



CITY of NOVI CITY COUNCIL

Agenda Item C
September 25, 2017

SUBJECT: Approval of a Resolution to Accept Cummings Lane and Twain Place upon Acceptance of Brownstone Drive Hemingway Drive, and Holmes Road as public roads.

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division

CITY MANAGER APPROVAL: *AK*

BACKGROUND INFORMATION:

In early 2015, Representatives of the Meadowbrook Townhomes Homeowners Association contacted City staff to investigate the steps required to complete the acceptance of Brownstone Drive, Hemingway Drive, and Holmes Road as public roads. City staff began meeting with the Meadowbrook Townhomes Association and Tollgate Ravines Association regarding the options for completion of Brownstone Drive, Hemingway Drive, and Holmes Road prior to acceptance for public use and maintenance.

The Tollgate Ravines Association raised a concern early in the discussions regarding the status of Cummings Lane and Twain Place as public roads. Both, Cummings and Twain are both proposed public streets that were ready for acceptance in December, 2008 when the internal streets within Tollgate Ravines were accepted by the City for public use and maintenance. Because Cummings and Twain outlet onto Brownstone Drive, however, which had not been accepted as a public road at that time, Cummings and Twain could not yet be accepted due to the lack of public access.

In connection with the discussions between City staff and the Tollgate Ravines Homeowners Association regarding petitioning for SAD 179, City staff agreed that it would be appropriate to accept Cummings and Twain at the time Brownstone Drive is accepted since public access to the roads would be provided. Furthermore, City staff agreed that the Association would not be required to bring Cummings and Twain into compliance with current Design and Construction Standards prior to acceptance because they had already been inspected and found to be in compliance with City Design and Construction Standard when proposed for acceptance in 2008.

Additionally, City staff agreed that, once accepted as public, the City and its consultants would evaluate the condition of Cummings and Twain and place them within an upcoming City Capital Improvement Plan schedule for repair or reconstruction as needed.

At the time that Resolutions 3 through 5 of SAD 179 were being considered for approval by City Council, Tollgate Ravines' Attorney contacted the City Attorney's Office to request assurances that Cummings and Twain would be accepted as public streets as discussed with City staff. In order to provide the Association with assurances, the City

Attorney's Office discussed providing a Resolution that City Council could consider stating that Cummings and Twain would be accepted concurrent with the acceptance of Brownstone Drive, Hemingway Drive, and Holmes Road, and would not require further repair or replacement prior to acceptance. The Association's attorney was satisfied with this form of assurance, and has since inquired regarding its status.

RECOMMENDED ACTION: Approval of the Resolution to Accept Cummings Lane and Twain Place Upon Acceptance of Brownstone Drive.

CITY OF NOVI

COUNTY OF OAKLAND, MICHIGAN

CITY COUNCIL RESOLUTION TO ACCEPT CUMMINGS LANE AND TWAIN PLACE UPON ACCEPTANCE OF BROWNSTONE DRIVE

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, City Council passed Resolution No. 5 confirming the Special Assessment Roll for Special Assessment District No. 179 authorizing the City to proceed with financing of the reconstruction of Brownstone Drive, Hemingway Drive, and Holmes Road within the Vistas Planned Unit Development; and

WHEREAS, concurrent with the reconstruction of Brownstone Drive, Hemingway Drive, and Holmes Road, the City intends to accept them as public streets, as contemplated within the Vistas Planned Unit Development Agreement; and

WHEREAS, Cummings Lane and Twain Place, although previously brought into compliance with the City's Design and Construction Standards, and proposed as public, have not been accepted as public streets because they outlet onto Brownstone Drive, which has not been accepted as a public road; and

WHEREAS, in connection with the reconstruction of Brownstone Drive, the City intends to accept Cummings Lane and Twain Place as public streets at the time of acceptance of Brownstone Drive; and

WHEREAS, the City will not require any additional repair, reconstruction, or replacement of Cummings Lane and Twain Place prior to acceptance as public streets; and

WHEREAS, the City intends to place Cummings Lane and Twain Place in an upcoming Capital Improvement Plan for repair or reconstruction as the City's expense, as needed, as determined by City staff and engineering consultants; and

NOW, THEREFORE, IT IS RESOLVED that the City of Novi City Council will accept Twain Place and Cummings Drive as public streets at the time of acceptance of Brownstone Drive, and will place them in an upcoming Capital Improvement Plan for repair or reconstruction, as determined by City staff and consultants.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, 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 ____th day of ____ 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.

Cortney Hanson, City Clerk
City of Novi