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**SPECIAL MEETING of the PAINT CREEK TRAILWAYS COMMISSION**  
**Via Teleconferencing – GoToMeeting**  
**Access code: 762943645, or by phone 1-312-757-3121**

**CALL TO ORDER:** The Tuesday, September 15, 2020 Special Meeting was called to order by Vice-Chairperson Steele at 7:00 p.m.

**Voting Members Present:** Frank Ferriolo, Linda Gamage (*exit 7:35 p.m.*), Steve Sage, Dan Simon, Donni Steele, Jeff Stout

**Voting Alternates Present:** David Becker (*voting after 7:35 p.m.*), Theresa Mungoli, Clara Pinkham

**Non-Voting Alternates Present:** Martha Olijnyk

**Village of Lake Orion Non-Voting Member Present:** None

**Voting Members Absent:** Rock Blanchard, David Walker

**Alternates Absent:** Chris Barnett, Robin Buxar, Chris Hagen, Ann Peterson

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

**Village of Lake Orion Non-Voting Alternate Absent:** Vacant

**Others Present:** Melissa Ford, Trail Manager, Chris Gray, Assistant Trail Manager, Sandi DiSipio, Recording Secretary

**PLEDGE OF ALLEGIANCE:** All rose and recited the Pledge.

**ANNOUNCEMENTS:** Vice-Chair Steele explained the purpose of the electronic meeting is to maintain social distancing and comply with the Michigan Governor's Executive Order 2020-21. The Paint Creek Trailways Commission will provide reasonable and necessary auxiliary aids and services for individuals with disabilities with advance noticed. Please contact the Trail office at [manager@paintcreektrail.org](mailto:manager@paintcreektrail.org) or 248-651-9260 at least 72 hours in advance.

**APPROVAL OF AGENDA:**

**MOTION** by Ferriolo, seconded by Simon, *Moved*, to approve the September 15, 2020 agenda as presented.

Ayes: All      Nays: None

**MOTION CARRIED.**

**PUBLIC COMMENT:** None

**CONSENT AGENDA:**

- a. Minutes – August 18, 2020 Regular Meeting, approve and file
- b. Treasurers Report – August 2020, receive and file

**MOTION** by Ferriolo, seconded by Sage, *Moved*, to approve the Consent Agenda as presented.

Ayes: All      Nays: None

**MOTION CARRIED.**

**APPROVAL OF INVOICES:** Ms. Ford presented the list of invoices totaling \$20,804.74. In addition to the recorder's fee, this amount includes credit card charges for GoToMeeting for the September meeting, postage and a bike fix-it station replacement hose, a reimbursement from Wiegand's Nursery back to the Friends Group, payment for legal fees and WCI's invoice for the parking lot resurfacing project. Estimated unrestricted fund balance is \$90,000.

**MOTION** by Sage, seconded by Simon, **Moved**, that the invoices presented for payment are approved in the amount of \$20,804.74 and orders be drawn for payment.

Roll Call Vote:

Ayes: Ferriolo, Gamage, Mungiola, Pinkham, Sage, Simon, Steele, Stout

Nays: None

**MOTION CARRIED.**

**DISCUSSION: Limited Use Permit, Dillman & Upton:** Ms. Ford displayed a rendering of the property and how they are proposing to repair the fence in order to straighten and stabilize it. She indicated Mr. Todd Upton from Dillman & Upton is on a call in the meeting and asked him to explain what the plans are. Mr. Upton said they propose to put in steel I-beams which are 8 inches in depth and 4 inches in width. They will be installed 42 inches below the frost level as close to the existing posts as possible. The fence has outlived its use, and in dire need of repair. About 20 of the existing posts have rotted out or have broken off at the grade level, The distance between the edge of the trail and the fence is about 20 feet, and there is an existing walkway that is overgrown. Their thought was to use a small post hold digger; he doesn't think this will interfere with the trail at all. Hopefully they can get the fence back together. Ms. Ford displayed some photos of the existing fence. Mr. Sage asked how many support beams will be installed on the south side of the property up to Woodward. Mr. Upton said there are 20 posts existing, if they were broke, they will be fixed, and if they weren't broke, then they would move on to the next post. They have previously tried to straighten it by attaching one post to the next one, and said they have created as much damage as anyone by pushing too much lumber against it too high – they probably broke the posts themselves. Ms. Steele asked if the fence will be repaired, or only the posts. Mr. Upton said they were going to attempt to start out with the posts with maybe a coat of stain on them. The area is overgrown, so it will take some minor tree trimming to get to the fence. They will do the trimming and clean it up to make it look better. Ms. Steele opened up discussion for Commissioner questions. After all questions are asked, Mr. Upton can then respond. Mr. Becker is concerned about the aesthetics of this and asked if the posts will be coated or painted. He also asked if it's possible to put the posts on the D&U side of the fence rather than the trailway side. That way, the problem of the aesthetic effect on the trail will be minimized. Mr. Simon also recommended the posts go on the D&U side of the fence. Mr. Sage has a concern about coordination with the City and staff with the clearing of the area. Also, the City is installing a fiber conduit to the new DPW grounds, so some coordination needs to happen with the City and staff. Ms. Pinkham said the applicant indicated the fence has outlived its usefulness, and asked if there is a plan to replace it down the road. Mr. Upton then responded to the questions. He indicated they have no intention of replacing the fence, only a repair and improvement. As far as the posts going on the D&U side – they could possibly do that, although it's not his first choice – then trail users wouldn't have to look at them and they wouldn't have to trim the trees or clear the brush. But at some point time, it will overgrow the trail. He's not talking clear cutting, it was just enough to get the machine in to do the maintenance. If the posts go on the inside, they are working within the boundaries of their property. As far as where the conduit will go, the fence is about 150 feet away from that, so it's not an issue – they have called Miss Dig about this. He will check if a permit is necessary from the City of Rochester to perform the fence maintenance, but doesn't think it's necessary. Mr. Sage indicated he will check with the City regarding a permit. As far as painting or coating the posts, Mr. Upton said he would paint the posts and put a clear coat or a stain on the fence. Mr. Becker said if the posts are installed on the D&U side, he doesn't care if they are painted or not – he only asked for aesthetic

reasons. He asked Mr. Upton what factors weigh in on which side of the fence the posts go on. Mr. Upton explained for reasons of stability – it doesn't matter, he can put them on the inside of the fence. This will reduce them from doing any trimming or clearing on the trail side. Mr. Stout asked when work will start and completed. Mr. Upton said he hopes to do the work with their own people when time permits, probably a 2-3 week time period, and would like to start as soon as possible. Mr. Ferriolo thanked the applicant for getting involved quickly and taking care of business. He asked what impact the paint will have on the longevity of the wood – will it increase the lifespan of the fencing. Mr. Upton said it won't hurt, the fence that is there is a pressure treated wolmanized wood and that has a lifetime warranty, but they have been their own worst enemy as far as some of the damage created. It wouldn't hurt to put a coat of finish on it, and he would do that. Mr. Ferriolo asked with the commitment to put the posts on the inside and to paint or stain it, do we need a motion to approve, or allow him to go forward with the maintenance plan as shown. Mr. Becker said a motion would not be a bad idea, since they will be working on our licensed property. Ms. Olijnyk agreed because there is an application for a permit, so we need to move on this request.

**MOTION** by Sage, seconded by Pinkham, *Moved*, to approve the application for a limited use permit by Dillman & Upton to repair the fence within the trail right-of-way.

Roll Call Vote:

Ayes: Ferriolo, Gamage, Mungoli, Pinkham, Sage, Simon, Steele, Stout

Nays: None

**MOTION CARRIED.**

**MOTION** by Sage, *Moved*, to agree to an understanding with Dillman & Upton for the installation of up to 20 support beams necessary to facilitate repair of the fence going forward, with the posts going on the inside and the painting of the posts and the fence face to the trail at the discretion of Dillman & Upton.

Mr. Becker suggested before the motion is seconded, to not limit the amount of support beams to 20 in case more are needed. Mr. Sage agreed to the amendment. Mr. Becker also suggested the applicant work with Ms. Ford on the choice of paint/stain that will be used. Mr. Upton indicated he would work with staff, and asked if he runs into weather issues with the paint/stain, if this could be finished in the spring. The Commission was fine with this.

Amended Motion:

**MOTION** by Sage, seconded by Simon, *Moved*, to agree to an understanding with Dillman & Upton for the installation of as many support beams required to facilitate repair of the fence going forward, with the posts going on the inside and the painting of the posts and the fence face to the trail at the discretion of Dillman & Upton.

Roll Call Vote:

Ayes: Ferriolo, Gamage, Mungoli, Pinkham, Sage, Simon, Steele, Stout

Nays: None

**MOTION CARRIED.**

**DISCUSSION/APPROVAL: Moutrie Pollinator Garden Sign:** Ms. Ford displayed a rendering of the sign. Mr. Louis Carrio said this is the design that was returned from the Rochester Sign Shop and they were fine with the artwork that was presented to them. They added some elements on the frame, and he feels it looks good. Since this was released for Commission review, a couple people provided input. So on the final design submitted to the sign shop, the photos will be 10-15% bigger and each will be about 7" square. The sign shop will match the color and the font the best they can to the trail sign program. Mr. Carrio said a question was raised about having one logo as shown on the frame, or put a second logo to the right – it doesn't matter to him. This was the only feedback received, and with these changes, he's ready to go. Mr. Becker said the sign looks terrific, thanked Mr. Carrio and feels it will be a positive addition

to the trail. He mentioned a possible verb tense error in the third panel and asked if it should be “is” or “are”. Ms. Pinkham feels the verb should be “is”, but will check it out and get back to Mr. Carrio. Mr. Ferriolo agreed with adding the second logo as it adds to the balance, and feels the sign really communicates all of the elements. If people read the sign, it will draw people into the garden. He thanked Mr. Carrio for all his work. Mr. Blanchard called into the meeting to comment that Mr. Carrio has done a lot of work to make sure the sign gets together and appreciates all the work he’s done. The sign looks terrific. (As Ms. Gamage has left the meeting, Mr. Becker is now a voting member.)

**MOTION** by Becker, seconded by Ferriolo, *Moved*, to approve the sign as presented and amended tonight.

Mr. Simon asked if a decision was made on the location of the sign as this was discussed quite a bit at the last meeting. Mr. Carrio said he and Mr. Blanchard looked at the site and brought up a rendering of the proposed location, off the trail where people can stand and not be in the way of the passing bicycles and pedestrians. Mr. Carrio said in addition to the sign, he started tagging individual plants with their common and botanical names and a QR code that takes you to a lot of information about the plant – he’s done six thriving plants so far to test the QR codes to make sure they work. The other plants will be done once he’s had experience of what survives long term. This expense will be covered by the Friends Group. Mr. Becker is a little concerned about the sign placement – it may be a little close to the trail for bicyclists trying to weave around someone in front of them, and asked if there are any standards in place to dictate the minimum space required between a bicyclist and permanent obstruction. Ms. Ford will look into this issue. Ms. Olijnyk thanked Mr. Carrio for all his extra work on the QR codes and names of the plants; she feels this will help people to appreciate the garden even more. Mr. Carrio commented he’s already had a comment from someone that donated to the garden how happy they were to have the QR code and get additional information. Mr. Carrio said he’d revise the sign and asked if he should communicate with the sign shop or if staff should handle, and where the invoice should be sent. Ms. Ford said the bill should be routed through the Commission, and suggested Mr. Carrio deal with the sign shop as he’s been communicating with them and is the most up to date on what needs to be done. He will do so, and ask that an updated proposal with a price be sent himself and staff. Ms. Mungoli asked Mr. Carrio for some suggestions on deer resistant plants. Mr. Carrio said this would be hard as deer don’t always adhere to resistant plants – but will try to offer advice.

Roll Call Vote:

Ayes: Becker, Ferriolo, Mungoli, Pinkham, Sage, Simon, Steele, Stout

Nays: None

**MOTION CARRIED.**

**MANAGER’S REPORT:** In addition to the written report, Ms. Ford indicated she was notified the DNR spending freeze is over for the signage grant, so we are able to proceed with this project.

**COMMISSIONER REPORTS:** No reports given.

**ADJOURNMENT OF SPECIAL MEETING:**

**MOTION** by Mungoli, seconded by Simon, *Moved*, to adjourn the Special Meeting at 7:53 p.m.

Ayes: All      Nays: None

**MOTION CARRIED.**

**NEXT REGULAR MEETING: October 20, 2020 at 7:00 p.m. – Paint Creek Cider Mill**

Respectfully submitted,

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MELISSA FORD, Trail Manager

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DAVID BECKER, Secretary