



## MINUTES

### SPECIAL MEETING OF THE VILLAGE COUNCIL - SIDEWALK IMPROVEMENT PROGRAM

Thursday, January 09, 2025

6:00 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

#### 1. Call to Order

The January 9<sup>th</sup>, 2025 Village Council Special Meeting was called to order at 6:00 PM by President Rutt.

#### 2. Pledge of Allegiance

#### 3. Roll Call and Determination of Quorum

##### PRESENT

President Teresa Rutt

President Pro Tem Stan Ford

Council member Carl Cyrowski

Council member Nancy Moshier

Council member Michael Lamb

Council member George Dandalides

Council member Alex Comparoni Jr

##### STAFF PRESENT

Village Manager Darwin McClary

DPW Director Wes Sanchez

Deputy Clerk/Treasurer Lynsey Blough

**PURPOSE OF SPECIAL MEETING:** The purpose of the Special Meeting of the Lake Orion Village Council is to review, discuss, and formulate a proposed perpetual sidewalk improvement program for the Village.

#### 4. Call to the Public

None.

#### 5. Other Items

## A. Sidewalk Improvement Program

Village Manager McClary started by reminding the Village Council that the January 9<sup>th</sup> Sidewalk Improvement Program Special Meeting is focused on discussing the policy, and discussing the 1<sup>st</sup> district in detail for this year.

He then provided an overview to the Village Council regarding the policy in sections and provided some key points to establish Rules and Regulations:

- **Location of Sidewalks:** The goal is to determine where the Village Council would like to close the gaps, improve walkability, and eliminate safety hazards.
- **Sidewalk Specifications:** The intention is to follow Chapter 6 of the Engineering Design and Construction Standards.
- **Sidewalk Maintenance Responsibility:** Under the Village Charter and Ordinance, the property owner is responsible for all costs associated with the maintenance of abutting sidewalks.
- **Repair/Replacement of Sidewalks:** Any sidewalk that needs to be removed or replaced will be determined by the Village Administration. Ramping is not acceptable, and mud jacking will not be performed by the Village. Council member Moshier asked for clarification on mud jacking, and Village Manager McClary explained that it involves drilling small holes in the concrete and injecting a limestone, liquid-like material to lift and level the slab.
- **Sidewalk Repair/Replacement Criteria Guidelines:** Every sidewalk should be reevaluated every three years. If a concrete sidewalk does not exist through an asphalt driveway, a new sidewalk must be installed to maintain continuity. President Rutt asked for clarification regarding a smooth transition from sidewalk to driveway to sidewalk. Village Manager McClary responded that he would leave it to the Village Council's discretion to decide whether replacement is necessary if the existing driveway is in poor condition and not level with the sidewalk. Council member Lamb inquired if the Village Manager has the discretionary power to modify the terms or guidelines, to which Village Manager McClary replied that he does not. Council member Lamb then pointed out two sections in the 2013 Village Engineering Design and Construction Standards—Chapter 6, Section 5.2.F and Chapter 6, Section 5.3.B.3—that may require modification. Mr. McClary responded that the current Village Engineers are updating the standards to reflect what is most appropriate for the community
- **Conditions Justifying Sidewalk Installation or Replacement:** Village Manager McClary pointed out that a ½ inch gap is better for the senior community. The DPW Director mentioned that the ADA standard is ¼ inch. Council member Dandalides asked for clarification on alligator cracking, while President Rutt requested clarification on the definitions of “cracks that are not tight” and “spalled areas.”
- **Deterioration Description and Details:** Council member Moshier asked where heaving caused by tree roots would fall under. DPW Director Sanchez explained that they use Silversmith to identify and flag sidewalks affected by tree root issues. He also outlined the descriptions DPW uses for sidewalk issues: (1) cracking, (2) spalling, (3) uneven surface, (4) pitting, (5) heaving, (6) settling, (7) water pooling, and (8) alligator cracking.

Pro Tem Ford asked for clarification on whether the tree is located on the house side of the sidewalk or between the sidewalk and the street. Village Manager McClary responded that it is still the responsibility of the property owner, but if the Village Council decides to change the policy and make it the Village's responsibility to cover the costs, that would be acceptable. Further discussion about tree maintenance followed. If a property owner wishes to cut the tree, they can request permission from the Village Council at their own expense. Mr. McClary noted that there is language stating the Village would be responsible for any work deemed necessary by the Village.

- **Property Owner Costs:** The Village will add a 10% administrative fee, which will be reflected in the next update to the Municipal Fee Schedule. If the Village decides to shorten the program from 6 years to 3, the property owner will need to pay within 3 years. Council member Moshier asked how property owners would be informed about the special assessment. Village Manager McClary responded that a notice would be sent for a Needs Public Hearing, followed by a second notice regarding the Special Assessment Roll Public Hearing. This allows property owners to voice their feedback and concerns. These hearings are required by the Village Charter. Council member Dandalides asked for clarification on the rating system, suggesting it should be 0 = bad or 1 = good, to which Council member Lamb agreed.
- **Village Costs:** The Village shall pay for all expenses associated with sidewalk handicap ramps at street intersections.
- **Sidewalk Improvement Districts:** This section was skipped since there had been a discussion earlier.
- **Sidewalk Improvement Fund:** The Village Council will need to decide how much money to allocate from the General Fund to start the program. A pool of funds must be available to cover the first year of the program until payments begin coming in from the property owners. Mr. McClary has appropriated \$30,000 for the program and recommended the same amount to the Village Council. Council member Cyrowski asked if it would be possible to set a maximum reimbursement limit and further discussions followed.
- **Administrative Procedure:** This section outlines how the Village will administer the program.
- **Sidewalk Repair Program Warranty Policy:** Mr. McClary noted to add language to the policy stating that the contractor shall date-stamp a sidewalk slab.

To recap the changes to the policy, the Village Council will add language to the Sidewalk Repair/Replacement Criteria Guidelines stating that if a concrete sidewalk does not exist through an asphalt driveway, the installation of the sidewalk will be required unless the Village Administration determines otherwise. Additionally, language will be added under the Village Cost section specifying that the Village will be responsible for any work deemed necessary for Village trees. Finally, date stamping by the contractor will be added under the Sidewalk Repair Program Warranty Policy.

## 6. Call to the Public

None.

**7. Adjournment**

**MOTION** made by Council member Cyrowski, Seconded by Council member Moshier, to adjourn the January 9<sup>th</sup>, 2025 Village Council Special Meeting.

**VOTING YEA:** Rutt, Ford, Cyrowski, Moshier, Lamb, Dandalides, Comparoni Jr

**VOTING NAY:** None

**ABSENT:** None

**MOTION:** Carried

The January 9<sup>th</sup>, 2025 Village Council Special Meeting adjourned at 7:32 PM.

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Teresa Rutt  
President

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Sonja Stout  
Village Clerk/Treasurer

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Lynsey Blough  
Deputy Clerk/Treasurer

Date Approved: as presented on January 27, 2025.