

## **CALL TO ORDER**

The June 21, 2018 Safety Path Ordinance Workshop of the Charter Township of Oakland Board of Trustees was called to order by Supervisor Bailey at 7:05 PM in the Township Hall, 4393 Collins Rd., Rochester, MI.

## **PLEDGE OF ALLEGIANCE AND ROLL CALL**

Supervisor Bailey led the reciting of The Pledge of Allegiance.

Clerk Reilly called the Roll.

Members Present: Michael Bailey, Supervisor  
Karen Reilly, Clerk  
Jeanne Langlois, Treasurer  
Robin Buxar, Trustee  
Frank Ferriolo, Trustee  
John Giannangeli, Trustee  
Lana Mangiapane, Trustee

Absent: None

Also Present: Dale Stuart, Township Manager  
Cari Neubeck, Deputy Clerk

A quorum was present.

## **AMENDMENTS/APPROVAL OF THE AGENDA**

MOTION by Langlois, supported by Mangiapane to approve the agenda as presented.

Motion carried unanimously.

## **RATIONALE FOR SAFTY PATH ORDINANCE**

Supervisor Bailey gave comments on the rationale for a Safety Path Ordinance.

## **PUBLIC COMMENT ON SAFETY PATH ORDINANCE DRAFT**

The Board heard a presentation from:  
Doug Golla – 3213 Saint James Ct.  
Libby Dwyer – Chairman, Safety Path and Trails Committee

The Board heard comments from:  
Marie Aratari – 2532 Stoneykirk Ct.

MOTION by Langlois, supported by Buxar to allow for Board comments on Items #4 (Rationale for Safety Path Ordinance) & #5 (Public Comment on Safety Path Ordinance Draft) before proceeding.

Vote on the motion: Ayes: Buxar, Langlois, Reilly  
Nays: Mangiapane, Bailey, Ferriolo, Giannangeli

Motion failed for lack of support.

## **DISCUSSION OF EACH SECTION**

### **1. Section 1- Title**

The Board held a discussion regarding this agenda item with the following comments:

Ferriolo – Safety Path Ordinance includes Sidewalk references. Recommends changing the title to Sidewalk and Safety Path Regulation.

Langlois – agrees with combining, however more of the Sidewalk Ordinance needs to be incorporated into the Safety Path Ordinance.

The Board heard public comment from:  
Dean Watson – 5763 Wellwood Dr.

### **2. Section 2 - Purpose**

The Board held a discussion regarding this agenda item with the following comments:

Giannangeli – questioned on #7 whether “*penalties*” should be changed to remedies. After further Board discussion he was satisfied with penalties.

The Board heard public comment from:  
Libby Dwyer – Chairman, Safety Path and Trails Committee  
Dean Watson – 5763 Wellwood Dr.  
Ron Hein – 5859 Murfield Dr.

### **3. Section 3 - Definitions**

The Board held a discussion regarding this agenda item with the following comments:

Jeanne Langlois – under the term *Safety Path Plan*, the Safety Path and Trails never undertook the task of creating an official map to be used for these purposes. The maps created by the SPTC are vision maps. Recommends requesting this of the SPTC with final approval by the Board. The current map needs to be reviewed contemplating liability with the paths.

Frank Ferriolo - disagreed with Langlois. The Board recently approved a Master Plan for Safety Path and Trails which included current paths.

He further commented that under the term *Sidewalk and Safety Path/Trails*, that Path and Trails should be split so that trails is a separate idea.

Lastly under *Sidewalk and Safety Path/Trails*, he suggested under #1 after ... *that such pathways....*, the following be inserted: "located on the outer perimeter of a subdivision adjacent to a public road".

Robin Buxar – suggested that Ferriolo’s comments are too restrictive. Safety paths are not necessarily just outside of a subdivision.

Jeanne Langlois – suggests the Township Attorney to take a closer look at this section.

The Board heard public comment from:

Ron Hein – 5859 Murfield Dr.

Libby Dwyer – Chairman, Safety Path and Trails Committee

John Markel – 245 Birch Hill Dr.

Dean Watson – 5763 Wellwood Dr.

#### **4. Section 4 – Safety Path Development**

The Board held a discussion regarding this agenda item with the following comments:

Jeanne Langlois – suggested that the first paragraph under *Safety Path Development*, refers to an *Advisory Committee*; this should be changed to reflect the Safety Path and Trails Committee.

The Board heard public comment from:

Dean Watson – 5763 Wellwood Dr.

#### **5. Section 5 – Safety Path Implementation/Developer’s Responsibilities**

The Board held a discussion regarding this agenda item with the following comments:

Jeanne Langlois – she stated under Item A.; this is inconsistent with earlier paragraphs, the Township Attorney needs to review with earlier language comments.

John Giannangeli – under Item B.; "*In lieu of constructing the pathway, and only with the recommendation of the Planning Commission*", suggested that "*and only with the recommendation*" be removed and to read "... with the review of the Planning Commission".

The Board heard public comment from:

John Markel – 245 Birch Hill Dr.

Ron Hein – 5859 Murfield Dr.

## **6. Section 6 – Safety Path Construction Standards**

The Board held a discussion regarding this agenda item with the following comments:

Frank Ferriolo – under Item B.; it states “...*ten (10) feet in width...*” in Exhibit 1, Design Types it states eight feet. It needs to be consistent.

Also within Item B.; considering repairs, should the term “grandfathering” be appropriate?

The Board heard public comment from:

Libby Dwyer – Chairman, Safety Path and Trails Committee

Ron Hein – 5859 Murfield Dr.

John Markel – 245 Birch Hill Dr.

Dean Watson – 5763 Wellwood Dr.

## **7. Section 7 – Safety Path Maintenance and Repair**

The Board held a discussion regarding this agenda item with the following comments:

Frank Ferriolo – in Subsection IV. – regarding civil infraction, he suggests that only be used under the circumstance of malicious intent. Suggests that under normal circumstances that it be similar to the current Sidewalk standards.

He further questioned under Item F. – he suggested removing five percent (5%).

Robin Buxar - in Subsection IV. – should “... *or individual property owner*” be removed leaving only “...*responsible party*”.

The Board heard public comment from:

Ron Hein – 5859 Murfield Dr.

Libby Dwyer – Chairman, Safety Path and Trails Committee

## **8. Section 8 – Sidewalk Maintenance and Repair**

The Board held a discussion regarding this agenda item with the following comments:

Frank Ferriolo – again commented as in Section 1, that this area could possibly be combined as iterated earlier in Section 1. Suggested the Township Attorney to review.

The Board heard public comment from:

Libby Dwyer – Chairman, Safety Path and Trails Committee

Dean Watson – 5763 Wellwood Dr.

### **9. Section 9 – Private Maintenance and/or Repair of Sidewalks**

The Board held a discussion regarding this agenda item with the following comments:

Frank Ferriolo – commented under Item C., “.... *sidewalk or safety path...*” when referenced under *Repair of Sidewalks*, this section like several others, needs to be combined or removed. Suggests Township Attorney to review.

### **10. Prohibition of Obstruction of Sidewalks and Safety Paths**

The Board held a discussion regarding this agenda item with the following comments:

Robin Buxar – this section as well may need to be separate. Township Attorney needs to review and give a recommendation.

### **11. Safety Path Signage**

The Board held a discussion regarding this agenda item with the following comments:

Robin Buxar – mentioned that the Board may benefit from the Paint Creek Trailways regarding signage.

The Board heard public comment from:

Libby Dwyer – Chairman, Safety Path and Trails Committee

Ron Bawol – 2795 Antrim Ct.

Ron Hein – 5859 Murfield Dr.

### **12. Safety Path Contribution and Financing**

This item was not addressed.

### **13. Section 13 – Severability**

This item was not addressed.

### **14. Section 14 – Violation and Penalties**

This item was not addressed.

### **15. Section 15 – Effective Date**

This item was not addressed.

## **ADJOURNMENT**

MOTION by Langlois, supported by Buxar to adjourn the meeting at 8:58 PM.

Motion carried unanimously.

**NEXT SCHEDULED MEETING**

Tuesday, June 26, 2018 at 7:00 P.M.  
Oakland Township Hall – 1<sup>st</sup> Floor Meeting Room

Respectfully submitted,

Approved,

Karen Reilly, Clerk  
Board of Trustees

Michael Bailey, Supervisor  
Board of Trustees