

Summary of Citizen Responses Received Regarding Proposed Sidewalk Ordinance Change and Resolution to Accept 33 Sidewalks for Public Use

Letters were sent to residents adjacent to pathways affected by the Resolution proposed for the July 1, 2013 City Council Meeting, inviting them to the public question & answer session, held on June 27th. Attendees at the meeting were primarily from properties adjacent to paths that led to Parks or to Public School properties.

Below is a summary of comments received at the meeting as well as via e-mail in advance of the meeting:

General Comments:

Adjacent property owners generally reported that they did not want the additional snow removal responsibilities.

Multiple residents expressed concerns over how the responsibility for snow removal on the paths would be divided up amongst adjacent property owners.

Some adjacent residents raised concerns that they would be taking on liability, and how liability would be divided between adjacent property owners.

Residents adjacent to paths leading to schools reported that the Public Schools currently plow many of these paths. There was general concern amongst these residents that the schools could stop plowing them, which would place the burden for snow removal on the adjacent property owners.

It was contended by many of the residents adjacent to paths leading to schools that these paths exist solely for the good of students going to the schools, and should therefore be the responsibility of the Public Schools. It was suggested that these paths be "given" to the schools.

Some schools put up signs restricting hours of use, "clean up after your dog", "no alcohol", etc., which would imply that the Public Schools have claimed some ownership over the paths.

It was contended that the paths leading to schools actually lead to private property. If the public schools ever sold their property, then the paths would truly lead to private property and not be usable by the public.

Why are the schools not considered an adjacent property owner? Why are they not formally participating in maintenance of the walks?

Multiple residents expressed concern that if the Sidewalk Millage is not passed again in the future, then they will be saddled with additional repair responsibilities. In some cases, they would be responsible for repairs on asphalt paths or wider-than-typical sidewalks.

Additional responsibility for adjacent walks could have an adverse effect on property values.

Are there other ways the City could find to be able to use the Sidewalk Millage to make repairs to these paths without putting undue burdens on the adjacent property owners?

There was a general consensus amongst attendees at the public meeting that City Council should postpone voting on these items until further discussion can be had and more details can be worked out.

Comments on Specific Paths:

PED 0001 (Washtenaw to Adare): Adjacent property owner feels that these paths should be treated exactly like road right-of-way. City is already shoveling this path.

PED 0005 and PED 0006 (off Ardenne): The Orchard Hill Maplewood Homeowner's Association requested copies of the information and maps for the affected walks in their neighborhood. No specific comments were given.

PED 0014 (Dicken Drive to Dicken Elementary) Adjacent property owner complaining of drainage problems from adjacent school property. Will this change mean that they are liable for icing problems in the winter?

PED 0015 (Frederick Dr. to Greenbriar Park) Mr. O'Hanian, who lives adjacent to this walk asked that it be noted that he was "extremely angry" and indicated that he would seek legal recourse should the ordinance amendment and resolution pass. Because the sidewalk is not physically located on his property and, he believes, serves a different type of function than the sidewalk in front of his home, he stated that he could not be held responsible for its care. He indicated that there are rotten timbers in this path that need repair.

PED 0021 (Northwood to Eberwhite School): There is currently a fence along both sides of this path, which appears to have been put up by the school. If this path becomes a "sidewalk" would this fence even meet code? (Fences would not be allowed between the property and the sidewalk running parallel to the street). The adjacent property owner also indicated that he had received notices from the City in the past for not shoveling the walk.

PED 0022 (Northwood to Fritz Park): Adjacent homeowner contends that it would not make any sense for her to shovel the path to this park, as there is no winter maintenance within the park. Cross country skiers use the park and would prefer the path to be unshoveled anyway. There is also a fence bordering the walk, and therefore no place to put the snow.

PED 0028 (Wembey Ct. to S. Seventh Street): Residents adjacent to this path expressed interest in having the path removed and dividing up the property among adjacent residents. Current actions proposed to Council would not prevent them from pursuing this in the future.

PED 0041 & 0042 (Glazier Way/Earhart area): Snow clearing by adjacent residents is hit or miss. These paths are asphalt and 10' wide. The local Homeowners Association approached the City several years ago to determine who owned these paths. No response was received, so the homeowner's association ended up paying to have them repaved.

PED 0052 (Circle Drive to Haisley Elementary): School currently clears this path and has posted signs along it.

PED 0066 (Packard to Ember Way): Adjacent property owners report that this is an extra wide path, and the City currently shovels it. It was noted that the Homeowners Association in this area is responsible for repairs, per development agreement.

PED 0067 (Easy Street to Buhr Park): adjacent property owners reported that the City has already been plowing these walks. Field Services confirmed that this is the case and that they have no issue with continuing this practice as a policy. The adjacent homeowners still expressed concern that that policy could change in the future or, that should the sidewalk millage fail in the future, they could be responsible for expensive repairs to these walks. It was also noted the Parks repaved and widened this asphalt path when they did renovations to Buhr Park.