

## 12 Mile Road at Grand River Avenue





## CITY of NOVI CITY COUNCIL

Agenda Item 3  
January 22, 2007

**SUBJECT:** Consideration of 1) an agreement and resolution transferring jurisdiction, control and maintenance of a portion of Twelve Mile Road from the City of Wixom to the City of Novi adding 3,870 linear feet or 0.73 miles to the City's Act 51 street inventory; and, 2) a winter maintenance agreement for a separate portion of Twelve Mile Road that is to remain within Wixom's jurisdiction.

**SUBMITTING DEPARTMENT:** Engineering

**CITY MANAGER APPROVAL:**

### BACKGROUND INFORMATION:

The consent judgment the City entered into with Paragon Properties Company calls for the developer of Knightsbridge Gate, Grand/Sakwa/Jacobson Novi, LLC, to pave the approximate 379-foot portion of the development's Twelve Mile Road frontage, including approaches and an entrance off of Twelve Mile Road. Grand/Sakwa could not secure a right-of-way permit from the City of Wixom for paving this portion of Twelve Mile Road because Wixom insisted that additional areas of and along Twelve Mile be paved as well (Rick Helwig's December 27, 2004 letter is attached for reference). Wixom retains sole jurisdiction over this portion of the road, and to date, Grand/Sakwa's Twelve Mile Road paving has not been completed.

Since 2005, Wixom and Novi have been discussing the potential transfer of jurisdiction to Novi to not only facilitate construction of Knightsbridge Gate's Twelve Mile Road entrance, but also to allow Novi to control and maintain a road that benefits Novi much more than Wixom. Of the 3,870 feet of road proposed to be added to Novi's jurisdiction, a length of 778 feet is already paved from Napier Road across much of Knightsbridge Gate's frontage. (This segment of asphalt pavement is in good condition overall). In addition, the remaining 567 feet of Knightsbridge Gate's frontage and another length of 2,525 feet are unpaved along the east-west section line (see attached map depicting paved/unpaved portions of Twelve Mile Road). Because it is entirely within Wixom city limits, the approximate 518-foot north/south leg of Twelve Mile would not be part of this jurisdictional transfer; however, Novi would assume its winter maintenance responsibilities, as described below.

A jurisdiction transfer agreement has been negotiated between Wixom and Novi that is now ready to be considered by City Council. The agreement calls for jurisdiction, control and maintenance responsibilities to be transferred to Novi, given that Novi: 1) requires future developments fronting Twelve Mile to conduct a hydraulic analysis to assure that stormwater run-off toward Wixom does not exceed the agricultural rate; and, 2) makes good faith efforts to have future developments pave and make other improvements to Twelve Mile Road (Tom Schultz's December 10, 2007 letter is attached, along with a map showing Twelve Mile right-of-way to be transferred to Novi). A hydraulic analysis is a normal step taken in the engineering process for a site, and it would be a major item reviewed by the Plan Review Center's civil engineer.

The City of Wixom approved the agreement and adopted an authorizing resolution at its January 8, 2007 City Council meeting. The attached agreement spells-out the terms and conditions of the transfer, and a resolution for formally accepting the transfer is also attached.

Novi will derive several benefits from this transfer, to include: having a secondary/emergency entrance for Knightsbridge Gate's; gaining control of the level, type and frequency of the road's

maintenance; and, controlling the road's use as future developments are proposed and constructed.

Also under consideration is a recently negotiated winter maintenance agreement for the north/south leg of Twelve Mile Road. Although Wixom would retain legal jurisdiction of this stretch, operationally it makes more sense for the City of Novi to provide winter maintenance over the entire length of Twelve Mile Road between Napier Road and Grand River Avenue including the north/south leg. As Mr. Schultz indicates in his letter and as elaborated in the winter maintenance agreement, Wixom will reimburse Novi for the cost of winter maintenance for this stretch at a pre-determined rate, but Wixom would continue to provide routine maintenance of the north/south leg (i.e., grading, crack/joint sealing, sweeping, etc.). This winter maintenance arrangement would be similar to one that currently exists for Beck Road near Pontiac Trail. The City of Wixom plows and salts the ¼-mile stretch of Beck and the City reimburses Wixom for winter maintenance costs incurred.

The attached December 5, 2007 memorandum from DPW reveals that the cost to maintain Twelve Mile Road in its current state would be nominal. DPW also reports that if the City chooses to chip-seal the road's unpaved surface as a *temporary* improvement, the approximate cost would be \$48,000. DPW estimates that improvements to roadside ditches and culverts would cost approximately \$27,000.

Regarding *permanent* Twelve Mile Road improvements, the 567-foot portion of Knightsbridge Gate's frontage would be paved either by Grand-Sakwa or the City (area shaded pink on the attached map). If the developer opts-out of making these improvements, the City could administer a separate construction contract for remaining right-of-way paving work using Grand-Sakwa's posted financial guarantee (a letter of credit in the amount of \$369,000) as a funding source. The estimated cost of this improvement is \$80,000, including engineering.

As part of its concept plan for the proposed planned rezoning overlay for the St. Catherine's School/Nicoleena Estates development, Lakeside Oakland Development has offered to pave the remaining portions of Twelve Mile Road, including the unpaved portion of Wixom's north/south leg. Because the residential phase of the development may not be initiated for quite some time, paving this part of Twelve Mile may be delayed, but it is anticipated that paving the frontage abutting the school phase would be done concurrent with initial site work. The cost estimate to improve this portion of Twelve Mile Road (areas shaded orange on the attached map) is \$385,000, including engineering.

**RECOMMENDED ACTION:** Approval of an agreement and resolution transferring jurisdiction, control and maintenance of a portion of Twelve Mile Road from the City of Wixom to the City of Novi adding 3,870 linear feet or 0.73 miles to the City's Act 51 street inventory; and, 2) a winter maintenance agreement for a separate portion of Twelve Mile Road that is to remain within Wixom's jurisdiction.

|                         | 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   |   |   |   |   |



# Proposed Transfer of Jurisdiction Along Twelve Mile Road Between the City of Novi & City of Wixom: Existing and Proposed Pavement

Twelve Mile Road Between Napier Rd & Grand River Avenue  
2006 Aerial Photo & ROW Access Type Designations (Oakland County)



## Map Legend

-  Existing Pavement
-  Proposed Paving by Grand Sakwa via Knightsbridge Gate Financial Guarantee
-  Proposed Paving by Lakeside Oakland (St. Catherine's/Niccoleena Estates)

## Location Reference

Site Location





# Proposed Transfer of Jurisdiction Along Twelve Mile Road Between the City of Novi & City of Wixom

Twelve Mile Road Between Napier Rd & Grand River Avenue  
2006 Aerial Photo & ROW Access Type Designations (Oakland County)



## Map Legend

### PROPOSED TRANSFER OF JURISDICTION

City of Novi

City of Wixom

### TYPE OF ROW ACCESS

Dedicated ROW

Prescriptive ROW

## Location Reference

Site Location



Access Point to Twelve Mile Rd  
to be Completed

City of Wixom

Twelve Mile Rd

City of Novi



**CITY OF NOVI**  
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CITY@NOVI.ORG

Right-of-Way Transfer of Ownership Statistics  
3,870 Linear Feet of Prescriptive ROW Transferred to City of Novi  
2,075 Linear Feet of Dedicated ROW Transferred to City of Novi  
410 Linear Feet of Prescriptive ROW Maintained by City of Novi  
Under Maintenance Agreement With City of Wixom

Map Author: Christopher Blough, City GIS Manager  
Publication Date: December 6, 2007

0 200 400 800

FEET

1 INCH EQUALS 400 FEET