



4393 Collins Road
Rochester, MI 48306
(248) 651-9260
Paintcreektrail.org

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

CALL TO ORDER: The Tuesday, May 17, 2022 Regular Meeting was called to order by Chairperson Steele at 7:00 p.m.

Voting Members Present: Ken Elwert (*enter 7:05 p.m.*), Linda Gamage, Steve Sage, Donni Steele, David Walker

Voting Alternates Present: Dave Mabry, Martha Olijnyk, Patrick Ross

Non-Voting Alternates Present: David Becker, Carol Morlan (*enter 7:10 p.m.*)

Village of Lake Orion Non-Voting Member Present: Jason Peltier

Voting Members Absent: Brian Blust, Robin Buxar, Aaron Whatley

Alternates Absent: Julia Dalrymple, Ann Peterson, Chris Shepard

Village of Lake Orion Non-Voting Alternate Absent: Jerry Narsh

Others Present: Melissa Ford, Trail Manager, Suzanne Tapia, Administrative Assistant, Louis Carrio, President of the Friends Group, Sandi DiSipio, Recording Secretary

PLEDGE OF ALLEGIANCE: All rose and recited the Pledge.

APPROVAL OF AGENDA:

MOTION by Walker, seconded by Mabry, ***Moved***, to approve the May 17, 2022 agenda as presented.

Ayes: All Nays: None

MOTION CARRIED.

PUBLIC COMMENT: Mr. Tom Capaldi, 4620 Gallagher, Oakland Township, came forward, introduced himself and explained his house backs up to the trail with 457 feet on the trail which was a major factor in purchasing the property 26 years ago as he is an avid user. He knows there is a sign ordinance on the trail, but he wants to put out a For Sale sign. He knows he has to place it 50 feet back from the trail, but the growth is very dense, it's impossible to see the sign from the trail. He is asking if there's a way to move the sign closer for visibility as it's not a permanent structure. He's trying to work with the Commission as last year he granted an easement in front of his property for the Township to put in a safety path. He is happy to go out and meet with a representative to find an agreeable spot for the sign. Ms. Steele said the sign has to be 50 feet from the center of the trail; Mr. Capaldi explained the sign would not be seen, and Ms. Steele said the request is essentially to put the sign on trail property. Mr. Capaldi agreed and said that's why he's making the request, and hopefully the sign will not be up long as he would prefer to sell to someone who has a passion for the trail versus a developer or builder. Mr. Becker is sympathetic to the applicant's needs, but he is very much against signs on public property, and added the trail property right of way can be anywhere from 50 to 90 feet from the center depending on where the property is located. It was suggested the sign be elevated on Mr. Capaldi's property. Mr. Capaldi said he already tried to put it up as high as he could, but the growth prohibits it from being seen.

Ms. Olijnyk suggested this request should be brought to the Licensing Subcommittee. Ms. Steele explained these requests are reviewed by the Subcommittee after an application is filed for the request, they come out to the property and make a recommendation back to the Commission as to whether it would be permitted. Mr. Mabry commented the approval would not be considered for another month, and feels we should allow the request as it probably would not take very long to sell the property given the market, he doesn't see a downside to the request, and is familiar with the easement Mr. Capaldi granted. He suggested the Commission vote on this tonight. Mr. Becker asked the Subcommittee to review the local ordinances because some have restrictions against allowing private signs on public property. Ms. Gamage thanked the applicant for coming before the Commission for permission, and commented we have procedures in place to prevent this from happening based on much discussion we've had in the past, and there is past precedence for not allowing this to happen. The Commission thanked Mr. Capaldi for coming to present his request.

MOTION by Walker, seconded by Gamage, *Moved*, to follow the policies and procedures put in place by the Commission to submit a formal application, have the application reviewed by the Licensing Committee, with a recommendation to the Commission based on the guidelines for a determination.

Roll Call Vote:

Ayes: Elwert, Gamage, Olijnyk, Ross, Sage, Steele, Walker

Nays: Mabry

MOTION CARRIED.

CONSENT AGENDA:

- a. Minutes – April 19, 2022 Regular Meeting, approve and file
- b. Treasurers Report – April 2022, receive and file

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

Roll Call Vote:

Ayes: Elwert, Gamage, Mabry, Olijnyk, Ross, Sage, Steele, Walker

Nays: None

MOTION CARRIED.

APPROVAL OF INVOICES: Ms. Ford presented the list of invoices totaling \$456.53. In addition to the recorder's fee, this amount includes credit card charges for GoToMeeting charges in April and May, a battery for the audio sign, and refreshments for Ms. Gray's Going Away presentation. Estimated unrestricted fund balance is \$93,000. It was suggested other apps could be considered in lieu of GoToMeeting for less cost.

MOTION by Elwert, seconded by Olijnyk, *Moved*, that the invoices presented for payment are approved as presented in the amount of \$456.53 and orders be drawn for payment.

Roll Call Vote:

Ayes: Elwert, Gamage, Mabry, Olijnyk, Ross, Sage, Steele, Walker

Nays: None

MOTION CARRIED.

APPROVAL: Resolution #2022-002 Honoring Chris Gray: Ms. Steele commented last month we did the resolution, the honoring, but a motion was not made to approve.

MOTION by Olijnyk, seconded by Gamage, *Moved*, to approve Resolution #2022-002 Honoring Chris Gray.

Ayes: All Nays: None

MOTION CARRIED.

DISCUSSION/APPROVAL: Oakland County Sheriff's Office 2022-2024 Law Enforcement

Services Agreement with Paint Creek Trailways: A summary memo was included in the packet. Ms. Ford indicated the attorney reviewed the agreement and came up with language to include in section 14.h as discussed last month. The language was sent to the Sheriff's Office and Ms. Ford was told it's not their contract language – she can send them an email and they would

agree to provide the reports. Ms. Ford then met with Lt. Spencer from OCSO to answer the questions the Commission had. They said we could stipulate up to 500 hours but not to exceed whatever amount the Commission determined for this year, and we could adjust the budget for the following two years of the contract. We can switch between mounted and bicycle patrol, but need to give one weeks notice to OCSO. Deputies are paid for their time unloading and prepping horses for patrol as well as time for loading. As long as the Commission specifies in the contract that the deputies can't work more than eight hours in a shift, overtime will not occur. Ms. Ford also included an analysis of the last 10 years of patrol service in her memo; they have never gotten up to 500 hours in a year, and we've always been under budget. The deputies are not able to issue tickets on the trail, they would need to call someone else in to issue tickets. Mr. Walker commented the average over the last ten years is 353 hours and at the new rate of \$26.62, equates to a total cost of \$9,399. We have \$8,115, so we're short \$1,284. Or we could pay for 304 hours of the 353 average, and we're about 48 hours short – we are so close. Ms. Gamage asked how many hours we can get for the amount budgeted this year; Mr. Walker said 304 hours of patrol. **MOTION** by Gamage, seconded by Sage, *Moved*, to approve the 2022-2024 Oakland County Sheriff's Patrol contract for up to 500 hours/year, but not to exceed \$8,115 for this year, and to adjust the budget for the remaining two years of the contract.

Roll Call Vote:

Ayes: Elwert, Gamage, Mabry, Olijnyk, Ross, Sage, Steele, Walker

Nays: None

MOTION CARRIED.

DISCUSSION/APPROVAL: ASTI Environmental – Proposal Ecological Services for Paint Creek Trailway Bridge Replacement:

A summary memo was included in the packet. Ms. Ford indicated we were awarded both grants we applied for, for a total of \$75,000, and another \$1,051 from the Friends Group for this project. Ms. Ford explained if we don't have to do the full mussel survey, all of the expenses should be covered. If we have to complete the survey, we will be approximately \$11,000 short and would be working with the City of Rochester to come up with that balance. The way the grants were structured – we applied for the Community Foundation grant and Rochester had to apply for the Oakland County grant because they are a municipality. Because we are using Rochester's engineering firm, they have the contract they will sign, and the Commission went out on their own to get the environmental firm based on a recommendation from Rochester Hills. So this contract is with the Commission. Ms. Ford spoke with the engineer last week and it was recommended we get this work done as early as possible so we know what's happening if we have to go forward for the additional funds necessary for the full mussel survey. There are also time restrictions when the mussel work can be conducted. Ms. Ford is asking for approval to move ahead with this proposal.

MOTION by Elwert, seconded by Walker, *Moved*, to approve the ASTI Environmental Proposal for Ecological Services for Bridge Replacement at a cost not to exceed \$36,000.

Roll Call Vote:

Ayes: Elwert, Gamage, Mabry, Olijnyk, Ross, Sage, Steele, Walker

Nays: None

MOTION CARRIED.

UPDATE: Tour de Trail: Mr. Louis Carrio, President of the Friends Group came forward with a summary of the event. There is a planning meeting every Wednesday for the event. The event has been advertised considerably and they had a table at the Farmer's Market last week set up in conjunction with the Bike, Lids and Kids. He will have a table set up at the Flower and Art Fest next weekend in Orion in conjunction with Oat Soda promoting the Tour de Trail and Expo event. He's had almost 1,000 hits on the events page, but only 39 registrations so far. Mr. Carrio has received the 50/50 raffle license, the list of exhibitors has been finalized, vendors selected for the event, and the special event license to allow beer sales has been filed with the State, but not yet received. The sponsor drive is in progress, and there have been quite a few people agreeing to

sponsor and he has received over \$2,000 so far. Mr. Carrio is still looking for volunteers and appreciates any help from anyone either by referral or commitment. Upon a question asked if the Cider Mill was approached for sponsorship, Mr. Peltier said they were approached to provide donuts at a reduced rate, but not as a sponsor. Mr. Carrio mentioned the passport that will contain ads and valuable coupons – any business that wants to put in a coupon can do so at no cost, just send a pdf document to him. Mr. Sage mentioned the DDA meeting and asked if they were receptive. Mr. Carrio explained Ms. Pinkham went to this meeting and Mr. Jahn from the Friends Group followed up with communications. The impression Mr. Carrio got was they can only advance our cause within a limited comfort range. Mr. Sage will follow up with the DDA. Mr. Carrio also had a notice put on both Chambers' websites about free coupons for merchants; but is starting to panic about the huge event. Mr. Peltier commented he is not in panic mode as this is a first year event for something new and the goal is to get a framework together and learn from it for future years. Mr. Johnson, who used to run these types of events, did it for himself. Mr. Carrio stated he's doing the event for the trail, not himself or Oat Soda. Because of his dealings with Oat Soda, Mr. Peltier explained Griffin Claw has pulled their sponsorship as he hasn't ordered beer from them in his establishment. He does have New Belgium on board to sponsor; they will have a tent on site and give-aways. Also sponsoring is Athletic Brewing. Mr. Peltier has a lead on a new Belgium fat-tire bike to be raffled off either at this event or in the future. Chairperson Steele put out a call for help as this is the last meeting before the event. Mr. Peltier said they weren't going to do the day-of registration, it will be more of a day-of donation. Ms. Ford said she received some alternate dates for the Dine-to-Donate in June, which will be on a Thursday. It was determined that June 16th is a good date. The Commission thanked Mr. Carrio and Mr. Peltier for all their work towards this event. Ms. Ford will update the flyer and get it to everyone tomorrow.

MANAGER'S REPORT: In addition to the written report, Ms. Ford indicated the Friends Group Ad Hoc Subcommittee met on April 14th, and asked if anyone wanted to summarize the meeting. Ms. Gamage said the Subcommittee consists of Ms. Buxar, Mr. Mabry and herself. They have met a couple of times and met with Mr. Carrio before this meeting. They are talking with other Friends Groups getting ideas about how they are sustainable. They will meet one more time before our next meeting and provide a report and recommendation at that time. Ms. Ford stated we did not get selected by Rep. Slotkin's office for the submitted projects. Regarding the Bridge 33.7 MNRTF grant, she ran into a small problem with the final report. Ms. Ford explained the document that needed to be notarized was signed in the wrong place by the notary. When presented at the County Deed of Records office, it was noted the legal description of the property did not close. Ms. Ford will take the parcel description that the County has on record and work from there to get it corrected. Once this is approved, the commission will receive the final reimbursement of \$30,000. Two \$100 donations were received at the Community Foundation towards our fundraising effort. Orion Township completed the grading of its section of the trail on May 10th, and Oakland Township graded their section yesterday. Ms. Ford has commitments from the other two members that they will grade as time and staffing allows. Ms. Ford commented less complaints have been received this year about trail conditions. The spring Adopt-A-Trail groups have been out for their clean-ups. Ms. Gamage suggested the Adopt-A-Trail groups be contacted as volunteers for the Tour de Trail event.

COMMISSIONER REPORTS: Mr. Becker said Rochester ordinances do not permit advertising on the trail without permission from the Commission and asked the Licensing Committee to review Oakland Township's ordinances. Mr. Peltier asked Rochester Hills to reach out to Griffin Claw about pulling their sponsorship and commitment at the last minute for the event. Mr. Ross said Orion removed the old signs at Clarkston/Kern and asked if they could be sold – they have room to store them until a decision is made. The Branding Committee was

asked to come up with a price to purchase the old signs. Mr. Elwert alerted the Commission to an upcoming grant opportunity through the State DNR offices; it should be announced in the next few weeks. Ms. Gamage mentioned the new mural on Rochester's maintenance building, and talked with the City's Beautiful Commission, who is looking for their next project. She mentioned the southeast Rochester property, and that the posts on the historic signs in Rochester are in need of some attention. Ms. Gamage asked that any complaints relative to e-bikes are included in the Manager's Report, and is curious if any calls have been received about the one-wheels which are sometimes on the trail. Ms. Ford has not received any complaints.

ADJOURNMENT OF REGULAR MEETING:

MOTION by Walker, seconded by Gamage, *Moved*, to adjourn the Regular Meeting at 8:20 p.m.
Ayes: All Nays: None **MOTION CARRIED.**

NEXT REGULAR MEETING: June 21, 2022 at 7:00 p.m. – Rochester Municipal Offices

Respectfully submitted,

MELISSA FORD, Trail Manager

DAVID BECKER, Secretary

Draft