. Ford saw along the trail be submitted to the staff. The Commission thanked Mr. Ford for his presentation.

UPDATE: Moutrie Project Subcommittee: Mr. Blanchard commented the subcommittee includes Mr. Carrio, President of the Friends Group, Mr. Mike Jahn, VP of the Friends Group, and himself. With their agreement, they contracted with Ray Wiegands Nursery, and Teresa Miller, their Landscape Designer. They would like to present a concept plan to the Commission and receive feedback and input in order to come up with a final plan at a later meeting. Mr. Blanchard commented there is a construction project starting and suggested we think about doing some of the pathway of the Moutrie project in conjunction with the resurfacing to save some money, or at least stockpile the material. This plan is a lot simpler and less costly than any plans that have been presented before. Ms. Miller summarized a power point presentation detailing the overall memorial garden plan, where it is located north of Tienken Road between the main trail and an existing dirt trail to the east, and the proposed plantings. The area will be accessible to everyone who uses the trail. A sloped entrance with the same surface as the trail is proposed to allow wheelchairs. The pathway slope needs to be retained with natural boulders in two areas. She tried to use as many native plants as possible and good pollinator plants in groupings which are not true natives, as well as ground cover and shrubs. It will be a volunteer maintained garden, so she's proposing plants with easy, low pruning requirements. There is enough plant material to qualify for a monarch way station, so staff could apply for certification and signage. She passed around a photo of a fieldstone boulder which could be engraved for Mr. Moutrie's pollinator garden. Ms. Miller will send staff a pdf of the presentation. Ms. Russell suggested education of the condo association, whose residents walk on the dirt trail, is important. She also suggested a second boulder bird bath near the Moutrie sign. She indicated ground cover is important to keep moisture in and the weeds out, and wants to know about this. Ms. Miller indicated on the lower level instead of having mulch, it would have ground cover, and explained how it works. She will look at putting additional ground cover plants in the open spaces underneath the larger plant material. Ms. Gamage has a concern with the sight line for people coming off the garden area onto the regular trail because of the angle. Ms. Miller indicated there will be no issue seeing trail traffic coming off the garden area, as the plants will only be a foot tall and people will be on a slope coming off. Coming off the garden path, there could be a different material to differentiate

the trail. Ms. Steele asked who is putting the path in, and when. Ms. Miller said this is open for discussion. Ms. Steele asked if there is a price for the project that includes everything. Ms. Miller said she has a ballpark figure, but doesn't know if the project will be sent out for bid. Wiegand's uses SiteScape out of Utica for installation, and they could do the full installation. The pathway and boulders could be done now, but planting would have to be done in the spring. She estimates the cost to be between \$8,000-\$10,000, not including the engraved marker and benches. Mr. Blanchard indicated the original design was around \$200,000, and they tried to get this plan cost down to get it within our budget. The Friends Group has around \$8,000 with some wiggle room. He suggested putting this information on the website to encourage people to donate towards the project. This project is very doable. Ms. Miller indicated one of the owners is very passionate about pollinator gardens, and may donate to this project either in plant material or something else to get the price closer. The quote does not include the limestone, but includes all of the prep work. Mr. Ferriolo feels it may be practical to let whoever is doing the work in the spring to do the limestone surface. The trail will be surfaced next month, not next spring. Mr. Stout asked about watering the new vegetation. Ms. Miller said it will be crucial after planting to water and maintain for the first year, whether it's volunteers or someone else, but doesn't have an answer. Mr. Blanchard hopes the City of Rochester Hills would step up, but if promoted, he feels we would get volunteers, perhaps from the condos. Messrs. Carrio and Jahn both live there. Ms. Miller will provide guidelines for maintenance. Ms. Steele thinks it's a great project and design.

MOTION by Steele, seconded by Blanchard, *Moved*, to proceed with the project as presented, and to ask that the walkway be done in conjunction with the resurfacing project.

Discussion: Ms. Gamage feels we should approach the condo association for volunteers. Mr. Jahn is on the condo board, and can present this to them. He thinks people will be excited about the project. Mr. Van Agen is reluctant to ask the resurfacers to do the work, but feels we could present the issue to see what they have to say, but would be just as happy to have the installation as part of the whole package later. He'd be more comfortable doing it at one time. Ms. Miller indicated they are capable of installing the limestone path. Mr. Marzolf will ask the contractor for a price for installing or stockpiling the limestone. Messrs. Van Agen and Stout feel there would be an advantage of different material. Ms. Miller will also get a cost on the limestone installation, as well as the rest of the project. As far as bidding goes, Mr. Blanchard is very comfortable with contracting with Wiegand's. Mr. Blanchard feels a September meeting will be needed, as this can't wait until October. Mr. Blanchard commented there is not enough in the memorial budget to finish the project right now, perhaps the Commission has some money or we could pursue other donations. Mr. Carrio indicated the Friends Group has money that was raised for educational purposes through the 2015 Paint Creek Crawl event for what was going to be the Tienken side path, even though the side path was not developed. The money was earmarked for educational material, and will look to see what funds can be justified toward this effort. The Commission thanked Mr. Carrio, Ms. Miller and Mr. Blanchard for their outstanding job on this project.

Vote on the Motion:

Ayes: All Nays: None

MOTION CARRIED.

DISCUSSION/APPROVAL: Attorney Transition:

MOTION by Ferriolo, seconded by Bowyer, *Moved*, to request that Lisa J. Hamameh represent our interests in our legal matters. We authorize Foster Swift to release and deliver to Lisa J. Hamameh and/or Rosati Schultz Joppich & Amtbuechler, PC all open file materials. We understand that Lisa J. Hamameh will assume responsibility for our legal representation upon receipt of this authorization.

Discussion: Ms. Steele remembers when Ms. Hamameh was absent, that there was another attorney that covered for her quite well from Foster Swift, and would like to hear feedback from people who dealt with that person as it seemed our project was completed within a reasonable amount of time – her question is if we were to stay with Foster Swift, would we be given this same attorney, who seemed very capable. Ms. Gray was asked to comment. The other attorney was Mr. Scott Hogan, and her experience was that he was responsive, thorough and easy to work with. Ms. Ford actually corresponded with him more often than herself. Ms. Steele asked if we would be able to continue using him. Ms. Gray said the representation authorization reads that we ‘request that Foster Swift continue its representation of the Commission’s interests’, the document does not specify an attorney. Ms. Gray was asked to see if Mr. Hogan would be available to continue as our representative. Mr. Becker thought Mr. Hogan was very good, prompt, answered quickly and understands the Commission’s mission. He thinks he did a good job, and would prefer to stay with Mr. Hogan. We need to find out if the Commission can stay with him. Mr. Ferriolo said that Mr. Hogan followed up on the details that Ms. Hamameh directed, so he was following directions. Mr. Ferriolo does not want this to wait until October to make this decision, he wants it handled tonight. He stated if Ms. Hamameh wants to have the Commission, he would like to stay with her. Mr. Bowyer agreed as Ms. Hamameh has a lot of knowledge about the trail, and this knowledge would be gone if we left her. The firm she is going to is a municipal law firm that is very well represented. Mr. Stout asked what the other firm would charge us for Ms. Hamameh’s services, versus Foster Swift. Ms. Gray said she does not know but will inquire. Ms. Russell suggested getting the charges from both firms for services before we make a decision, and suggested tabling this item until the billing rate is known.

MOTION by Russell, seconded by Blanchard, *Moved*, to table the motion until the next meeting.

Ayes: Blanchard, Bowyer, Gamage, Russell, Steele, Stout, Van Agen

Nays: Ferriolo

MOTION CARRIED.

UPDATE: Bridge 33.7 Project: Mr. Marzolf reported parts of the bridge are arriving today, then assembled this week and put in place - the project is still anticipated to be complete with the trail opened for use by Labor Day weekend, weather permitting. Mr. Marzolf was thanked for his security of the construction site.

UPDATE: 2019 Trail Resurfacing: Mr. Marzolf indicated the pre-construction meeting was held on August 19th. Construction is expected to begin the week of August 19th. He passed around samples of the surface material, which Mannik Smith is satisfied with. All event groups have been notified of the construction and understand they may need to be flexible with the day of their events. Some additional signs will be placed at each of the trail warning of intermittent closures from September through December. The work will be done a mile at a time and then they will move on. An additional \$60,000 has been secured through another Iron Belle Challenge Grant that will serve as the project contingency should it be needed. If there are no cost over-runs on the project, the \$60,000 may not be needed. It can’t be used on the side projects. The project will probably start in the Lake Orion area because of the September events in Rochester. Each of the member communities will receive updates on the project closure dates.

UPDATE: 2020-2024 Master Plan: Mr. Marzolf indicated there is a meeting tomorrow with representatives from Giffels Webster to get results from the stakeholder’s meeting and the survey. These results will be passed on to the members via email. He will work on a draft of the next section of the Master Plan, and forward it to the committee consisting of Ms. Bowyer, Mr. Becker and Ms. Steele.

MANAGER'S REPORT: In addition to the written report, Mr. Marzolf reported he's spent time on securing the trail. Under future agenda items, Mr. Stout suggested Vandalism Ordinance in Orion Township be removed. Mr. Marzolf suggested adding a memorial tree program to a future agenda. The portable diffibulator was also added for a future agenda item.

COMMISSIONERS REPORTS: Mr. Van Agen reported that September 14th, Oakland Township will be having Goodison Goodtimes at Bearcreek Park, with lots of activities for families. Ms. Bowyer and the Commission thanked Ms. Lynn Loeb for her service, and welcomed Ms. Clara Pinkham as the alternate member. She also mentioned Rochester Hills' Youth Council and suggested they could be a valuable asset to the Commission in their volunteer efforts – we should invite some of them to attend our meetings. This issue could be listed as a future agenda item. Mr. Blanchard suggested the Moutrie Memorial Garden be considered as the Rochester Hills Art Project, and possibly some the art project budgeted money could be used towards this effort. The Moutrie Committee should also be added to the list of ad hoc committees. Ms. Russell reported Rochester has a new program called Front Porch where people come and tell their story of Rochester. She suggested having a September meeting as there are a number of issues needing attention. It is the consensus to have a September meeting once the estimates are received for the resurfacing cost of the Moutrie Project. Chairman Becker will call a meeting once the costs are received. Ms. Steele thanked staff for following up on all the projects. Ms. Gamage thanked Ms. Miller for her presentation, and suggested we ask her to maybe help the Commission in the future with a native plant policy or work with the Friends Group. The Adopt a Trail groups are looking to do more and might be able to help out with the pollinator garden. Ms. Pinkham said she's looking forward to working with the Commission. Mr. Becker suggested a ribbon cutting event after the bridge and resurfacing projects are completed. He also suggested contacting the Woman's National Farm and Garden group for assistance on the garden project.

ADJOURNMENT OF REGULAR MEETING:

MOTION by Gamage, seconded by Blanchard, *Moved*, to adjourn the Regular Meeting at 9:05 p.m.

Ayes: All Nays: None

MOTION CARRIED.

NEXT MEETING: October 15, 2019 at 7:00 p.m. – Paint Creek Cider Mill

Respectfully submitted,

BRIAN MARZOLF, Interim Trail Manager

HANK VAN AGEN, Secretary