Introduced by _____

First Reading _____ Second Reading _____

Ordinance No. _____ Council Bill No. _____B 409-07_____

AN ORDINANCE

authorizing the City Manager to execute a right of use permit with The Curators of the University of Missouri for installation of an emergency outdoor warning siren on the Sinclair Farm property; 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 for installation of an emergency outdoor warning siren on the Sinclair Farm property. The form and content of the agreement 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 _____, 2007.

ATTEST:

_____ _____

City Clerk Mayor and Presiding Officer

APPROVED AS TO FORM:

_____

City Counselor

RIGHT OF USE PERMIT

THIS AGREEMENT is entered into this ___ day of _____, 20___, between THE CURATORS OF THE UNIVERSITY OF MISSOURI, a public corporation of the State of Missouri ("University") and THE CITY OF COLUMBIA, a municipal corporation of the State of Missouri ("City").

WHEREAS, City is desirous of University's cooperation in installing an emergency siren on University property, to be utilized in City's disaster preparedness program; and

WHEREAS, University is desirous of cooperating in said program by allowing the installation of said emergency siren on University property; and

NOW, THEREFORE, University and City mutually agree as follows:

1. University agrees that City can install, operate and maintain one (1) emergency siren on real estate owned by University located in Boone County, Missouri and commonly referred to as the Sinclair Farm, said location more particularly described on Exhibit A attached hereto and incorporated by reference.

2. City agrees to perform all work and bear all expense and costs of furnishing and installing the emergency siren, and shall perform all necessary repairs and maintenance on the emergency siren. City further agrees to comply with all applicable laws and regulations pertaining to the operation and maintenance of the emergency siren system.

3. City agrees that by exercising its rights under this permit if University property is damaged in any way, whether negligently or intentionally by the construction, repair, or maintenance of said emergency siren, it will repair such damages and shall hold the University harmless for any of the costs associated with such damage.

4. In the event City ceases to use emergency warning siren as contemplated herein, this right of use permit shall terminate and City shall remove from

University property all materials and equipment installed by City under this agreement within a reasonable period of time.

IN WITNESS WHEREOF, the parties have caused this agreement to be duly executed on the day and year first above written.

THE CURATORS OF THE
UNIVERSITY OF MISSOURI

_____
Signature

_____
Title

CITY OF COLUMBIA

_____
Signature

_____
Title

Boone County Internet Tax Parcel Map

N

Prepared by the Boone County Assessor Office
573-886-4262

APPROXIMATE LOCATION

Aerial Photo Source: Boone County, Ortho-rectified Digital Imagery, March 2002.

Map generated: 11/1/2007 8:44:57 AM

Overview Map

Legend

- Roads
- Streams
- Political Townships
- Parcel Boundaries
- City Limits

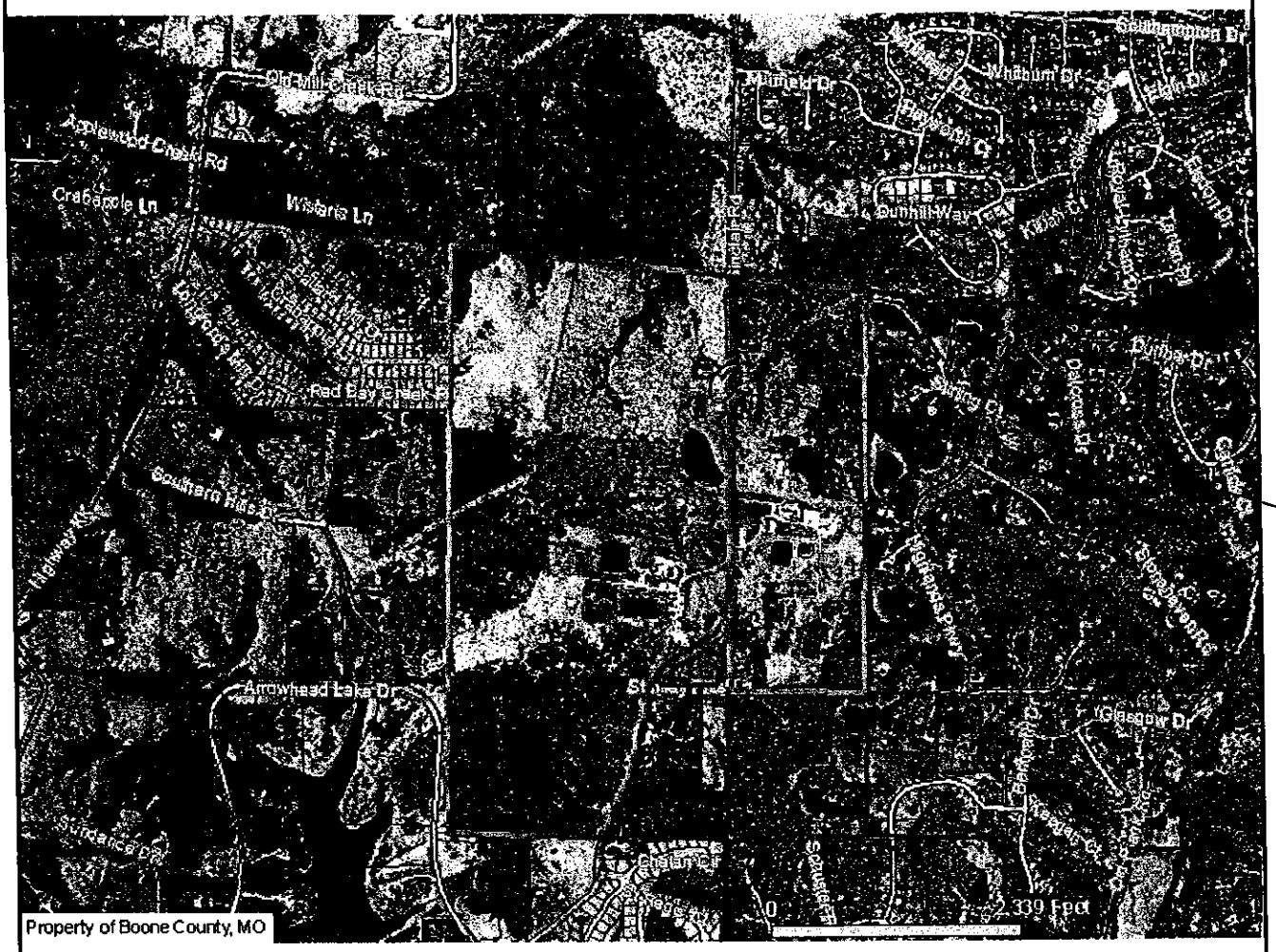
ATTENTION!!

Boone County Internet Tax Parcel Map

N

Prepared by the Boone County Assessor Office

573-886-4262

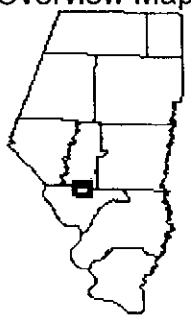


APPROXIMATE LOCATION

Aerial Photo Source: Boone County, Ortho-rectified Digital Imagery, March 2002.

Map generated: 11/1/2007 8:44:04 AM

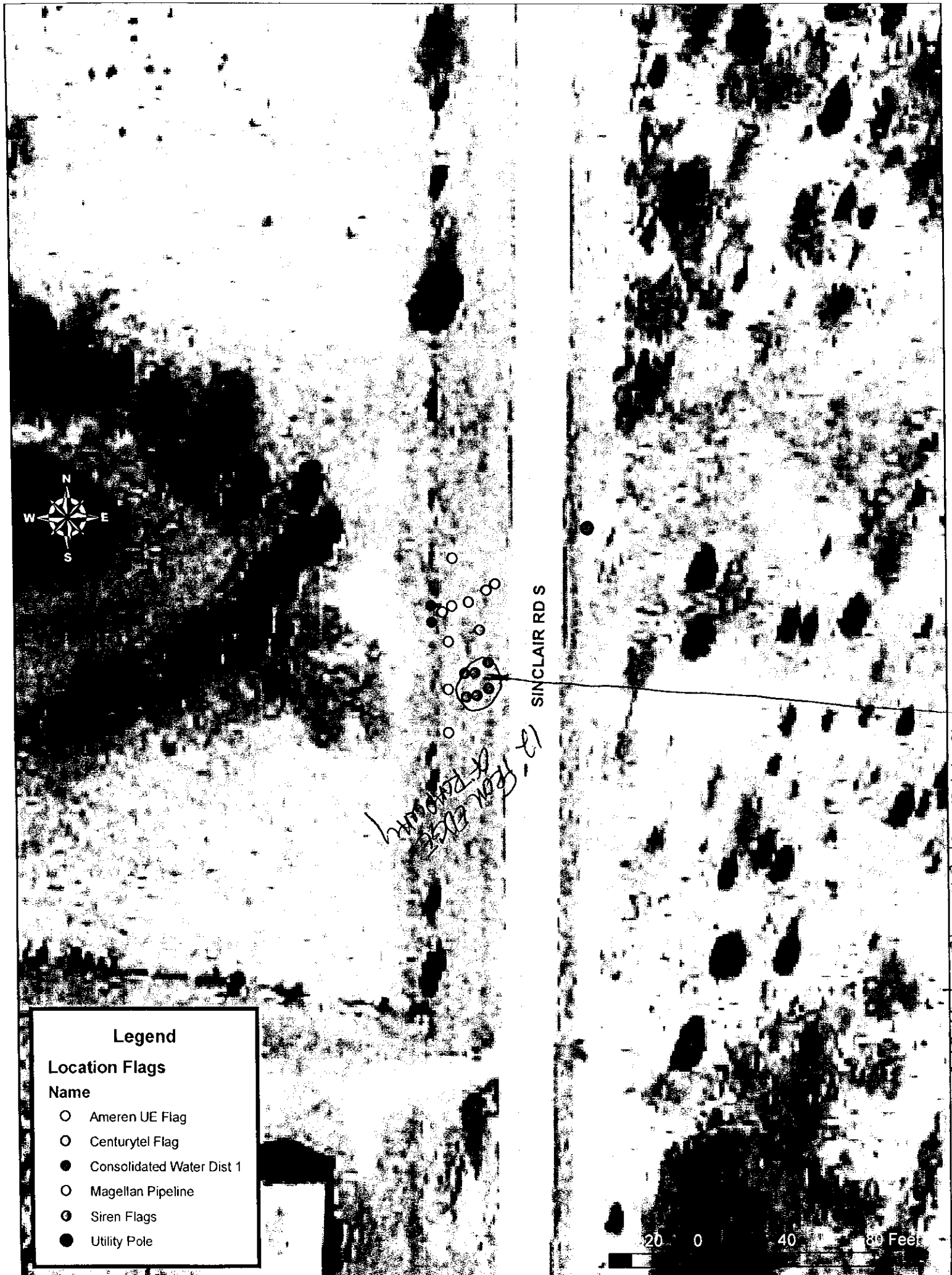
Overview Map



Legend

- Roads
- Streams
- Political Townships
- Parcel Boundaries
- City Limits

ATTENTION!!


N
W
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S
SINCLAIR RD S
13 - from edge of roadway
LOCATION OF EMERGENCY SIREN
Legend
Location Flags
Name
Ameren UE Flag
Centurytel Flag
Consolidated Water Dist 1
Magellan Pipeline
Siren Flags
Utility Pole
20
0
40
80 Feet

Agenda Item No. _____

Source:
J. P. Mc Nabb
Emergency
Management

TO: City Council

FROM: City Manager and Staff

DATE: **11-26-07**

RE: **Outdoor Warning Siren**

EXECUTIVE SUMMARY:

This ordinance is intended to obtain a right of use authorization from the University of Missouri Curators to place an outdoor warning siren on their property located west of Sinclair Road in Columbia, Missouri on property commonly known as Sinclair Farms.

DISCUSSION:

The Public Safety Bond that was voter approved in November of 2005 authorized the replacement of Outdoor Warning sirens throughout the City of Columbia. This right of use permit from the University will allow the City to complete this project. This is the single outstanding site that needs to be installed. The attached map shows the strategic location and placement of this siren providing optimal coverage in this area.

SUGGESTED COUNCIL ACTION:

Should the council agree with the authorization for right of use of this property an affirmative vote, authorizing the City Manager to sign the enclosed Right of Use Permit, would be appropriate.

Fiscal Impact

YES

NO XXXX

Other Info.

CITY OF COLUMBIA, MISSOURI

PUBLIC WORKS DEPARTMENT

November 1, 2007

Jacquelyn Jones, Vice Chancellor Administrative Services
University of Missouri, Columbia
319 Jesse Hall
Columbia, MO 65211

Re: Request to place emergency siren on University of Missouri, Sinclair Farms property adjacent to roadway

Dear Ms. Jones:

It is my understanding that James McNabb, Emergency Communications Management Administrator, has discussed placement of an emergency siren on University of Missouri Sinclair Farm's property in Columbia, Missouri. Generally, these emergency sirens are placed on City right of way, however, in this case the roadway was incorporated into the City of Columbia through annexation and right of way is statutory not dedicated. I am writing to request that you authorize the location and placement of the siren per the attached diagrams.

Please acknowledge in your acceptance or concurrence letter that the City will have the right to construct and continually maintain this emergency siren.

If you need further information please do not hesitate to contact me.

Sincerely,
PUBLIC WORKS DEPARTMENT

Wendy M. Lister
Property Acquisition Manager

c: David Nichols, PE, Manager Engineering and Inspections
James McNabb, Emergency Communications Management Administrator
Susan Crigler, Assistant City Attorney

701 E. Broadway • P.O. Box 6015 • Columbia, Missouri 65205-6015
(573) 874-7250 • FAX (573) 874-7132 • TTY (573) 874-7251 • www.GoColumbiaMo.com