

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 483-06

**AN ORDINANCE**

authorizing the City Manager to execute a right of use permit with The Curators of the University of Missouri to allow construction, improvement, operation and maintenance of median islands and curb bulbouts within portions of Hitt Street, Ninth Street and Conley Avenue rights-of-way; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Manager is hereby authorized to execute a right of use permit with The Curators of the University of Missouri to allow construction, improvement, operation and maintenance of median islands and curb bulbouts within portions of Hitt Street, Ninth Street and Conley Avenue rights-of-way. The form and content of the permit shall be substantially as set forth in "Attachment A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor

COPY

**RIGHT OF USE PERMIT**

KNOW ALL MEN BY THESE PRESENTS that the City of Columbia, Missouri, in consideration of the sum of Ten Dollars (\$10.00) and other considerations to it paid, does hereby permit **The University of Missouri-Columbia**, and its heirs and/or assigns (hereinafter referred to as "Permittee") to enter upon the following described lands owned by the City of Columbia and located within the County of Boone, State of Missouri, and more particularly described as follows, to-wit:

A median island and two (2) curb bulbouts constructed within the right of way of Hitt Street approximately 128 feet south of University Avenue, a median island and two (2) curb bulbouts constructed within the right of way of Hitt Street approximately 858 feet north of Rollins Street, a median island and two (2) curb bulbouts constructed within the right of way of Ninth Street approximately 256 feet south of University Avenue, and a median island and two (2) curb bulbouts constructed within the right of way of Conley Avenue approximately 106 feet east of Missouri Avenue, all within the limits of the City of Columbia, further described and as shown by exhibit A attached to this right-of-use permit.

**This permit is subject to the following conditions and stipulations:**

1. This permit is for the exclusive purpose of construction, improvement, operation and maintenance of median islands and curb bulbouts as stated above within the rights-of-way of Hitt Street, Ninth Street and Conley Avenue. Said median islands and curb bulbouts, in conjunction with a barrier chain or barrier arms to function in a manner as to allow for a closed pedestrian campus per Chapter 14, Section 14-180 of the City of Columbia Code of Ordinances.
2. Permittee will be responsible for the costs of any future repairs, maintenance or replacements including signing which is the result from Permittee's use under this right-of-use permit.
3. Prior to exercising its right granted herein, the Permittee shall present its construction plans or diagrams locating the proposed system to the City Public Works Department and City Water and Light Department and any existing utility company using facilities located within the limits of the Permit.
4. Prior to exercising its right granted hereunder, Permittee agrees to obtain all necessary permits required by the City of Columbia pertaining to the work being done in the right-of-way.
5. If the islands or bulbouts are not maintained in good repair all rights herein granted shall cease and terminate and the Permittee shall have no further right or interest therein except that, upon abandonment, Permittee remains responsible for all of Permittee's facilities and structures left in place and any costs to remove them or to store them or to otherwise clean up the right-of-way.
6. If at any time the construction, reconstruction, relocation, repair or modification of the roadways or right-of-ways wherein the islands and bulbouts are located requires the relocation or modification of the islands, bulbouts or any utility existing within the right-of-way, the Permittee shall perform the work to the satisfaction of the City at the Permittee's own expense.
7. The Permittee agrees by exercising its rights under this permit that if its islands or bulbouts are damaged in any way, whether negligently or intentionally by the construction, repair, modification or relocation of Hitt Street, Ninth Street or Conely Avenue or of any utility existing in the right-of-way of said city streets at the time this permit is granted, it will repair or replace

the islands or bulbouts and hold the City of Columbia harmless for any of the costs associated with the repair, replacement or any other costs associated with the damage to the facilities.

10. This permit shall remain in effect until canceled by the City of Columbia, which shall notify Permittee six (6) months in advance of the cancellation.

IN WITNESS WHEREOF, this permit has been executed this \_\_\_\_ day of \_\_\_\_\_, 2006.

CITY OF COLUMBIA, MISSOURI

\_\_\_\_\_  
BY:  
H. William Watkins, City Manager

ATTEST:

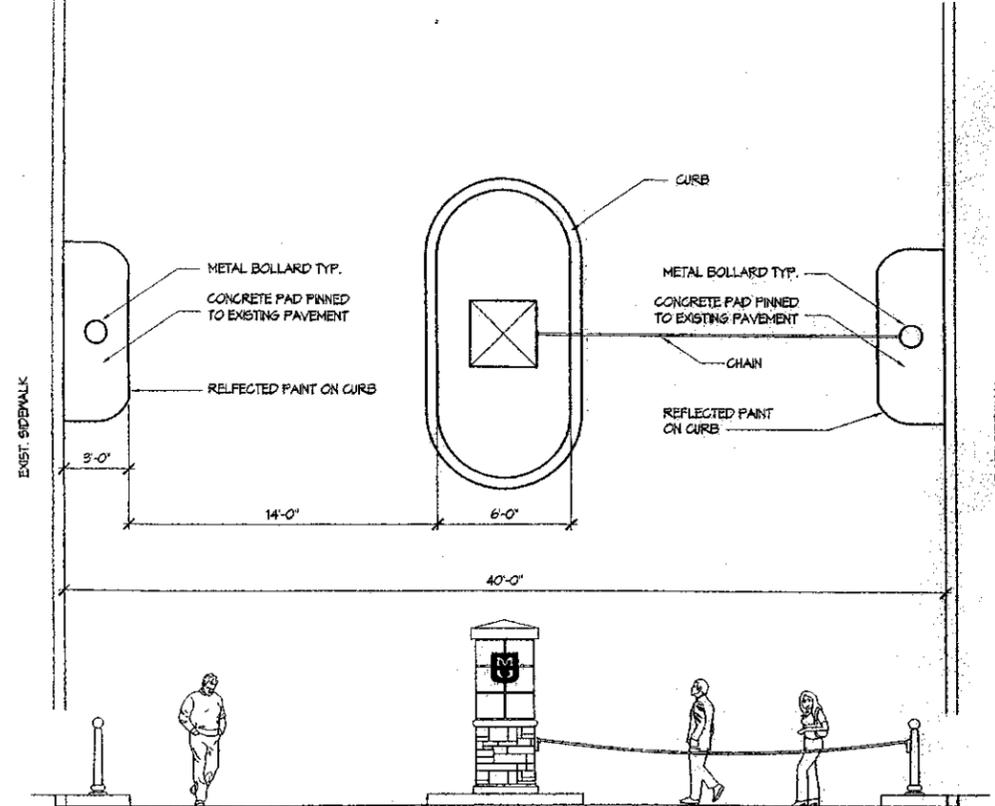
\_\_\_\_\_  
Sheela Amin, City Clerk

APPROVED AS TO FORM:

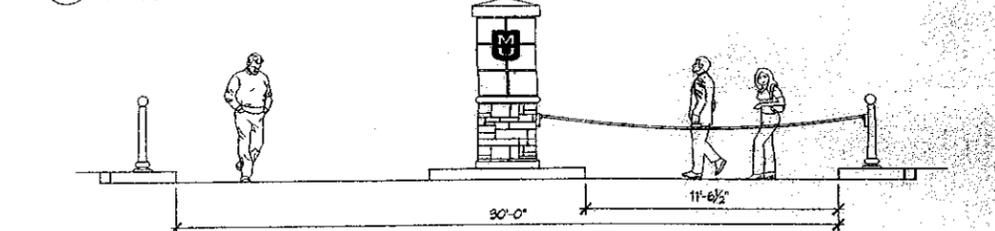
\_\_\_\_\_  
Fred Boeckmann, City Counselor

THE CURATORS OF THE UNIVERSITY OF  
MISSOURI - COLUMBIA

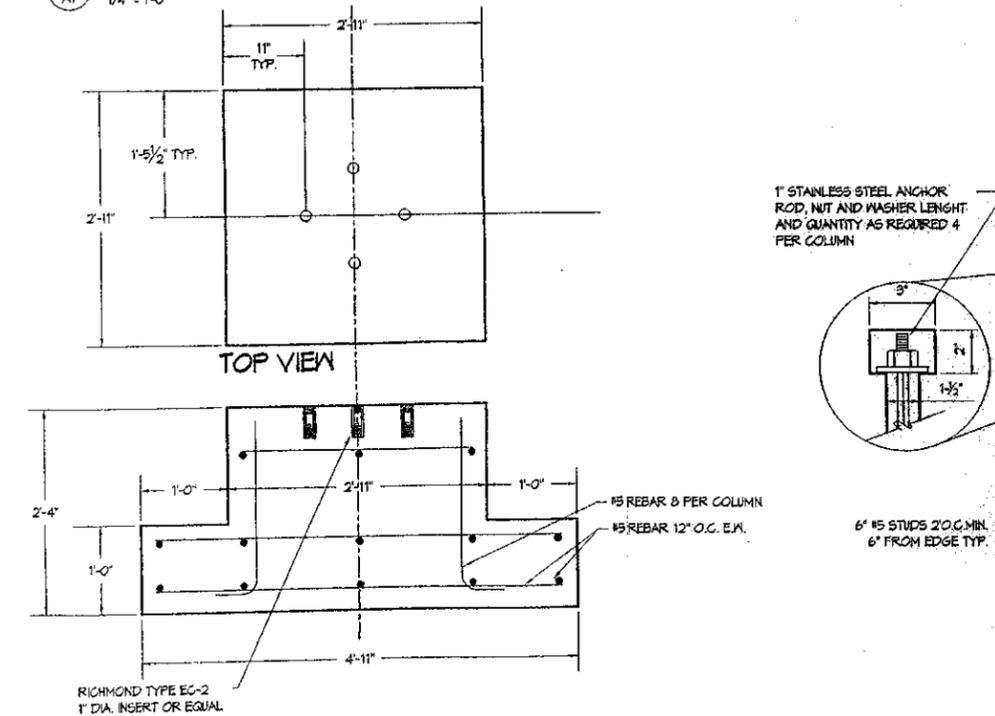
\_\_\_\_\_  
BY:



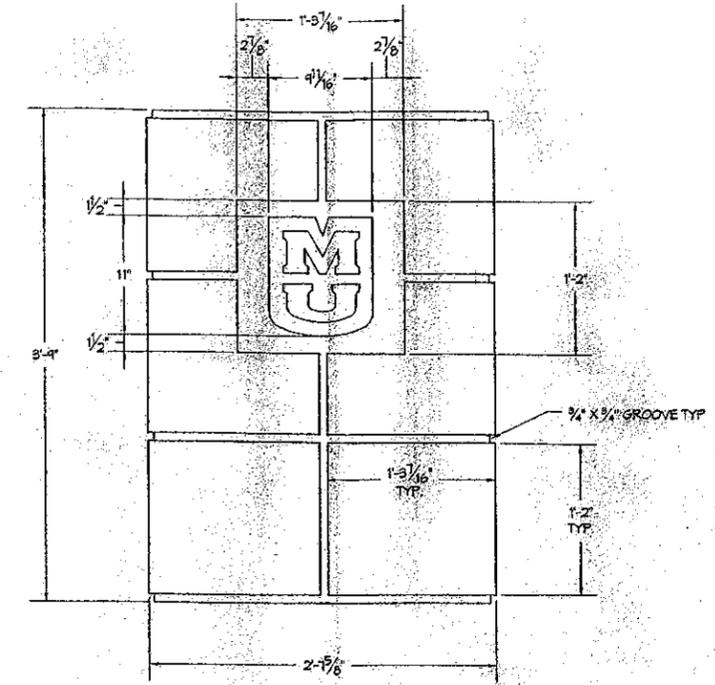
1 SITE PLAN / SITE ELEVATION @ HITT STREET LOCATION  
A1 1/4" = 1'-0"



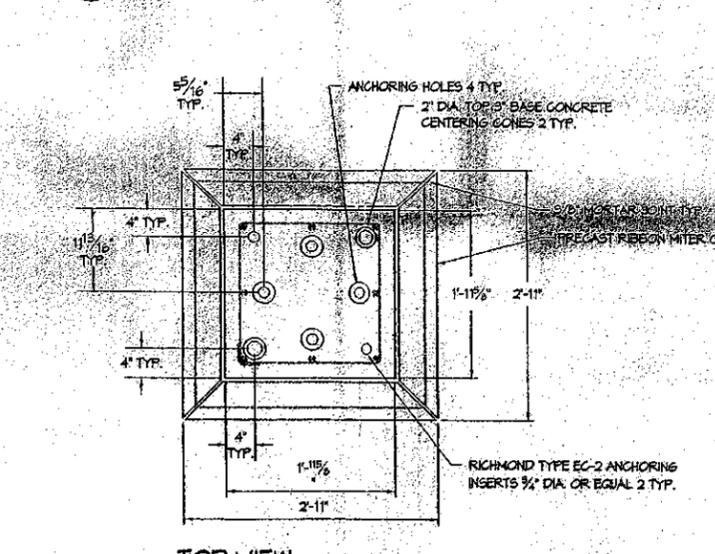
1a SITE ELEVATION @ 9TH STREET LOCATION  
A1 1/4" = 1'-0"



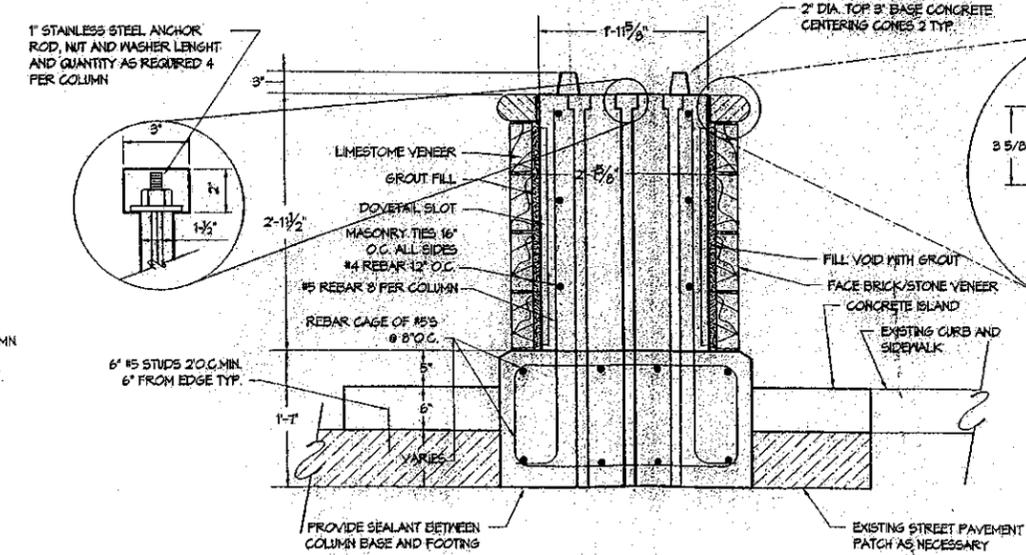
2 COLUMN FOOTING DETAIL  
A1 1/4" = 1'-0"



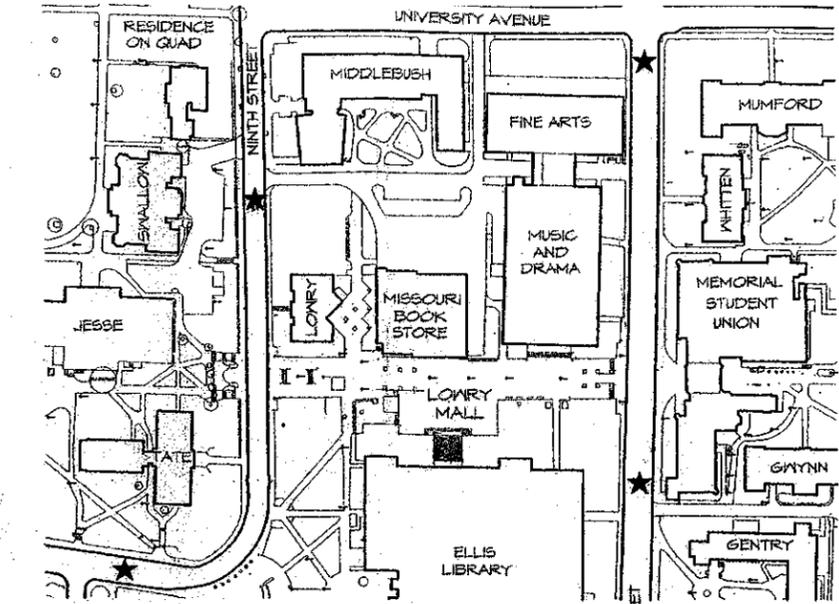
2 PRE-CAST CONCRETE COLUMN DETAIL  
A1 1/4" = 1'-0"



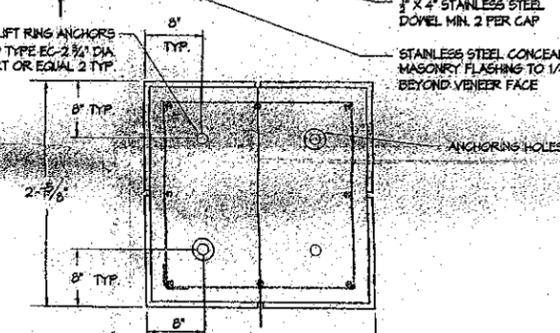
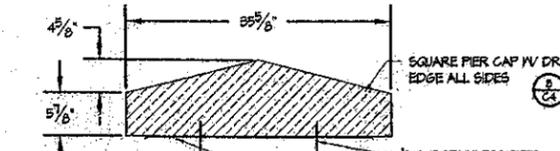
TOP VIEW



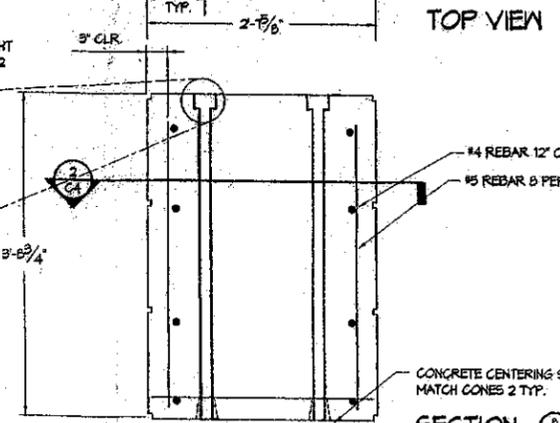
2 COLUMN BASE DETAIL  
A1 1/4" = 1'-0"



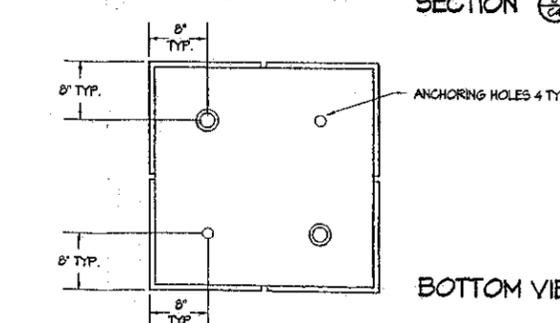
CAMPUS MAP  
SCALE: NOT TO SCALE  
★ INDICATES LOCATION OF PEDESTRIAN BARRIERS



TOP VIEW



SECTION 2



BOTTOM VIEW

2 COLUMN PRE-CAST DETAIL  
A1 1/4" = 1'-0"

PLANNING  
DESIGN &  
CONSTRUCTION

GENERAL LOCATION  
HITT STREET PEDESTRIAN BARRIERS

Source

John Glascock



**TO:** City Council

**FROM:** City Manager and Staff



**DATE:** November 22, 2006

**SUBJECT:** Right of Use Permit for the University of Missouri – Columbia.  
Median Islands and curb bulbouts within Hitt Street, Ninth Street  
and Conley Avenue right-of-way.

Fiscal Impact

- Yes
- No

Other Info.

**Executive Summary**

Staff has prepared for Council consideration an ordinance authorizing the City Manager to execute an agreement with The University of Missouri - Columbia to allow construction, improvement, operation and maintenance of median islands and curb bulbouts within the Hitt Street, Ninth Street and Conley Avenue right-of-way. These improvements function as replacement to the existing closed campus barriers at approximately the same locations. This proposal has been reviewed by staff with no objections.

**Discussion**

In order to help bring more visual attention to the existing closed campus/pedestrian campus areas on Hitt Street and at Ninth Street and Conley Avenue, the University has proposed constructing median islands and curb bulbouts at these locations. The existing closed/pedestrian campus is authorized by Section 14-180 of the Code of Ordinances.

These improvements are also proposed to be more attractive than the existing pole and chain barriers and will also help to function as traffic calming devices when the barriers are removed in the evenings, on the weekends and whenever school is not in session. Sufficient lane widths have been provided and the base and curb of the improvements will be painted with retro-reflective paint to make more visible during night-time hours. Staff has reviewed the proposed improvements and believes the improvements will enhance pedestrian safety and reduce vehicular traffic speeds at these locations.

The right of use permit stipulates the responsibilities and duties of the University and is similar to other right of use permits.

**Suggested Council Action**

Approval of the ordinance.