

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

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

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

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

Council Bill No. B 154-13

### **AN ORDINANCE**

authorizing a right of use permit with MM II, LLC for construction, improvement, operation and maintenance of collapsible bollards in a portion of the alley right-of-way on the east side of Ninth Street, between Elm Street and Woodson 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 MM II, LLC for construction, improvement, operation and maintenance of collapsible bollards in a portion of the alley right-of-way on the east side of Ninth Street, between Elm Street and Woodson Way. The form and content of the permit shall be substantially as set forth in "Exhibit 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 \_\_\_\_\_, 2013.

ATTEST:

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

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

APPROVED AS TO FORM:

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

RIGHT OF USE PERMIT

KNOW ALL MEN BY THESE PRESENT that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ the City of Columbia, a municipal corporation, in consideration of the sum of ten dollars (\$10.00) and other considerations to it paid, does hereby permit **MM II, LLC**, 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 right of way of the alley along east South Ninth Street between Elm Street and Woodson Way, Columbia, County of Boone, State of Missouri, and more particularly described as follows, to wit:

The right-of-way of the alley north of 308 South Ninth Street, further shown by the diagram 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 collapsible bollards in the right of way of the alley between Elm Street and Woodson Way to limit the area to pedestrian and emergency vehicles.
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 of the alley between Elm Street and Woodson Way without City of Columbia consent.
3. Permittee will be responsible for the costs of any future repairs, maintenance or replacements which is the result from Permittee's use under this Right of Use Permit.
4. Prior to exercising its right granted herein, the Permittee shall present construction plans or diagrams locating the proposed infrastructure 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.
5. Prior to exercising its right granted hereunder, Permittee agrees to obtain all necessary permits required by the City of Columbia pertaining to work being done in the right of way.
6. If the bollards are ever abandoned, all rights herein granted shall cease and terminate and Permittee shall have no further right of 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 store them or to otherwise clean up easement.
7. If at any time during construction, repair, modification or relocation of the bollards or any utility existing in the easement at the time this permit is granted, is necessary which would require the relocation of the bollards, the Permittee shall relocate the bollards at their own expense.
8. The Permittee agrees by exercising its rights under this permit that if the bollards become damaged in any way, whether negligently or intentionally by the construction, repair, modification or relocation of any utility existing in the easement at the time this permit is granted it will repair or replace the bollards at their own cost and hold the City of Columbia harmless for any of the costs associated with the repair or replacement or any other costs associated with the damage to the facilities.

9. Permittee acknowledges that the City of Columbia will not be able to perform some maintenance, such as for snow removal and street sweeping within the alley between the bollards due to limited vehicular access caused by the bollards. The permittee will be responsible for snow removal and street sweeping in the alley from Ninth Street to Watson Place.
10. This permit shall remain in effect until canceled by the City of Columbia, which shall be obligated to notify the Permittee six (6) months in advance of cancellation.

IN WITNESS WHEREOF, the said Party of the First Part has caused these presents to be signed by its officers the day and year first written above.

**City of Columbia, Missouri**

By: \_\_\_\_\_  
Mike Matthes  
City Manager

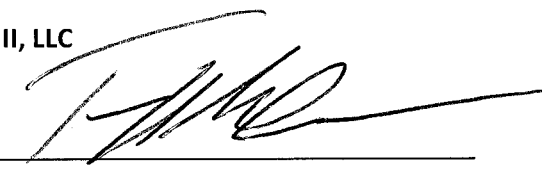
**Attest:**

By: \_\_\_\_\_  
Sheela Amin  
City Clerk

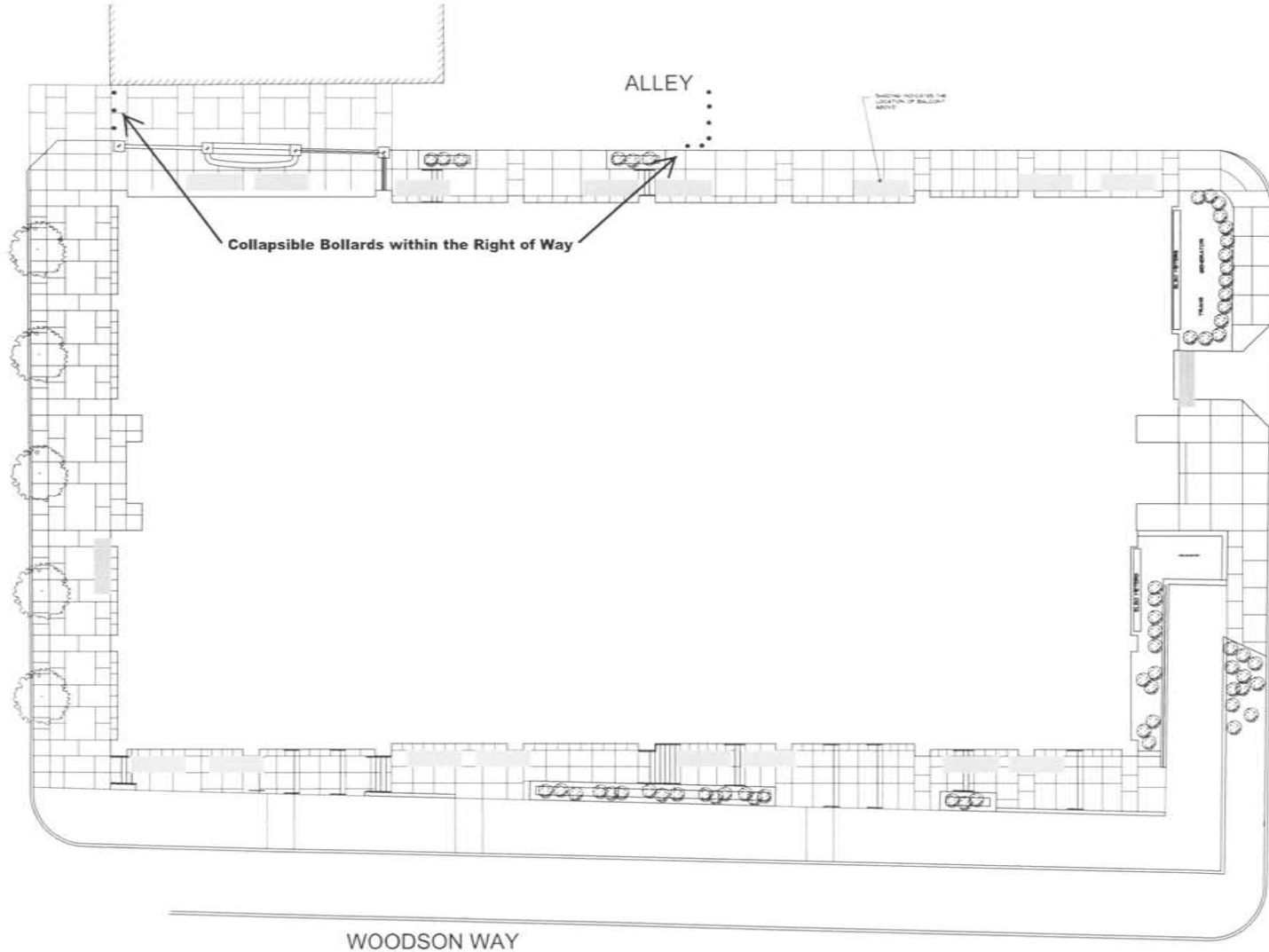
**Approved as to form:**

By: \_\_\_\_\_  
City Counselor

**MM II, LLC**

By:  \_\_\_\_\_  
Travis McGee - Member

SOUTH NINTH STREET



WOODSON WAY

WATSON PLACE

ARCHITECTURAL SITE PLAN  
1/8" = 1'-0"

**Ninth Street Mixed-Use  
Development**  
308 Ninth Street  
Columbia, Missouri 65201

Chief Engineer  
Engineer  
Professional Engineer  
Professional Engineer  
Professional Engineer  
Professional Engineer

**ACI BOLD**  
ARCHITECTS PLANNERS INTERIOR DESIGNERS  
11477 Olive Street  
St. Louis, MO 63141  
314.867.4578  
314.867.4578

ACI BOLD, Inc.  
Architectural Corporation  
MO License No. 330959

Michael S. Boland  
Principal  
AIA No. 100000000

Date: 10/26/11  
Job Number: 21100  
Drawing No.: 00  
Project No.: 00

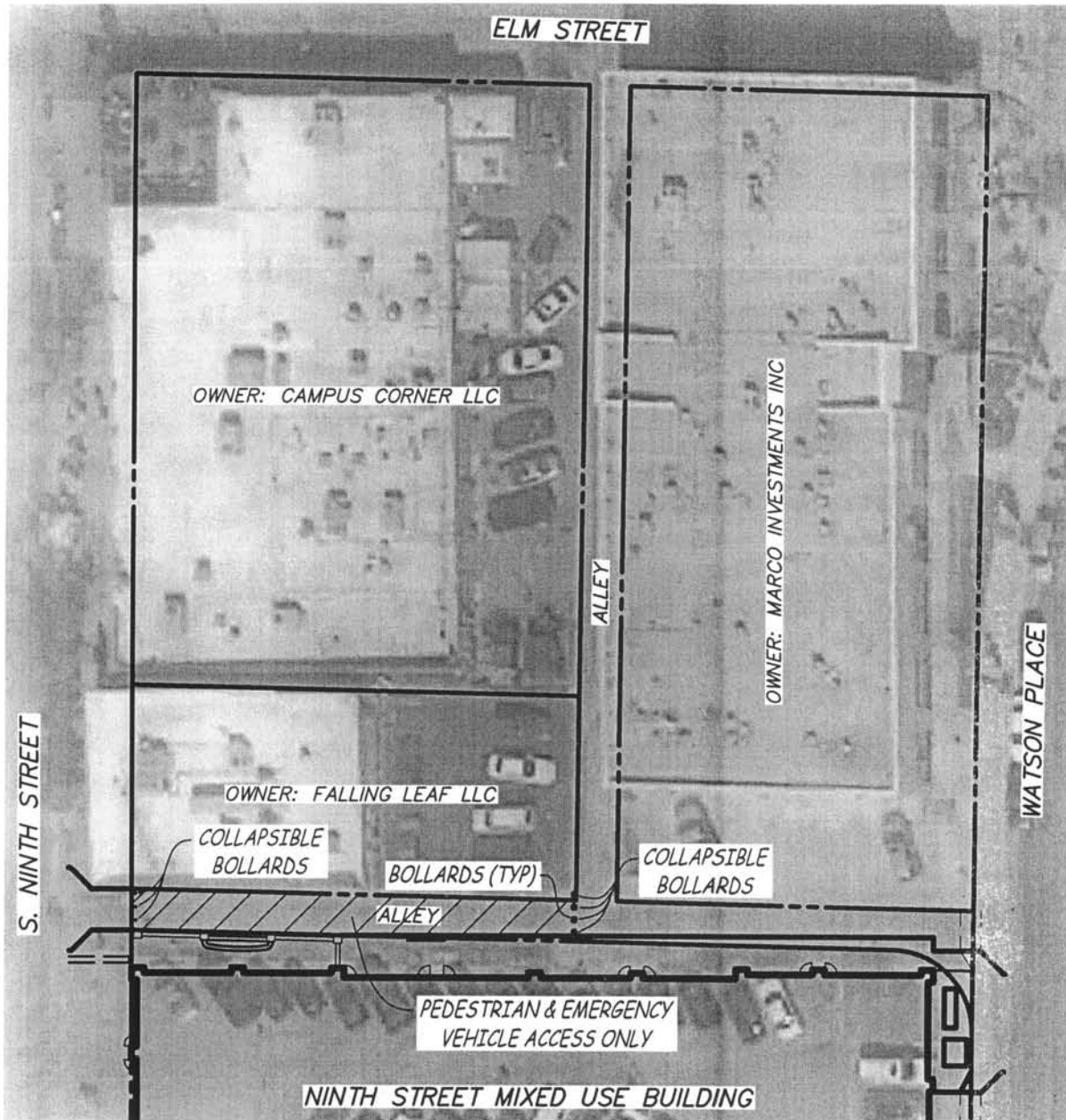
Revised: Date: Date:  
By: DATE: By: DATE:  
1/24/11 ISSUED FOR CONSTRUCTION

**A1.0.0**

© 2011 ACI BOLD, Inc.  
ARCHITECTURAL SITE PLAN



SCALE: 1" = 40'



RIGHT OF USE – BOLLARDS  
NINTH STREET MIXED-USE  
DEVELOPMENT

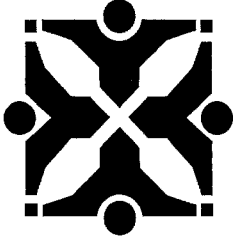
COLUMBIA, MISSOURI  
MAY 8, 2013



*Engineering Surveys & Services*

1113 Fay Street  
Columbia, Missouri  
573 - 449 - 2646

Missouri Engineering Corporation # 2004005018



Source: Public Works

*Josh*

Agenda Item No:

To: City Council  
From: City Manager and Staff

*MM*

Council Meeting Date: Jun 3, 2013

Re: Installation of Collapsible Bollards within a Portion of the Right of Way of an Unnamed Alley North of 308 South Ninth Street between Elm Street and Woodson Way

**EXECUTIVE SUMMARY:**

Staff has prepared for Council consideration an ordinance authorizing the City Manager to execute a right of use permit with MM II, LLC to install collapsible bollards within a portion of the right of way of an unnamed alley on the east side of S. Ninth Street, between Elm Street and Woodson Way.

**DISCUSSION:**

MM II LLC is requesting to install collapsible bollards within a portion of the right of way of an unnamed alley on the east side of S. Ninth Street, (north of 308 S Ninth Street) between Elm Street and Woodson Way. The right of use permit stipulates the responsibilities and duties of MM II, LLC and is similar to other right of use permits granted for this type of project. Staff has attached location diagrams as well as letters of support from two property owners affected by this project.

**FISCAL IMPACT:**

None

**VISION IMPACT:**

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

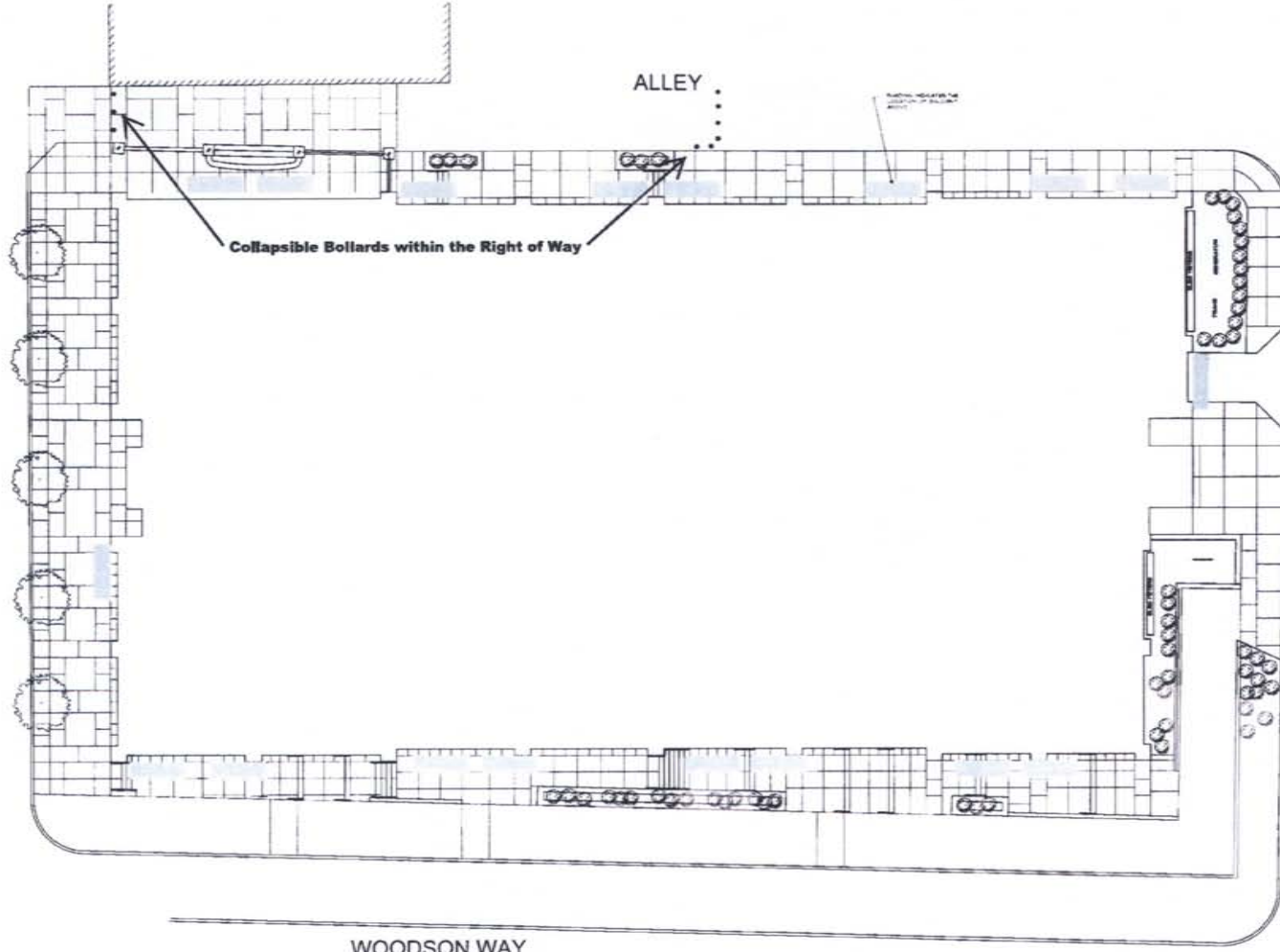
None

**SUGGESTED COUNCIL ACTIONS:**

Approve the ordinance authorizing the City Manager to execute a right of use permit with MM II LLC to install collapsible bollards in the City right of way at an unnamed alley on the east side of S. Ninth Street, between Elm Street and Woodson Way.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	

SOUTH NINTH STREET



WOODSON WAY

WATSON PLACE

ARCHITECTURAL SITE PLAN



**Ninth Street Mixed-Use  
Development**  
308 Ninth Street  
Columbia, Missouri 65201

CHS Engineer  
Engineer  
Professional Engineer  
3077  
314.555.5555  
314.555.5555  
314.555.5555

ACI/Boland Inc.  
Architectural Corporation  
MO License No. 000000

**ACI/BOLAND**  
ARCHITECTS PLANNERS INTERIOR DESIGNERS  
1229 Oak Grove  
314.555.5555  
314.555.5555  
314.555.5555

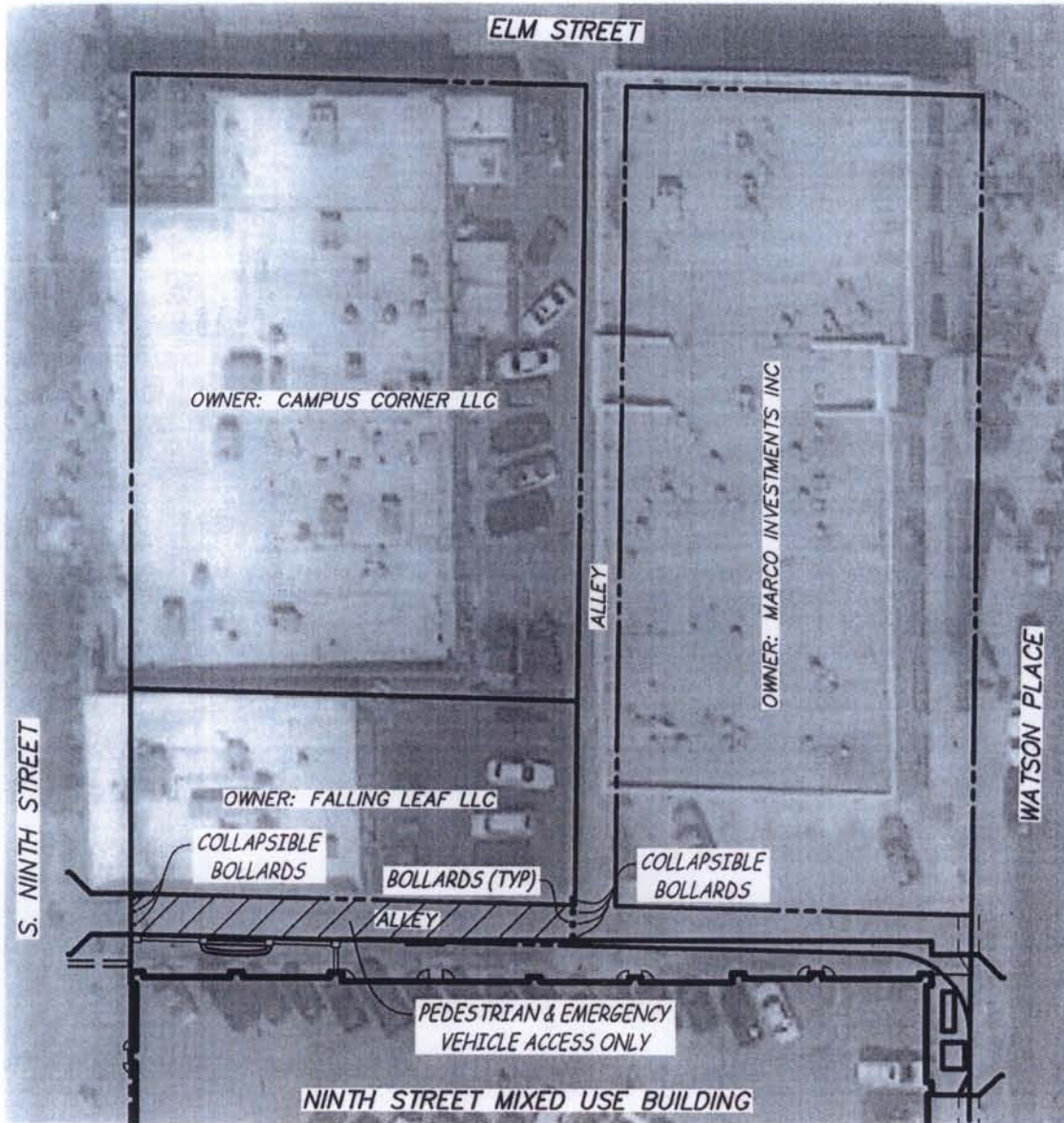
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SCALE: 1" = 40'



**RIGHT OF USE – BOLLARDS  
NINTH STREET MIXED-USE  
DEVELOPMENT**

COLUMBIA, MISSOURI  
MAY 8, 2013



**Engineering Surveys & Services**

1113 Fay Street  
Columbia, Missouri  
573 - 449 - 2646

Missouri Engineering Corporation # 2004005018

**Falling Leaf, LLC**  
**3115 Falling Leaf Court, Suite 101**  
**Columbia, Missouri 65201**

Honorable Mayor and City Council  
City of Columbia  
Building and Site Development  
P.O. Box 6015  
Columbia, MO 65205-6015

May 9, 2013

RE: Collapsible Bollards in Alley  
North of 308 South Ninth Street  
Columbia, Missouri

Honorable Mayor and City Council:

This letter is written concerning the proposed collapsible bollards in the alley north of 308 South Ninth Street. Falling Leaf, LLC is the owner of the property on the north side of the alley, 306 South Ninth Street. We believe that bollards in the alley will improve safety for pedestrians walking on Ninth Street between Chipotle and 308 South Ninth Street. The alley between the two buildings is narrow and it is difficult for cars entering Ninth Street from the alley to see pedestrians on the sidewalk. Vehicular traffic in the alley can still exit either at Watson Place or Elm Street. We fully support collapsible bollards in the west section of the alley.

In closing, if the City of Columbia deems that the alley remains open for public vehicle access other than emergency services it is the request of Falling Leaf, LLC that the City of Columbia assumes any and all liability for any pedestrians injured or struck by vehicles in the above said location.

Yours truly,



Travis H. McGee  
Owner, Falling Leaf, LLC

cc: Travis McGee, MM II LLC  
Matt Kreite, ES&S



**MMII, LLC**  
**3115 Falling Leaf Court, Suite 101**  
**Columbia, Missouri 65201**

Honorable Mayor and City Council  
City of Columbia  
Building and Site Development  
P.O. Box 6015  
Columbia, MO 65205-6015

May 9, 2013

RE: Collapsible Bollards in Alley  
North of 308 South Ninth Street  
Columbia, Missouri

Honorable Mayor and City Council:

This letter is written concerning the proposed collapsible bollards in the alley north of 308 South Ninth Street. MMII, LLC is the owner of the property on the south side of the alley, 308 South Ninth Street. We believe that bollards in the alley will improve safety for pedestrians walking on Ninth Street between Chipotle and 308 South Ninth Street. The alley between the two buildings is narrow and it is difficult for cars entering Ninth Street from the alley to see pedestrians on the sidewalk. Vehicular traffic in the alley can still exit either at Watson Place or Elm Street. We fully support collapsible bollards in the west section of the alley.

In closing, if the City of Columbia deems that the alley remains open for public vehicle access other than emergency services it is the request of MMII, LLC that the City of Columbia assumes any and all liability for any pedestrians injured or struck by vehicles in the above said location.

Yours truly,



Travis H. McGee  
Member, MMII, LLC

cc: Travis McGee, Falling Leaf, LLC  
Matt Kreite, ES&S

**Campus Corner, LLC**  
**212 Bingham**  
**Columbia, Missouri 65203**

Honorable Mayor and City Council  
City of Columbia  
Building and Site Development  
P.O. Box 6015  
Columbia, MO 65205-6015

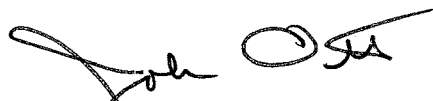
May 10, 2013

RE: Collapsible Bollards in Alley  
North of 308 South Ninth Street  
Columbia, Missouri

Honorable Mayor and City Council:

This letter is written concerning the proposed collapsible bollards in the alley north of 308 South Ninth Street. Campus Corner, LLC is the owner of the property on the north side of the alley, 304 South Ninth Street. I believe that bollards in the alley will improve safety for pedestrians walking on Ninth Street between Chipotle and 308 South Ninth Street. The alley between the two buildings is narrow and it is difficult for cars entering Ninth Street from the alley to see pedestrians on the sidewalk. Vehicular traffic in the alley can still exit either at Watson Place or Elm Street. I fully support collapsible bollards in the west section of the alley.

Yours truly,

A handwritten signature in black ink, appearing to read "John Ott", with a large loop and a horizontal stroke extending to the right.

John Ott  
Owner, Campus Corner, LLC

cc: Travis McGee, MM II LLC  
Matt Kreite, ES&S

**MaxiForce Traffic Control Collapsible Bollards** are a cost effective and flexible barrier solution that allows you to control, re-route or grant quick access to suit traffic flow requirements. The bollards offer patented technology that enables the bollards to be collapsed for vehicle passage and then quickly and easily reset. These collapsible bollards also contain a unique breakaway feature allowing emergency vehicles to penetrate the passage or roadway without exiting their vehicle. The bollard units may then be repaired with simple replacement inserts without the need for a total bollard replacement.

- Features:**
- ✱ FOLDS TO 3-9/16" HIGH ABOVE ROAD SURFACE
  - ✱ UNLOCKS AND FOLDS DOWN QUICKLY
  - ✱ FOLDS UP AND RE-LOCKS RAPIDLY
  - ✱ BREAKAWAY FEATURE ENSURES EASY REPAIR
  - ✱ BREAKAWAY FEATURE ALLOWS EMERGENCY ACCESS
  - ✱ THREE BASE TYPES FOR VERSATILE INSTALLATION
  - ✱ ACCEPTS THREE DIFFERENT HEAD STYLES
  - ✱ AVAILABLE IN OVER 80 COLORS & FINISHES

### OPERATION

#### Standard Hydrant-Wrench Operated Bollard



Ideal for locations requiring traffic control while allowing designated vehicles to quickly pass with the use of a fire hydrant wrench. The standard hydrant nut is a 5-sided AWWA nut.

(Other nut styles available.)

#### Standard Padlock Operated Bollard



Ideal for designated locations where traffic control is required and only authorized vehicles and personnel with the appropriate key may unlock the bollard and pass through.

### HEAD STYLES

The MaxiForce line of bollards has several style options, including the choice of head styles to top the bollard bodies. All three bollard heads are removable and interchangeable. All heads attach to the body with two screws.



SS1

SS2

SS3

### BASE TYPES

MaxiForce Collapsible Bollards have three base options to fit installation requirements. Collapsible bollard operation is not affected by the choice of base type.



EZ

Universal

Simple

### USES

- ✱ Office Buildings
- ✱ School Grounds
- ✱ Parking Areas
- ✱ College Campuses
- ✱ Military Installations
- ✱ Playgrounds & Parks
- ✱ Malls and Shopping Centers
- ✱ Residential Subdivisions
- ✱ Ball Parks and Stadiums
- ✱ Apartment Complexes
- ✱ Biking Trails
- ✱ Pedestrian Walkways
- ✱ City Downtown Areas
- ✱ Playgrounds
- ✱ Government Facilities

**To learn more about these products visit [www.maxiforcebollards.com](http://www.maxiforcebollards.com)**





**MaxiForce Traffic Control Collapsible Bollards'** patented breakaway insert is a distinctive feature that allows emergency and safety personnel immediate access beyond the bollard without leaving the vehicle, saving valuable response time. This patented breakaway feature is on all collapsible bollards, regardless of the operation. It is easy to change from one insert to the other to meet your current needs.

### Features:

- ✱ ALLOWS FOR EMERGENCY ACCESS
- ✱ BOLLARD CAN BE PUT BACK INTO SERVICE QUICKLY
- ✱ EASILY REPLACABLE INSERTS
- ✱ INSERTS AVAILABLE IN FOUR VERSIONS TO FIT YOUR NEED

### OPERATION

The breakaway safety feature works by allowing the unit to "break away" from the base unit permitting access without using the wrench operation or removing the padlock. Two unique inserts are designed to shear when pushed by a vehicle. This gives the vehicle access without causing significant damage to the bollard or vehicle. The feature ensures there will never be a time when emergency personnel cannot access protected or blocked areas. By replacing the inexpensive inserts, the bollard can be placed back into service quickly by use of a standard allen wrench.

**Figure 1** - Bollard unit in collapsed position. The pivot block attaches to the base plate using two bolts placed in from the top of the pivot block.

**Figure 2** - Pivot Block. Two bolts on either side of the block attach the body to the pivot block on which the body rotates when collapsing. These are the only bolts required to mount a unit on the base and the only ones required to remount if the unit is sheared off due to the breakaway feature.

**Figure 3** - The pivot block and base top after a unit has been sheared off. The two mounting bolts remain in the base and the pivot block and body (not attached in photo) are laid over. The two inserts (visible in the bottom of the pivot block holes) would be removed and replaced.



Figure 1



Figure 2



Figure 3

### INSERT TYPES

MaxiForce bollard inserts come in four versions – standard, heavy-duty, steel and non-breakaway. These various inserts give you choices to fit your locations operation and particular conditions. All insert types are available for purchase with the original order and as replacement parts.

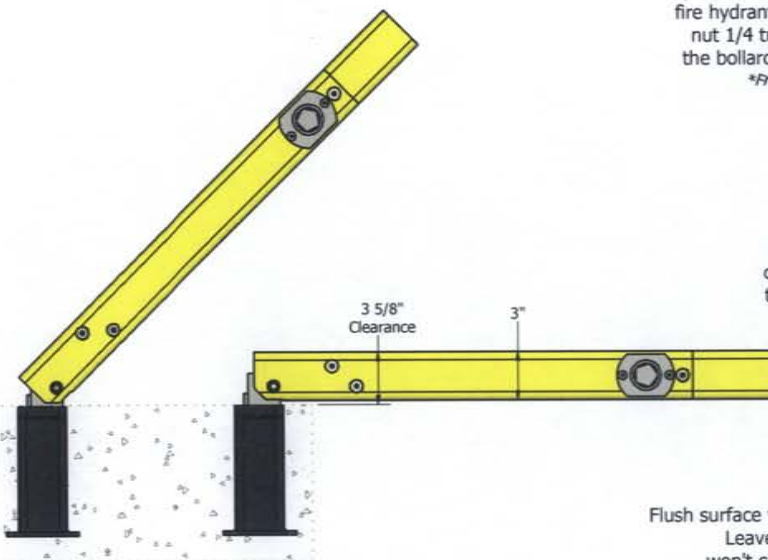
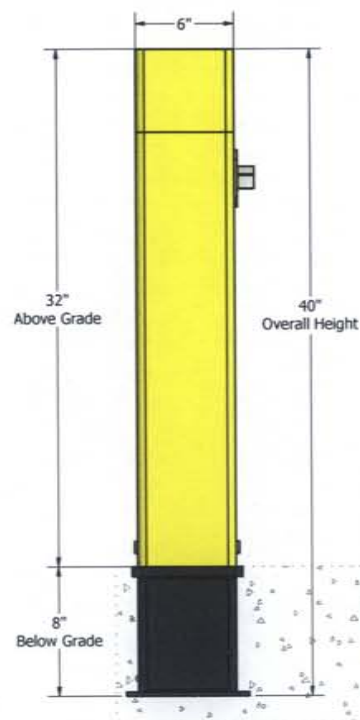
Part (Part Number)	Description
<b>Standard Insert (P-145)</b>	Aluminum insert allows the unit to breakaway in lieu of damaging the bollard. It goes in the pivot block and the mounting screws go through the insert, into the base.
<b>Heavy Duty Insert (P-150)</b>	Heavier aluminum insert that allows the unit to breakaway in lieu of damaging the bollard. It goes in the pivot block and the mounting screws go through the insert, into the base. This insert makes it more difficult to breakaway.
<b>Steel Insert (P-151)</b>	This steel insert makes the force required to breakaway the unit more substantial than the two aluminum inserts. It goes in the pivot block and the mounting screws go through them into the base.
<b>Non-Breakaway Insert (P152)</b>	This steel insert removes the breakaway capability and will cause damage to the bollard and vehicle when struck.

**To learn more about these products visit [www.maxiforcebollards.com](http://www.maxiforcebollards.com)**

# MaxiForce™ Collapsible Bollard

Standard Body, Wrench Operated, Standard Style 2 Head, Simple Base

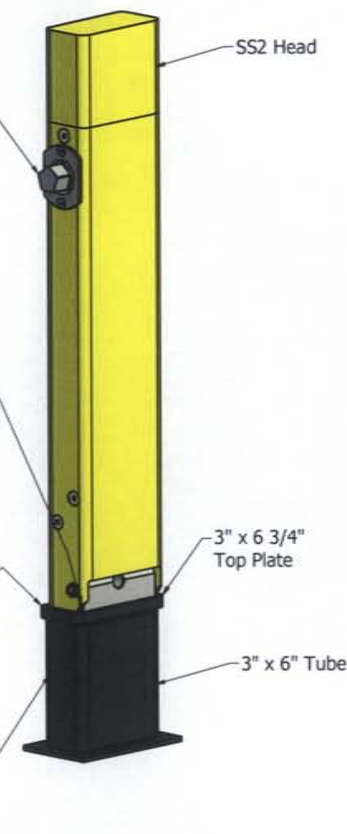
AHJ approved in many cities / counties / campuses for use in fire lanes per International Fire Code (IFC) 503



Patented fire hydrant wrench operation works with any standard fire hydrant wrench by turning the nut 1/4 turn to unlock and lower the bollard. (1-3/8" nut standard)  
\*Free standard hydrant wrench included with each order

Patented break-away design allows instant emergency access without a key. This unit can be pushed over with the bumper of a vehicle.

Flush surface when bollard is removed. Leaves no tripping hazard and won't catch snow plows or other maintenance equipment.



- Low Maintenance / Durable steel construction
- One year warranty / Protected by \$1,000,000 in liability insurance
- No complex assembly required in the field
- Custom sizes, options, colors and finishes available upon request
- Finish options available (add code to the end of the model number)
  - Powder coated (PC)
  - Powder coated with DRYZINC primer (PCZ)
  - Hot dip galvanized (G)
  - Hot dip galvanized & powder coated (GPC)
- Reflective tape available upon request

Bollard Assy. Weight	Base Weight
55 lbs	14 lbs
Drawing Rev.	Created
1	11/2/2009

PROPRIETARY AND CONFIDENTIAL

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**MaxiForce™ Traffic Control Bollards**

7560 Main Street  
Sykesville, MD 21784  
410-552-9888 (phone) - 410-552-9939 (fax)  
www.maxiforcebollards.com - sales@maxiforcebollards.com

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