



CITY of NOVI CITY COUNCIL

**Agenda Item E
May 19, 2014**

SUBJECT: Adoption of a Resolution of Support for the installation of an overhead flashing beacon by the Road Commission for Oakland County at the intersection of Ten Mile Road and Napier Road.

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division *BC*

CITY MANAGER APPROVAL: *[Signature]*

EXPENDITURE REQUIRED	\$5,000
AMOUNT BUDGETED	\$5,000
LINE ITEM NUMBER	204-204.00-863.509

BACKGROUND INFORMATION:

The intersection of Ten Mile Road and Napier Road has been identified as safety concern by motorists and staff. The intersection was listed as a high causality intersection in the 2012 evaluation of intersections in Novi, which means that the ratio of fatal and non-fatal injury crashes divided by the number of crashes was higher than the average casualty rate for other similar intersections in the region. The Road Commission for Oakland County's (RCOC) Transportation Improvement Plan (TIP) shows that Napier Road (between Nine Mile Road and Ten Mile Road) will be paved in 2017. It is our understanding that a traffic signal at Ten Mile/Napier intersection will be included with that project. Both Napier Road and Ten Mile Roads are under the jurisdiction of RCOC.

In the meantime and based on direction from City Council, Engineering staff, along with officials from Lyon Township, requested that RCOC identify shorter term solutions to the safety concerns at the intersection. In response, RCOC traffic safety engineers have scoped the installation of an overhead flashing beacon (centered on the intersection and flashing red for Napier, amber for Ten Mile) that would help warn motorists of the approaching intersection. The estimated cost of the installation would be \$15,000, which would be split evenly between RCOC, the City of Novi, and Lyon Township.

Staff has prepared the attached resolution of support for consideration by City Council to accompany the signal agreement that has been reviewed and approved by the City Attorney and can be signed by the Interim City Manager.

RECOMMENDED ACTION: Adoption of a Resolution of Support for the installation of an overhead flashing beacon by the Road Commission for Oakland County at the intersection of Ten Mile Road and Napier Road.

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

	1	2	Y	N
Council Member Markham				
Council Member Mutch				
Council Member Wrobel				

CITY OF NOVI

COUNTY OF OAKLAND, MICHIGAN

RESOLUTION OF SUPPORT

TEN MILE ROAD AND NAPIER ROAD INTERSECTION
OVERHEAD FLASHING BEACON INSTALLATION

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on _____, _____, at ____o'clock P.M. Prevailing Eastern Time.

PRESENT: Councilmembers_____

ABSENT: Councilmembers_____

The following preamble and Resolution were offered by Councilmember _____and supported by Councilmember _____.

WHEREAS; the intersection of Ten Mile Road and Napier Road has been identified as a safety concern by the public and City staff; and,

WHEREAS; the intersection is completely under the jurisdiction of the Road Commission for Oakland County; and,

WHEREAS; a project that will include paving the gravel portion of Napier Road between Nine Mile Road and Ten Mile Road, and safety improvements and installation of a traffic signal at the intersection of Ten Mile Road and Napier Road is planned by the Road Commission for Oakland Count in 2017; and,

WHEREAS; a near term improvement has been identified by the traffic safety engineers at the Road Commission for Oakland to better warn drivers approaching the intersection.

NOW THEREFORE, IT IS THEREFORE RESOLVED that Mayor and Council of the City of Novi support and authorize participation in the installation of an overhead flashing beacon at the intersection of Ten Mile Road and Napier Road as a short-term safety improvement at this intersection.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Maryanne Cornelius, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this ____ day of _____, 2014, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Maryanne Cornelius, City Clerk
City of Novi

MEMORANDUM



TO: VICTOR CARDENAS, INTERIM CITY MANAGER
FROM: ROB HAYES, DIRECTOR OF PUBLIC SERVICES/CITY ENGINEER
SUBJECT: TEN MILE/NAPIER INTERSECTION
DATE: APRIL 16, 2014

To: Mayor & Council -
FYI
Viz

This memorandum provides a brief update on progress in getting a short-term improvement implemented at the referenced intersection.

RCOC traffic safety engineers have scoped the installation of an overhead flashing beacon (centered on the intersection and flashing red for Napier, amber for Ten Mile) that would help warn motorists of the approaching intersection. The estimated cost of installation would be \$15,000, which would be split evenly between RCOC, the City of Novi and Lyon Township. Lannie Young, Lyon Township Supervisor, indicated that he will present the Township's \$5,000 cost share at his board's next meeting.

* Once we know RCOC's plan for implementing this improvement, we will provide another update.

cc: Brian Coburn, Engineering Manager
Carl Johnson, Finance Director
David Molloy, Director of Public Safety/Chief of Police



JOHNSON ROSATI SCHULTZ JOPPICH PC

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Elizabeth Kudla Saarela
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May 7, 2014

Brian Coburn, Engineering Manager
Public Services – DPW Garage
26300 Delwal Drive
Novi, MI 48375

**RE: *Agreement with Road Commission for Oakland County
Ten Mile and Napier Road – Overhead Signal Flashers***

Dear Mr. Coburn:

Our office has reviewed the proposed Agreement prepared by RCOC with respect to sharing the cost of installing and maintaining the overhead signal flasher at the intersections of Ten Mile and Napier Road. The City of Novi, Lyon Township and the RCOC will each pay \$5,000 constituting 1/3 of the total cost of installation. RCOC will also pay for energy billings and/or leased line interconnection billings as well as all ongoing maintenance.

We note, like previous agreements between the City and RCOC, the Agreement requires the City to indemnify and hold harmless the County for claims relating to the traffic control device in the event that device is located on a road or street *other than a county road*. The County has previously declined to revise or remove the provision. Because both Ten Mile and Napier Wixom Road are both County roads, this provision is not applicable to this project.

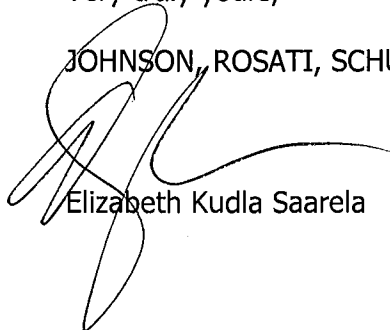
Based on the above, we see no legal impediment to entering into this Agreement and the City Manager may execute the Agreement based in accordance with the City's policy for execution of contracts.

Brian Coburn, Engineering Manager
May 7, 2014
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If you have any questions regarding the above, please do not hesitate to contact me.

Very truly yours,

JOHNSON, ROSATI, SCHULTZ & JOPPICH, P.C.

A handwritten signature in black ink, appearing to read 'Elizabeth Kudla Saarela', is written over the printed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Elizabeth Kudla Saarela

EKS/sls
Enclosure

C: Maryanne Cornelius, Clerk (w/Enclosure)
Rob Hayes, DPS Director (w/Enclosure)
Thomas R. Schultz, Esquire (w/Enclosure)

**STATE OF MICHIGAN
BOARD OF COUNTY ROAD COMMISSIONERS
OAKLAND COUNTY
AGREEMENT FOR TRAFFIC CONTROL DEVICE**

Type of Work: TRAFFIC SIGNAL FLASHER INSTALLATION

Location: Ten Mile Road and Napier Road, Overhead Signal Flashers

**Signal No: 1342
Date Effective:**

Under authority of state law and by virtue of resolution formally adopted by their respective governing bodies, the under-signed hereby agree to participate in the cost of installation, maintenance and operation of the above traffic control device on the basis of the following division of costs. (Title to equipment shall remain with the purchasing agency, unless purchased for roads not under the jurisdiction of the Board of County Road Commissioner.) The proportionate share of all costs are to be billed monthly. This agreement is terminable on thirty days written notice by any party.

DIVISION OF COSTS

AGENCY	INSTALLATION		MAINTENANCE Percent
	Percent	Estimated Cost	
RCOC	33 ¹ / ₃ %	\$ 5,000	100 %
City of Novi	33 ¹ / ₃ %	\$ 5,000	0 %
Charter Township of Lyon	33 ¹ / ₃ %	\$ 5,000	0 %
Total	100 %	\$ 15,000	100 %

It is further agreed that the agency responsible for payment of energy billings and/or leased line interconnection billings included in maintenance costs, shall be the ROAD COMMISSION FOR OAKLAND COUNTY.

It is further agreed that the agency responsible for making original and replacement installations and performing maintenance shall be the ROAD COMMISSION FOR OAKLAND COUNTY.

"In the event the traffic control device referred to in this agreement is located on a road or street that is not under the jurisdiction of the Road Commission for Oakland County, the authority having the jurisdiction over the road or street hereby agrees to save harmless, indemnify, represent, and defend the Road Commission for Oakland County from any and all claims, demands, or suits arising out of or relating to the installation, maintenance and operation of the traffic control device which is the subject matter of this agreement."

"In the event the traffic control device referred to in this agreement is located on a road or street that is under the jurisdiction of the Road Commission for Oakland County and by virtue of this agreement will be maintained by an agency other than the Road Commission for Oakland County, then and in that event the said agency hereby acknowledges that it is undertaking the Road Commission for Oakland County's duty to maintain the said traffic control device and further agrees to provide insurance coverage protecting the Road Commission for Oakland County."

APPROVED:	APPROVED:	APPROVED:
ROAD COMMISSION FOR OAKLAND COUNTY	CITY OF NOVI	CHARTER TOWNSHIP OF LYON
Date _____	Date _____	Date _____
By _____ Danielle Deneau, P.E.	By _____	By _____
<u>DIRECTOR OF TRAFFIC-SAFETY</u> Title of Authorized Official	_____ Title of Authorized Official	_____ Title of Authorized Official

*Certified copy of resolution must be submitted with this form for new installations.

Board of Road Commissioners

Ronald J. Fowkes
Commissioner

Gregory C. Jamian
Commissioner

Eric S. Wilson
Commissioner

Dennis G. Kolar, P.E.
Managing Director

Gary Piotrowicz, P.E., P.T.O.E.
Deputy Managing Director
County Highway Engineer

April 28, 2014

Mr. Brian T. Coburn, P.E.
City of Novi
Engineering Department
45175 W. Ten Mile Road
Novi, MI 48375

**Re: RCOC Agreement for Traffic Control Device
Signal Flasher at Ten Mile Road & Napier (Co. # 1342)**

Dear Mr. Coburn:

The Road Commission for Oakland County (RCOC) has proposed the installation of an overhead traffic signal flasher for the intersection of Ten Mile Road and Napier Road on the border between the of City of Novi and the Charter Township of Lyon. This is an interim plan to improve the safety at the intersection until such time that the project to widen the intersection and install a completely functioning traffic signal comes to fruition.

Discussions with officials from both the City of Novi and Lyon Township have resulted in a tentative agreement to split the costs of the installation equally between RCOC, the City of Novi, and Lyon Township. The total cost of the installation is estimated at \$15,000, or \$5,000 each. RCOC will be responsible for the costs of all future maintenance. This cost sharing arrangement will require execution of a Road Commission for Oakland County Agreement for Traffic Control Device.

Enclosed are four copies of the agreement to be used as originals. Please have all copies signed by the appropriate person and return them to RCOC via US Mail. In addition, please provide copy of a City Council resolution in support of this agreement. An original, fully executed agreement will be returned for your files.

If you have any question, please feel free to contact me at (248) 858-4830.

Sincerely,



Charles Keller, P.E.
Traffic Engineer
Traffic-Safety Department
Enclosures (4)

CTK/pm

Traffic-Safety Department

Traffic Engineering

2420 Pontiac Lake Road
Waterford, MI 48328

248-858-4802

FAX

248-858-4814