

CALL TO ORDER

The July 18, 2018 Safety Path Ordinance Workshop of the Charter Township of Oakland Board of Trustees was called to order by Supervisor Bailey at 7:00 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
Dan Kelly, Township Attorney
Don Mende, Township Planning Coordinator
Cari Neubeck, Deputy Clerk

A quorum was present.

AMENDMENTS/APPROVAL OF THE AGENDA

The Board discussed as per normal practice, to add the following: Public Comment for items not on the Agenda before and after the Board Discussion on Sections 12-15.

MOTION by Buxar, supported by Ferriolo to approve the agenda as amended.

Motion carried unanimously.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

The Board heard public comment from:
Ron Hein – 5859 Murfield Dr.

PROTOCOL FOR THE MEETING

Supervisor Bailey stated the protocol for the workshop.

BOARD COMMENT ON SAFETY PATH ORDINANCE

There were no comments.

BOARD DISCUSSION ON SECTIONS 12-15

1. Section 12 – Safety Path Contribution and Financing

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

Supervisor Bailey – questioned the origin of the 25% and \$50,000 ceiling for reimbursement contribution.

He later stated our focus should be on whether or not the township should subsidize for public safety paths that have been maintained by homeowners.

He commented that in his view, that Section 12. (1) is fair to the entire township. They are public safety paths and are available to all residents.

Trustee Ferriolo – stated the Board needs to address whether or not it agrees to contribute anything towards the maintenance of safety paths that the township does not own. Secondly, should the Board decide to contribute the next step would be to decide how much. Lastly, a decision will need to be made as to where the monies will come from.

He further stated that the township should do something towards reimbursing the HOA's.

Trustee Mangiapane – referenced and read the current Safety Path and Trails Network millage.

Treasurer Langlois – commented that the financing should have been discussed prior to the draft. She is of the opinion that we do not need to do this.

Trustee Giannangeli – the safety paths are public works that can be used by anyone in the township. However some taxpayers are forced to maintain these paths under certain standards. If they are not maintained to those standards they face fines, liens and possible imprisonment.

The current millage states for maintenance of safety paths, the funds can be possibly used for reimbursement purposes.

Clerk Reilly – commented she is not interested in funding the HOA's safety paths.

Trustee Buxar – spoke regarding to the chart Trustee Ferriolo submitted to the Board. She stated there may be potential issues with reimbursement requests.

Current Sidewalk Ordinance is actually perhaps better than the lengthy draft we are currently looking at.

The Board heard public comment from:

Ellen Clayton – 5045 Cloisters Blvd.

Bob Zocco – 5044 Claremont Blvd.

Terry Gonser – 4200 Heron St.

Steve Gedeon – 2534 Stoneykirk Ct.

Ron Hein – 5859 Murfield Dr.

John Markel – 245 Birch Hill Dr.

Dean Watson – 5763 Wellwood Dr.

Libby Dwyer – 1234 Lake George Rd.

MOTION by Ferriolo, supported by Giannangeli to contribute something towards the HOA's in support of their efforts in maintaining safety paths in the township.

MOTION by Buxar, supported by Langlois to call to question.

Motion carried unanimously.

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

Motion carried 4/3.

The Board recessed at 8:34 PM.

The Board reconvened at 8:40 PM.

Supervisor Bailey suggested postponing Section 12, Items B & C, due to lack of information and moving on to Section 13.

2. Section 13 - Severability

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

Trustee Buxar – suggested referring to the original Sidewalk Ordinance that is in effect, work on adding contributions and financing, and scrap the draft ordinance altogether.

She further stated the Board as a whole did not solicit the attorney to write this ordinance.

Trustee Ferriolo – disagreed with Trustee Buxar's comments, and recommended going forward to finish what has been started.

Treasurer Langlois – stated that it was mentioned at the first workshop to revert back to the original Sidewalk Ordinance and to incorporate safety paths in to it where applicable. She is in favor of doing this.

Supervisor Bailey – mentioned that the objective of the township attorney in developing the safety path ordinance was an attempt to combine both the existing Sidewalk Ordinance along with including current safety path regulations.

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

3. Section 14 – Violation and Penalties

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

Trustee Giannangeli – stated in his opinion this section is too onerous.

Trustee Ferriolo – commented that with regard to malicious destruction of the safety paths or sidewalks, the municipal infraction should apply. He does not want to see the malicious destruction portion be eliminated from this ordinance.

He further stated he agreed with Trustee Giannangeli, and the remainder of this section is too onerous.

The Board heard public comment from:
Dean Watson – 5763 Wellwood Dr.
John Markel – 245 Birch Hill Dr.

4. Section 15 – Effective Date

The Board held a discussion regarding this agenda item.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

The Board heard public comment from:
John Markel – 245 Birch Hill Dr.
Dean Watson – 5763 Wellwood Dr.

ADJOURNMENT

MOTION by Buxar, supported by Ferriolo to adjourn the meeting at 9:11 PM.

Motion carried unanimously.

NEXT SCHEDULED MEETING

Tuesday, July 24, 2018 at 7:00 P.M.
Oakland Township Hall – 1st Floor Meeting Room

Respectfully submitted,

Approved,

Karen Reilly, Clerk
Board of Trustees

Michael Bailey, Supervisor
Board of Trustees