

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 32-09

AN ORDINANCE

authorizing the City Manager to execute a right of use permit with Boone Hospital Center for construction, improvement, operation and maintenance of a decorative roundabout with low planter box, decorative median, corridor light poles and decorative landscaped islands with a median wall within portions of William Street and Bass 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 Boone Hospital Center to allow construction, improvement, operation and maintenance of a decorative roundabout with low planter box, decorative median, corridor light poles and decorative landscaped islands with a median wall within portions of William Street and Bass 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 _____, 2009.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

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 **Boone Hospital Center** their 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:

The street right of way of William Street beginning at station 3+50 and concluding at station 10+00 and Bass Avenue beginning at station 0+00 and concluding at station 3+00, within the limits of the City of Columbia, further described in the exhibit attached with 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 a decorative round-a-bout with nonstandard City decorative concrete including stamping and coloring with a low planter box, nonstandard City decorative median, corridor light poles, and decorative raised landscaped islands including a median wall further described in "Exhibit A"
2. This permit does not grant Permittee or any of its officers, agents or employees the right to cut, break, excavate or damage the street pavement, curb or sidewalk along William Street or Bass Avenue without City consent.
3. Permittee will be responsible for the costs of any future repairs, maintenance or replacements which result from Permittee's use under this right-of-use 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 decorative round-a-bout, decorative raised islands with median walls, and decorative light poles are not maintained or in good standing condition 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 decorative round-a-bout and the decorative raised islands including median wall and decorative light poles are located requires the relocation or modification of the decorative round-a-bout or the decorative raised islands including median walls and decorative light poles 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 decorative round-a-bout or the decorative raised islands including median walls or any decorative lighting that pertain to this particular permit are damaged in any way, whether negligently or intentionally by the construction, repair, modification or relocation of William Street or Bass 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 decorative round-a-bout, raised islands including median walls and any decorative lighting that may be debilitated at its own cost 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.
8. 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 _____, 2009

CITY OF COLUMBIA, MISSOURI

BY:
H. William Watkins, City Manager

ATTEST:

Sheela Amin, City Clerk

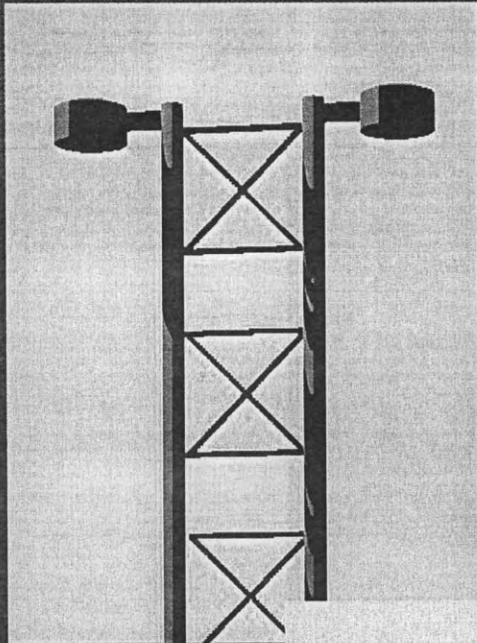
APPROVED AS TO FORM:

Fred Boeckmann, City Counselor

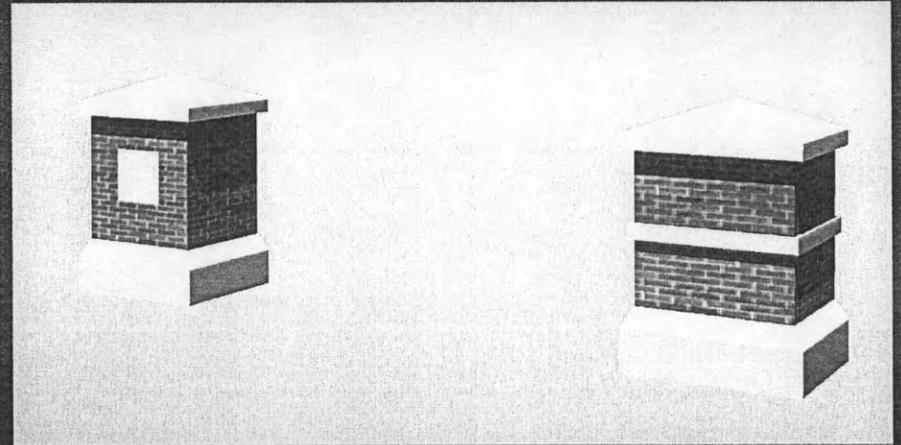
Boone Hospital Center



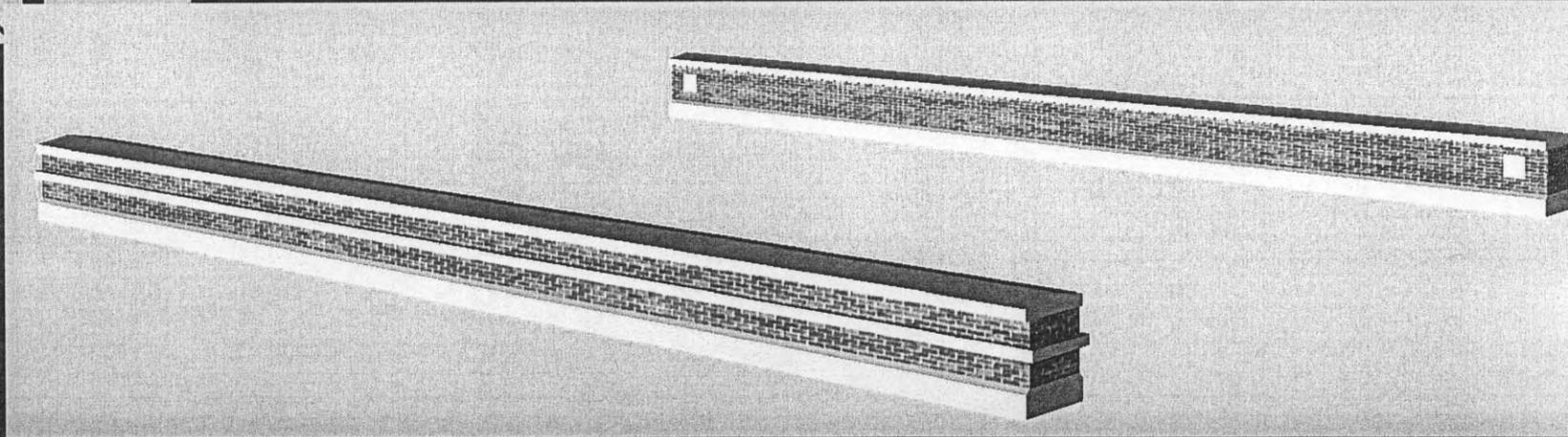
Streetscape Elements



*Median
Light Pole*



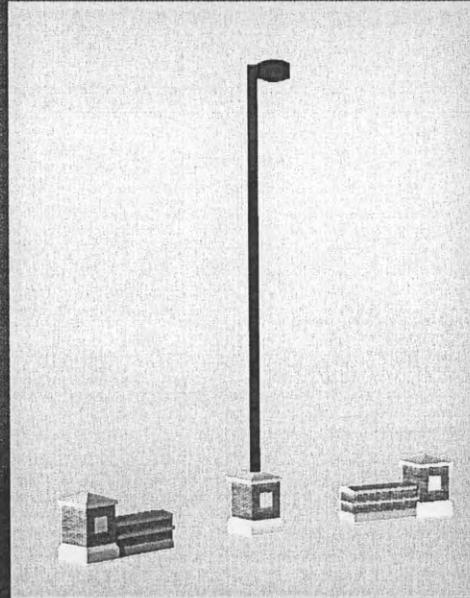
Streetscape Corridor Columns



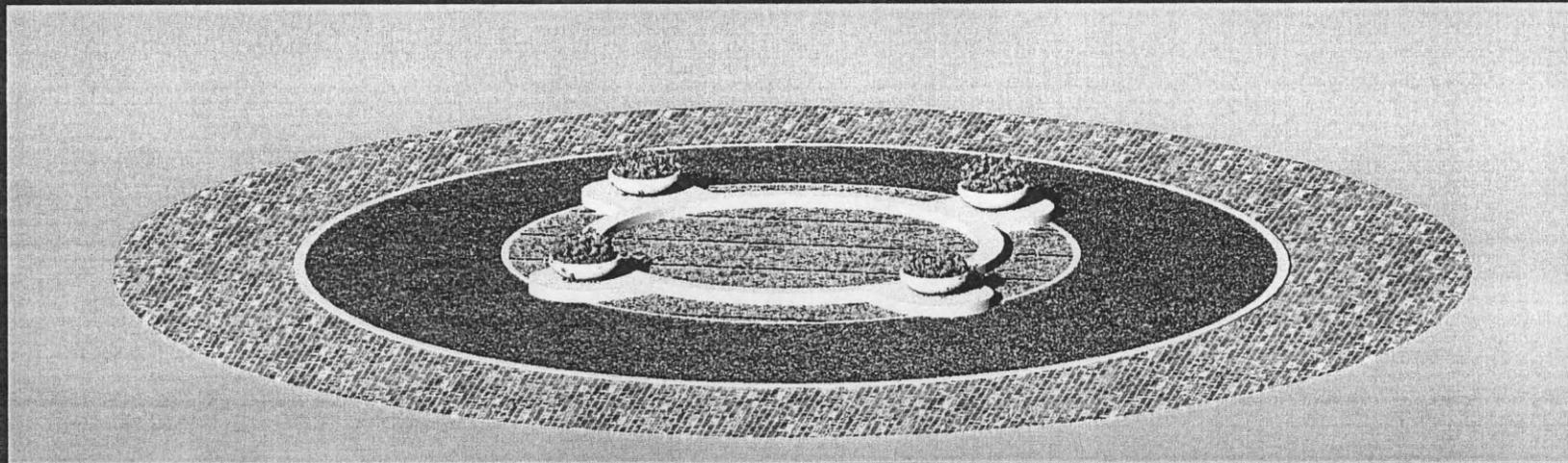
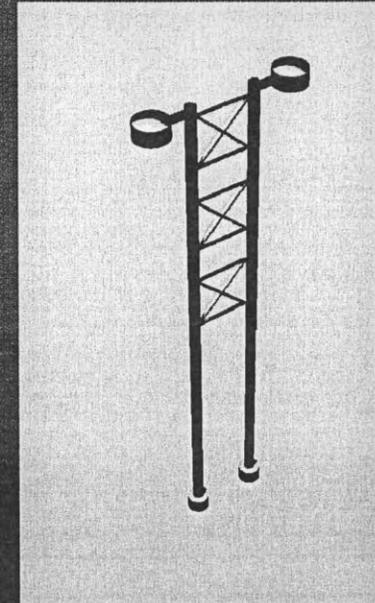
Median Walls

Streetscape Elements

Corridor and Roundabout Lighting

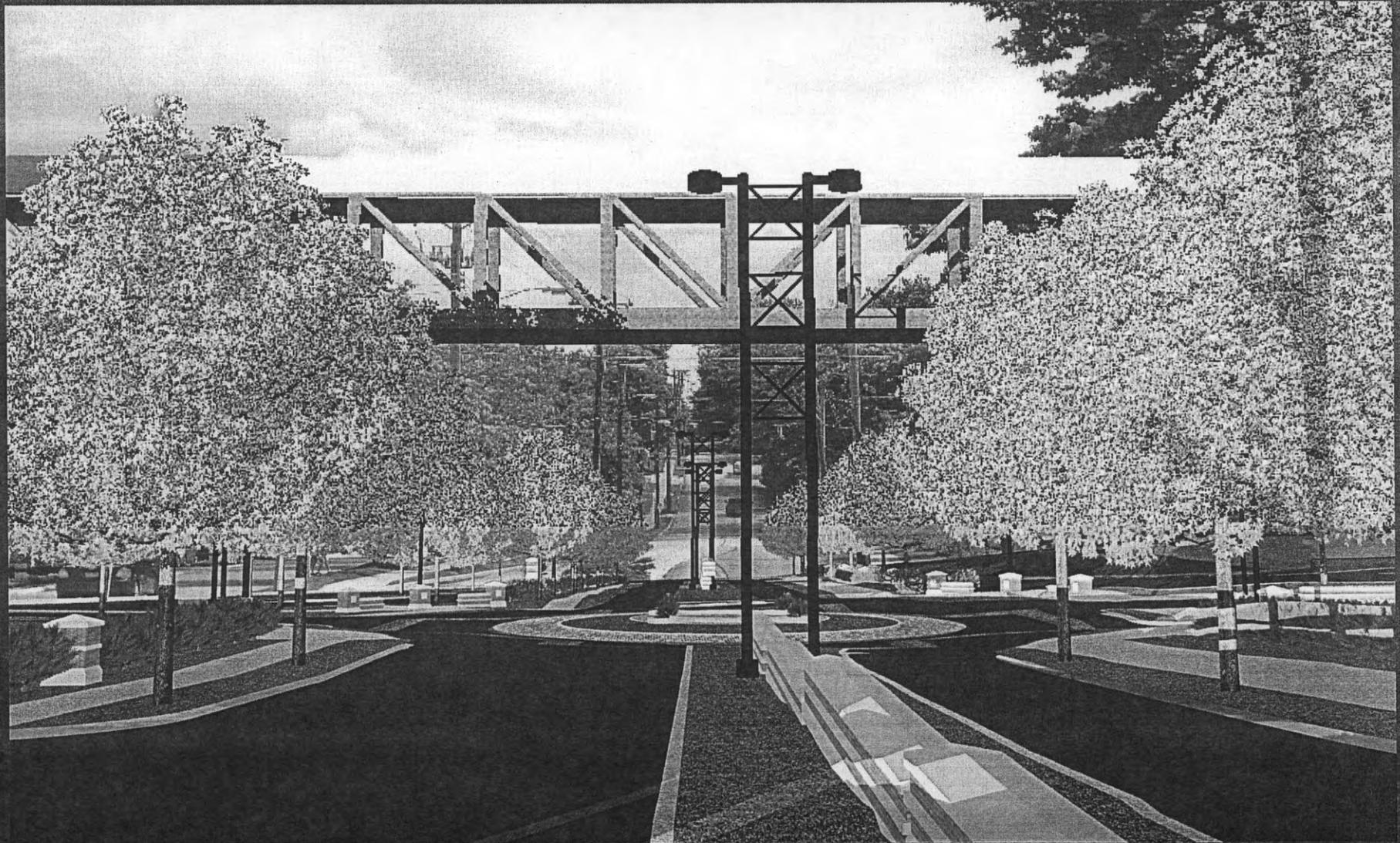


Streetscape Entry and Median Lighting



Roundabout with Low Planter

William Street Streetscape



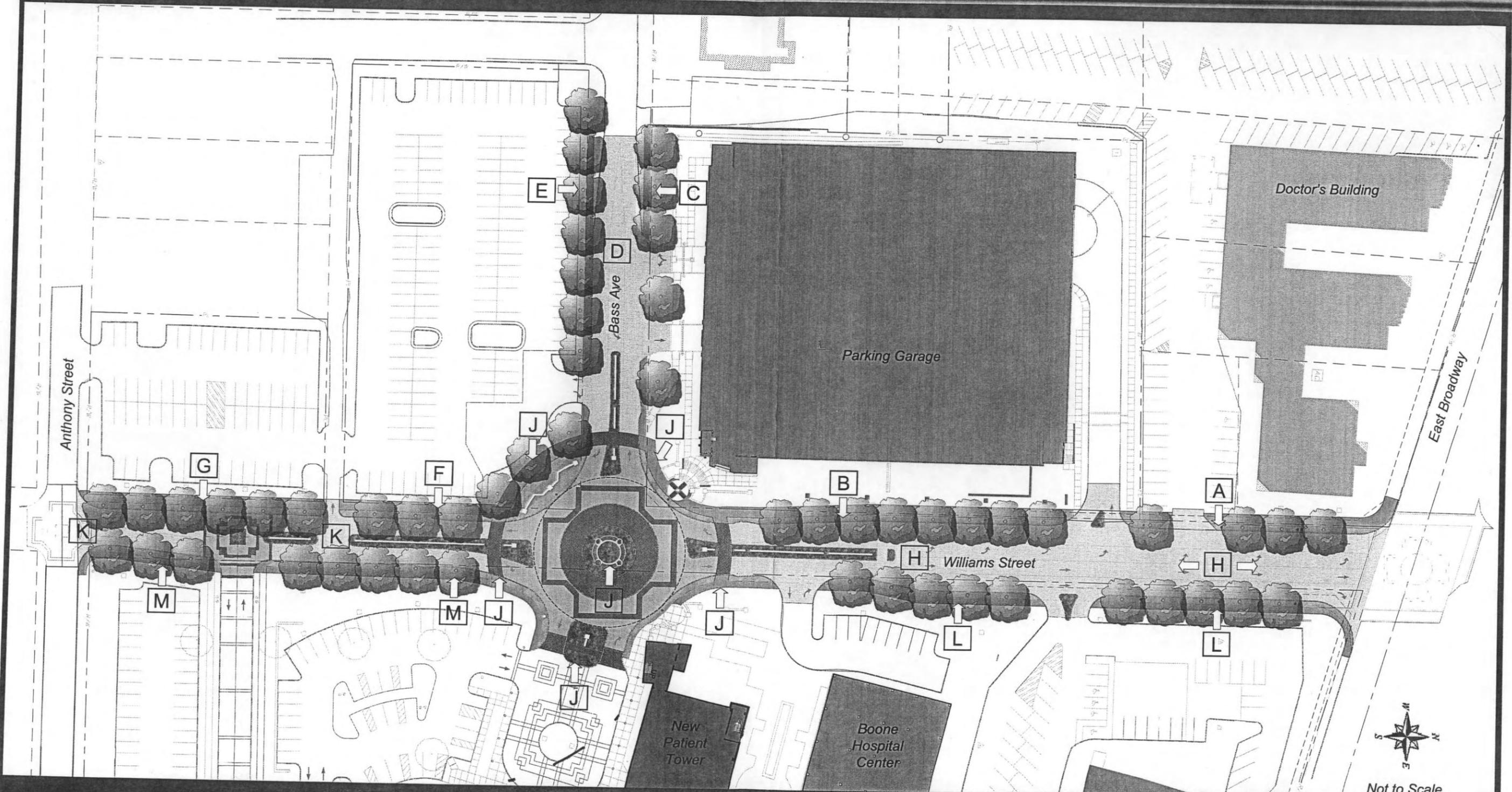
View Looking South Toward Bass Avenue

William Street Streetscape



William Street at Bass Avenue

Williams Street Streetscape – Cost Components



Cost Component Legend

- | | | | |
|-------------------------------------|-------------------------------|-------------------------------|-----------------------------|
| A – (West) William Street North | D – Bass Avenue | G – (West) William St South 2 | K – William Street South |
| B – (West) William Street at Garage | E – (South) Bass Avenue | H – William Street North | L – (East) William St North |
| C – (North) Bass Avenue | F – (West) William St South 1 | J – Roundabout | M – (East) William St South |

Source:
John Glascock



FISCAL NOTES:

TO: City Council
FROM: City Manager and Staff 
DATE: January 22, 2009
RE: Right of Use Permit allowing Boone Hospital Center To Install and Maintain a Decorative Round-About

City Fiscal Impact	
Enter all that apply:	
\$0	City's current net FY cost.
\$0	Amount of Funds Already appropriated
\$0	Amount of budget amendment needed
Estimated 2 yr net costs:	
\$0	One-time
\$0	Operating / On-going
Program Impact:	
N	New program/ agency (Y/N)
N	Duplicates/expands an existing program (Y/N)
N	Fiscal impact on any local political subdivision (Y/N)
Resources Required:	
N	Requires add'l FTE personnel? (Y/N)
N	Requires additional facilities? (Y/N)
N	Requires additional capital equipment? (Y/N)
Mandates:	
N	Federal or state mandated? (Y/N)

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration an ordinance allowing Boone Hospital Center to construct and maintain a decorative round-about with nonstandard City decorative concrete including stamping and coloring with a low planter box, nonstandard City decorative median, corridor light poles, and decorative raised landscaped islands including a median wall

Diagrams are attached to the right of use permit and include the round-about, landscaping, median walls, and lighting.

FISCAL IMPACT:

None

SUGGESTED COUNCIL ACTIONS:

Approval of the ordinance.