

**CITY of NOVI CITY COUNCIL**

**Agenda Item J  
September 22, 2008**

**SUBJECT: Approval of Decorative Street Sign Agreement as requested by the Barclay Estates Homeowners' Association.**

**SUBMITTING DEPARTMENT: DPW**

**CITY MANAGER APPROVAL:**

EXPENDITURE REQUIRED	N/A
AMOUNT BUDGETED	N/A
APPROPRIATION REQUIRED	N/A
LINE ITEM NUMBER	N/A

**BACKGROUND INFORMATION:**

The Barclay Estates Homeowners' Association is seeking City Council approval to install decorative street name signs throughout the subdivision. The Association President has submitted an executed copy of the City of Novi Street Name Sign Agreement and a picture of the proposed sign and pole. The proposed signs meet the City's Decorative Sign Ordinance and complies with the standards in the Michigan Manual of Uniform Traffic Control Devices.

The Agreement includes the following provisions:

- The Association will bear the cost of signs placed in the right-of-way, of all maintenance and repairs, and sign replacement as necessary.
- The Association will immediately repair, replace, or re-erect any sign that is damaged. The City may, at any time, place a temporary standard traffic sign until the Association has acted to repair the sign.
- If the Association fails to repair a sign within 14 days, the City may replace any or all signs in the subdivision with standard signs, and the right to place other signs as provided in this Agreement shall be lost.
- The Association is not entitled to any compensation, damages, or claims against the City for any costs associated with the signs. If the signs by the Association are taken down and replaced by standards signs, the City will not be responsible for any cost, payment or other obligation.

**RECOMMENDED ACTION: Approval of Decorative Street Sign Agreement as requested by the Barclay Estates Homeowners' Association.**

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Capello				
Council Member Crawford				
Council Member Gatt				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				

## STREET NAME SIGN AGREEMENT

Made this 29<sup>th</sup> day of AUGUST, 2008, by and between the City of Novi, a Michigan municipal corporation, whose principal offices are located at 45175 West Ten Mile Road, Novi, Michigan 48375 ("City"), and the BARCLAY ESTATES Homeowners Association, a Michigan non-profit corporation, the address of which is P.O. BOX 1066, Novi <sup>48376</sup> ("Association").

WHEREAS, the Association desires to construct, pay for, and maintain street name signs and supports within the BARCLAY ESTATES Subdivision so that the signs will be more aesthetically pleasing and compatible with the subdivision than standard street name signs.

WHEREAS, Section 31-55 of the Novi Code of Ordinances allows the placement of street signs within a subdivision by a subdivision association so long as the Association placing them agrees to the terms and conditions of this Agreement.

NOW, THEREFORE, the parties agree:

1. The Association shall submit its proposed plans and specifications to the City of Novi Department of Public Works for approval before any signs are placed in any public right-of-way. Only approved signs shall actually be placed and maintained in the right-of-way.
2. Any signs placed in the right-of-way pursuant to this Agreement shall be of the height, size, and design specified by the most recent edition of the Michigan Manual of Uniform Traffic Control Devices, as amended. All signs and their supports shall conform to the applicable City, State, and Federal standards in respect to safety,

including location. With the consent of the Department of Public Works, the signs may deviate from standards unrelated to safety.

3. The Association shall bear the cost of any signs placed in the right-of-way under this Agreement. Once signs are placed, they shall be maintained, repaired, and replaced as necessary, at the sole cost of the Association.

4. The Association shall immediately repair, replace, or re-erect any sign that is damaged, knocked down, or destroyed. The City may at any time place a temporary standard traffic sign until the Association has acted to repair, replace, or re-erect the sign. The Association shall return any temporary sign to the City.

5. If upon receiving notice to repair or replace a traffic sign erected pursuant to this Agreement, the Association fails to do so for a period of fourteen (14) days, the City may replace any or all of the signs in the subdivision with standard signs, and the right to place other signs as provided herein shall be lost.

6. This Agreement grants the Association a privilege and does not confer any rights upon the Association nor shall anything in this Agreement be construed to create any right to compensation, damages, or claims against the City for any cost associated with such signs. If the street name signs erected by the Association are taken down and replaced by standard signs as provided herein, the City shall have no responsibility as far as any cost, payment, or other obligation whatsoever.

7. The parties may at any time agree to terminate this Agreement, or the City, upon thirty (30) days written notice, may terminate the Agreement for any reason at its sole discretion, and the City shall have no responsibility to the Association other

than to return the signs to the Association. Within thirty (30) days of receiving a bill, the Association shall pay to the City any costs of replacing the signs with standard signs.

8. Upon approval by the City and completion of the installation of the signs, the Association agrees to save harmless, indemnify, represent, and defend the City from any and all claims for bodily injury or property damage or any other claim relating to or arising out of the design, placement or existence of signs within the public right-of-way, except for claims arising out of the sole negligence of the City, its employees and agents.

9. The provisions of this Agreement shall inure to the benefit of and be binding upon the parties hereto, their successors and assigns.

WITNESSES:

CITY OF NOVI

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
DAVID LANDRY - MAYOR

\_\_\_\_\_  
MARYANNE CORNELIUS - CITY CLERK

STATE OF MICHIGAN )  
                                  )ss  
COUNTY OF OAKLAND)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2008, before me, a Notary Public, personally appeared David Landry and Maryanne Cornelius, respectively the Mayor and City Clerk of the City of Novi, Oakland County, Michigan, a Michigan municipal corporation, who after being first duly sworn, acknowledged the foregoing Agreement and executed same on behalf of the City.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_ County, Michigan  
My Commission Expires: \_\_\_\_\_

WITNESSES:

BARCLAY ESTATES SUBDIVISION  
HOMEOWNER'S ASSOCIATION

Cortney Brennan  
CORTNEY BRENNAN

Brian L. Wines  
BY: BRIAN L. WINES  
ITS: PRESIDENT

Natalie Laitinen  
Natalie Laitinen  
STATE OF MICHIGAN )  
  )ss  
COUNTY OF OAKLAND)

On this 29 day of August, 2008, before me, a Notary Public, personally appeared Brian Wines as the President of the Barclay Estates Homeowners Association, a Michigan non-profit corporation, who after being first duly sworn, acknowledged the foregoing Agreement to be the free act and deed of said corporation and further represents that he was authorized to execute the same on behalf of the corporation and that such execution was in the ordinary course of carrying out the corporation business.

CORTNEY BRENNAN  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF OAKLAND  
MY COMMISSION EXPIRES Mar 25, 2013  
ACTING IN COUNTY OF oakland

Cortney Brennan  
Notary Public  
oakland County, Michigan  
My Commission Expires: 03-25-2013

# **Barclay Estates Street Sign Replacement Project**

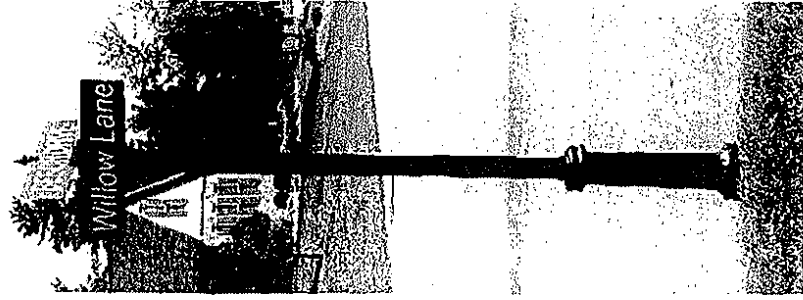
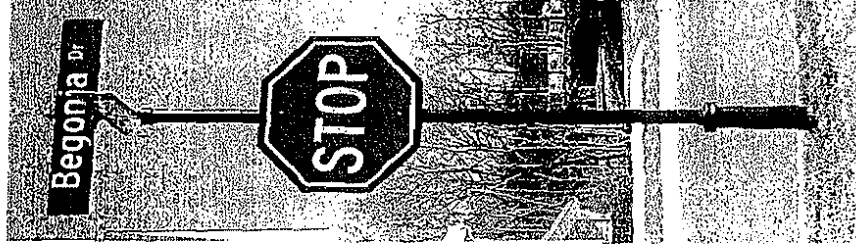
Proposal Overview

4/28/08

# Proposal Overview

- Current street signs are in need of repair and/or replacement
- Barclay HOA Board decided to investigate options to address the street signs in early 2008
- Proposed solution is to replace current street signs with a design that matches the mailboxes that were installed in 2007
- The Board estimated a cost of \$1,200 per street sign for a total estimated budget of \$8,400
- A quote was obtained from the company that replaced the mailboxes: American Mailbox Services
- Our initial quote was to replace only the street signs in the interior of the subdivision: 7 total
- Based on AMS's estimate, we requested a revised quote to include the entrance signs: 9 total
- We require 9 replacement signs:
  - 6 will be street signs only
  - 2 will be street signs which incorporate Stop Signs (at the two subdivision entrances)
  - 1 will be a street sign that incorporates a Yield Sign (at the corner of Barclay and Stratford Lane)

# Classic Series in Antique Bronze





# Estimated Project Budget



- The posts will be Antique Bronze (to match the newly installed mailboxes)
- The quote is for 12-foot posts (resulting in 10-feet above the ground) to maintain a consistent look from subdivision to subdivision
- AMS will work with the City of Novi to secure all permits and approvals
- The signs come with a one-year warranty normal wear and tear on all the parts and installation
- [www.abcmailbox.com](http://www.abcmailbox.com)
- [www.specialliteproducts.com](http://www.specialliteproducts.com)

# Project Map

