

# City of Columbia

701 East Broadway, Columbia, Missouri 65201



**Agenda Item Number:** R 123-14

**Department Source:** Public Works

**To:** City Council

**From:** City Manager & Staff

**Council Meeting Date:** July 21, 2014

**Re:** Authorizing Ameren Missouri an Extension to Complete the Remedial Action Project Improvements on Orr Street

## Documents Included With This Agenda Item

Council Memo, Resolution/Ordinance, Exhibits to Resolution/Ordinance

**Supporting documentation includes:** Diagram, Letter from Ameren Missouri, Copy of Approved Right of Use Permit with Ameren Missouri

## Executive Summary

A Right of Use Permit with Ameren Missouri was authorized by Council on December 2, 2013, to allow remedial action project improvements at their manufactured gas plant site on Orr Street; and to temporarily close portions of sidewalk on Park Avenue and Orr Street, as well as two parking spaces on Ash Street, for the period January 6, 2014 to August 1, 2014. Ameren Missouri is requesting an extension to October 31, 2014 to complete the project (see attached letter).

## Discussion

On December 2, 2013, Council passed Ordinance 21910 authorizing the City Manager to execute a Right of Use Permit with Ameren Missouri to allow construction, operation and maintenance of temporary remedial action project improvements at their manufactured gas plant site located at 210 Orr Street; and to temporarily close a portion of the sidewalk on the south side of Park Avenue, a portion of the sidewalk on the east side of Orr Street, and two parking spaces located on the north side of Ash Street, for the period January 6, 2014 to August 1, 2014. Ameren Missouri has requested to extend the permit period, including the sidewalk and parking space closures, to October 31, 2014 to complete the project.

Staff has reviewed the traffic control plan and has no issues with their request. Ameren Missouri will continue to be responsible for all signs and barricades necessary for the protection and convenience of the general public, and shall be responsible for notifications to the media and emergency personnel.

## Fiscal Impact

Short-Term Impact: None

Long-Term Impact: None

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## Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable

Strategic Plan Impact: Not Applicable

Comprehensive Plan Impact: Not Applicable

## Suggested Council Action

Authorize an extension of the right of use permit with Ameren Missouri for the remedial project improvements in the City right of way of Orr Street and Park Avenue; and the temporary sidewalk closures on portions of Park Avenue and Orr Street, and the two parking spaces located on the north side of Ash Street, to October 31, 2014.

## Legislative History

12/2/13 (Ord 21910) Authorizing a right of use permit and temporary closure of portions of sidewalk on Park Avenue and Orr Street, and two parking spaces on Ash Street.

A handwritten signature in black ink, appearing to read "John D. Gleser", written over a horizontal line.

Department Approved

A handwritten signature in black ink, appearing to be a stylized name, written over a horizontal line.

City Manager Approved

## **A RESOLUTION**

authorizing an extension of the temporary closure of a portion of the sidewalk on the south side of Park Avenue, a portion of the sidewalk on the east side of Orr Street and two parking spaces located on the north side of Ash Street to allow for temporary remedial action project improvements at the Ameren Missouri manufactured gas plant (MGP) site located at 210 Orr Street.

WHEREAS, Ameren Missouri had been granted a Right of Use Permit by the City on December 3, 2013 to allow construction, operation and maintenance of temporary remedial action project improvements at the Ameren Missouri manufactured gas plant (MGP) site located at 210 Orr Street; and

WHEREAS, Ameren Missouri had been granted permission by the City on December 3, 2013 to temporarily close a portion of the sidewalk on the south side of Park Avenue, a portion of the sidewalk on the east side of Orr Street and two parking spaces located on the north side of Ash Street; and

WHEREAS, Ameren Missouri has requested permission of the City for an additional extension of the temporary closure.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby authorizes Ameren Missouri to temporarily close a portion of the sidewalk on the south side of Park Avenue, a portion of the sidewalk on the east side of Orr Street and two parking spaces located on the north side of Ash Street, as shown on "Exhibit A," from August 2, 2014 to October 31, 2014 to allow for temporary remedial action project improvements at the Ameren Missouri manufactured gas plant (MGP) site located at 210 Orr Street.

SECTION 2. Ameren Missouri shall close the sidewalks only in accordance with the traffic control plans submitted and approved by the City's Director of Public Works. In the interest of public safety, the Director of Public Works may require additional traffic control measures by notifying Ameren Missouri, in writing, of such requirements. Ameren Missouri shall be responsible for all signs and barricades necessary for the protection and convenience of the general public and shall be responsible for the repair of the sidewalks, streets and parking spaces due to any damage caused by the construction activity. Ameren Missouri shall be responsible for notifications to the media and emergency personnel.

SECTION 3. Ameren Missouri shall proceed with construction activities which require the sidewalk and parking space closures without unnecessary delay so as to minimize disruption to the public. Failure to proceed without unnecessary delay may result in the revocation of the sidewalk and parking space closure permit by the City Council.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

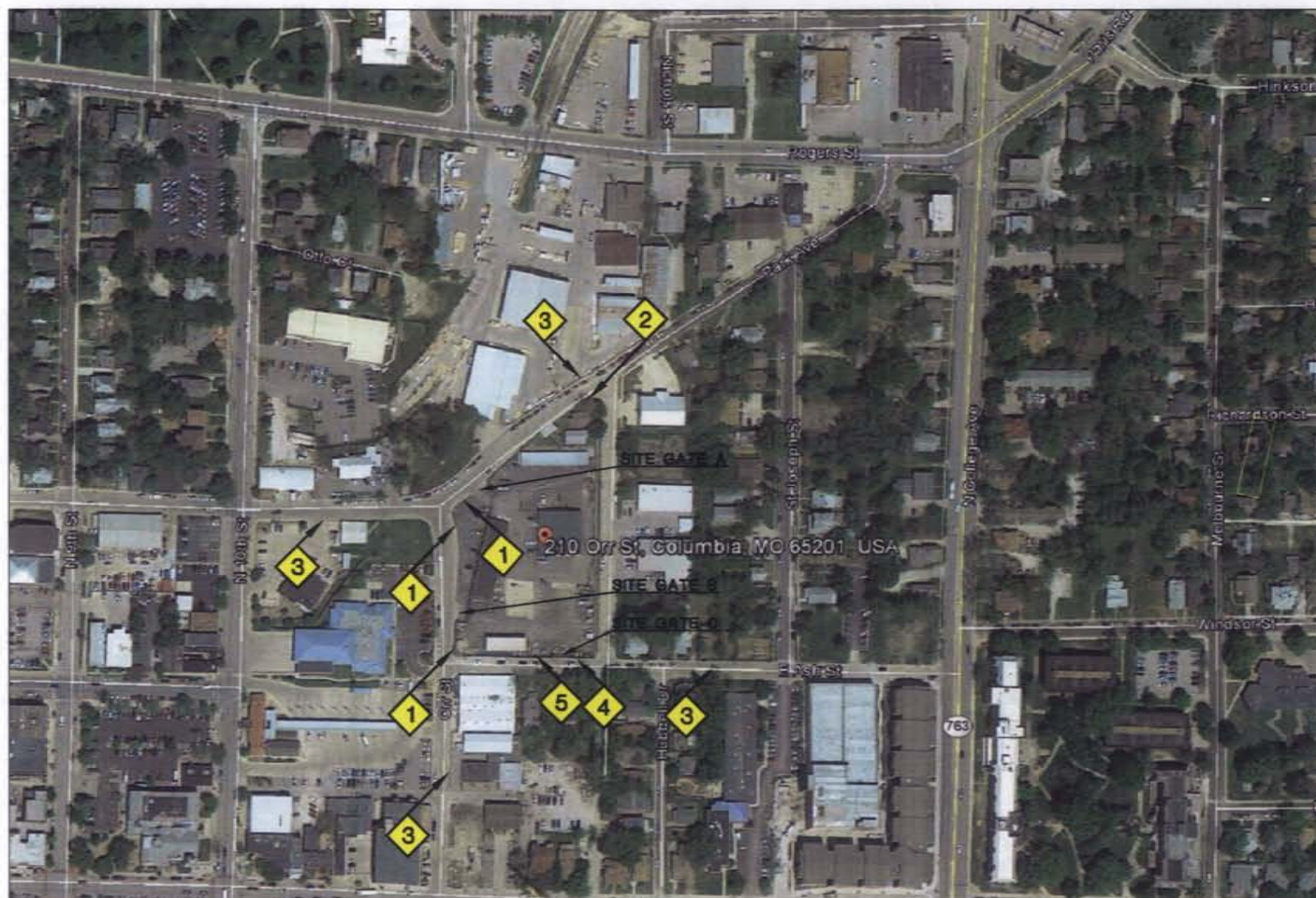
ATTEST:

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

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

APPROVED AS TO FORM:

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



## KEY NOTES

1

SIDEWALK  
CLOSED

2

SIDEWALK CLOSED  
CROSS HERE

3

TRUCKS  
ENTERING  
ROADWAY

4

NO  
PARKING  
BETWEEN  
SIGNS

5

NO  
PARKING  
BETWEEN  
SIGNSAS  
NEEDEDFLAGGER  
AHEAD

- GENERAL NOTES:**
1. EAST SIDEWALK ON ORR STREET FROM E. ASH STREET TO PARK AVENUE AND THE SOUTH SIDEWALK ON PARK AVENUE FROM ORR STREET TO ST. JAMES STREET CLOSED FROM JANUARY 6, 2014 TO OCTOBER 31, 2014.
  2. "SIDEWALK CLOSED" SIGN (1) INSTALLED ON EAST SIDEWALK OF ORR STREET ON NORTH SIDE OF THE INTERSECTION WITH E. ASH STREET. BARRICADE PLACED ON SIDEWALK BEYOND SIGN (1). BARRICADE TYPE I OR II USED DEPENDING UPON MEASURED SIDEWALK WIDTH. TYPE II BARRICADE SHALL BE 48-INCHES WIDE IF USED. TYPE I BARRICADE SHALL BE 34-INCHES IF USED.
  3. SOUTH SIDEWALK ON PARK AVENUE FROM ST. JAMES STREET TO ORR STREET CLOSED. "SIDEWALK CLOSED CROSS HERE" SIGN (2) INSTALLED AT THIS LOCATION. BARRICADE PLACED ON SIDEWALK BEYOND SIGN (2). BARRICADE TYPE I OR TYPE II USED DEPENDING UPON MEASURED SIDEWALK WIDTH. TYPE II BARRICADE SHALL BE 48-INCHES WIDE IF USED. TYPE I BARRICADE SHALL BE 34-INCHES WIDE IF USED.
  4. "SIDEWALK CLOSED" (1) INSTALLED ON EAST SIDEWALK OF ORR STREET AT INTERSECTION WITH PARK AVENUE OPPOSITE SOUTH SIDEWALK OF PARK AVENUE WEST OF ORR STREET. SIGN (1) SHALL BE INSTALLED FACING WEST TOWARD SOUTH SIDEWALK ON PARK AVENUE. TYPE II BARRICADE SHALL BE PLACED SOUTH OF SIGN (1) AT THIS LOCATION.
  5. "SIDEWALK CLOSED" (1) INSTALLED ON SOUTH SIDEWALK OF PARK AVENUE AT INTERSECTION WITH ORR STREET OPPOSITE NORTH SIDEWALK OF PARK AVENUE WEST OF ORR STREET. SIGN (1) SHALL BE INSTALLED FACING WEST TOWARD NORTH SIDEWALK ON PARK AVENUE. TYPE II BARRICADE SHALL BE PLACED NORTH OF SIGN (1) AT THIS LOCATION.
  6. "TRUCKS ENTERING ROADWAY" SIGNS INSTALLED FOR THE TRAFFIC APPROACHING AMEREN SITE TRUCK GATES A, B AND C. FLAGGER WILL ASSIST TRUCKS ENTERING AMEREN SITE. PORTABLE "FLAGGER AHEAD" SIGN WILL BE USED AS NEEDED. MUTCD SIGN W30-7.
  7. "NO PARKING BETWEEN SIGNS" (4) AND (5) INSTALLED ADJACENT TO SITE TRUCK GATE C. SIGNS (4) AND (5) INSTALLED BETWEEN/AT UTILITY POLES AT EITHER END OF THIS SITE GATE. DOUBLE PARKING METER FOR THE TWO PARKING SPACES BETWEEN SIGNS TO BE REMOVED FOR PROJECT DURATION.

8. CONTRACTOR WILL PAY ASSOCIATED FEES WITH THE REMOVAL OF PARKING METER AT SITE TRUCK GATE C.
9. TRUCK TRAFFIC TO AND FROM AMEREN SITE VIA:
  - 783 COLLEGE AVENUE
  - RODGERS STREET
  - N. 10TH STREET
  - PARK AVENUE
  - ORR STREET TO GATE B
  - ASH STREET TO GATE C
10. TRUCK TRAFFIC BETWEEN 7AM AND 4PM MONDAY-FRIDAY, JANUARY 6, 2014 TO OCTOBER 31, 2014.
11. TRAFFIC CONTROLS SHALL BE COORDINATED WITH THE CONSTRUCTION LOCATED AT ORR STREET AND WALNUT STREET AS NEEDED FOR

TRAFFIC ON ORR STREET.



SCL

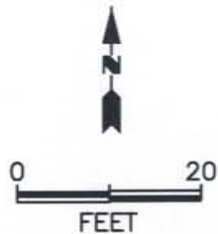
SCL  
824-1302-0002-002

NO.		REVISION		BY	DATE
CLIENT AMEREN MISSOURI					
PROJECT TITLE MGP SITE REMEDIAL ACTION COLUMBIA, MISSOURI					
SHEET TITLE TRAFFIC CONTROL PLAN					
DRAWN BY SJC	DATE 07-10-14	SCALE NOT TO SCALE			
CHECKED BY MHE	PROJECT NUMBER 824-1302-0002	DRAWING NO. FIGURE 6-2			
APPROVED BY MHE					

**SIDEWALK  
CLOSED**

ORR STREET  
28'-32' CONCRETE  
(VARYING WIDTH)

ASH STREET  
28' CONCRETE



TITLE:  
ORR STREET AND E. ASH STREET  
AMEREN COLUMBIA MGP SITE  
COLUMBIA, MISSOURI

DWN:  
SLC  
CHKD:  
DATE:  
07-10-14

DES.:  
DRP  
APPD:  
REV.:

PROJECT NO.: 62413020002  
AMEREN  
COLUMBIA, MO

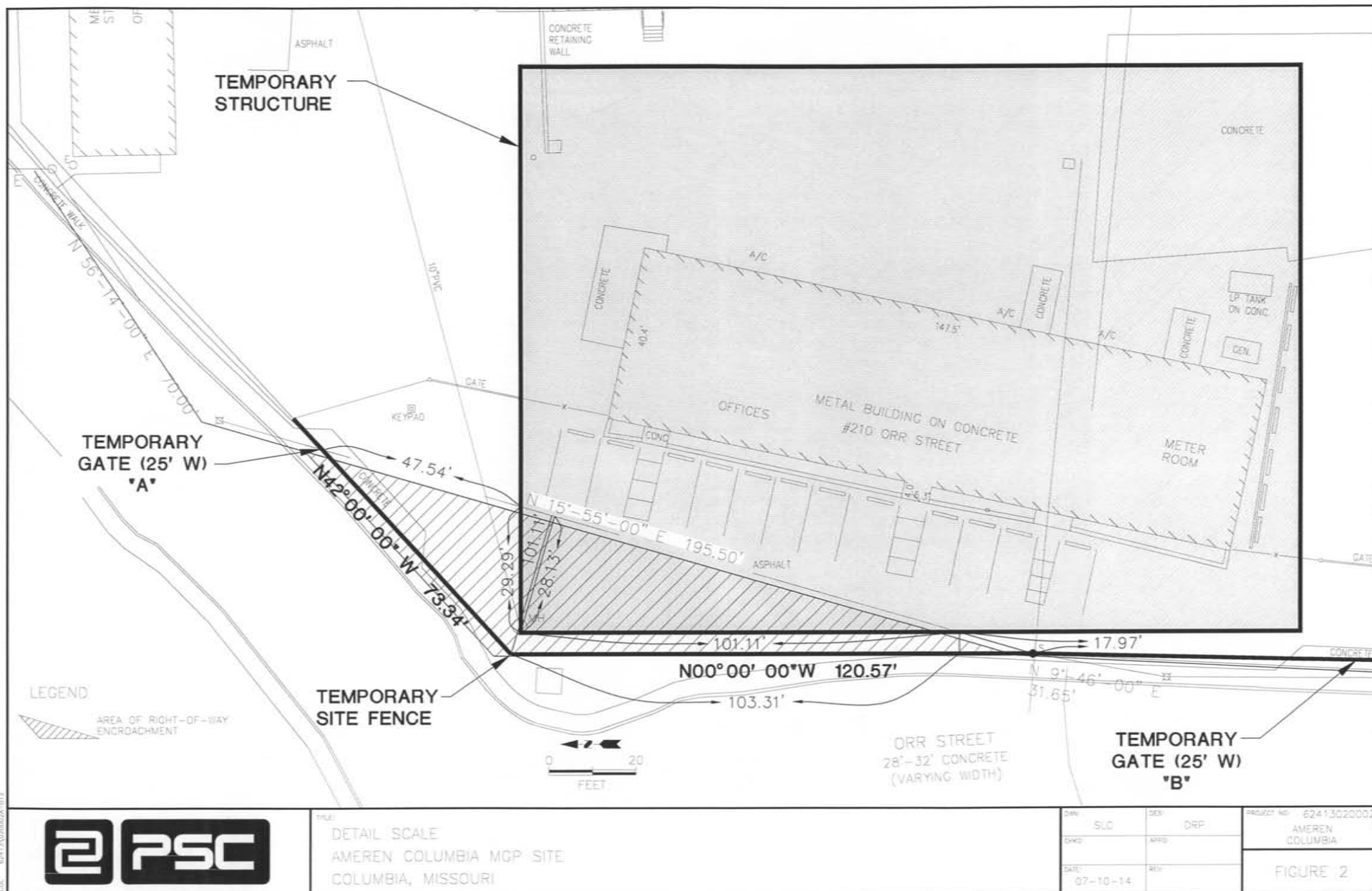
FIGURE 3.1





## SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Diagram, Letter from Ameren Missouri, Copy of Approved Right of Use Permit with  
Ameren Missouri



COL: 62413020002-012



TRUE  
 DETAIL SCALE  
 AMEREN COLUMBIA MGP SITE  
 COLUMBIA, MISSOURI

DRW:	SJC	DES:	DRP	PROJECT NO:	62413020002
CHKD:		APPD:		AMEREN	COLUMBIA
DATE:	07-10-14	REV:		FIGURE 2	



July 10, 2014

Bob McDavid, Mayor, City of Columbia, Missouri  
and City Council, City of Columbia, Missouri  
City of Columbia  
710 E Broadway  
P.O. Box 6015  
Columbia, MO 65205

**RE: Right of Use Permit - Ameren Missouri MGP Site Remedial Action**  
Temporary Site Improvements Encroaching upon the Orr Street and Park Avenue right-of-way

Ameren Missouri is continuing to conduct remedial actions at the former Columbia, Missouri manufactured gas plant (MGP) site located at 210 North Orr Street, Columbia, Missouri in accordance with the guidelines of the Missouri Department of Natural Resources Risk-Based Corrective Process (10 CSR 25-18.010), to address recognized environmental conditions associated with the operation of the MGP. Ameren Missouri requested and received from the city of Columbia in November, 2013 a Right-of-Use Permit, for temporary site improvements necessary for these remedial action activities. The Right of Use Permit received by Ameren Missouri will expire on July 31, 2014. Ameren Missouri is requesting an extension of the permit period until October, 31, 2014.

As part of these remedial actions, contractors have been removing contaminated soil and other materials for transportation to permitted disposal facilities. To facilitate these remedial actions, Ameren Missouri received permission to temporarily extend the existing property boundary fence into the Orr Street and Park Avenue right-of-way along the east line of the east sidewalk on Orr Street, and the south line of the south sidewalk along Park Avenue.

In addition to the temporary site fence extensions, Ameren Missouri contractors erected a temporary structure to enclose the soil excavation area. Due to site space constraints, a portion of the temporary structure extends beyond the Ameren Missouri property boundary into the Orr Street right-of-way.

The temporary fence along Orr Street extends north parallel to the Ameren Missouri property boundary from an existing property fence corner post crossing the property boundary at the intersection of the property boundary and the Orr Street easement line then continuing 120.57 feet north (N00°00'00"W) within the Orr Street right-of-way to a temporary fence corner post approximately 34-feet west of the property boundary, then northeast 62 feet back to the Ameren Missouri property boundary and extending an additional 11.34-feet to an existing property fence corner post. A 25-foot wide temporary site access and egress gate "Site Gate A" has been installed in this temporary site fence in the Park Avenue right-of-way aligned with the existing property entrance curb cut. A second temporary site access and egress gate "Site Gate B" has been installed in the temporary site fence aligned with the existing property entrance curb cut on Orr Street.

The temporary fence is six-foot (6) high, and constructed with galvanized chain-link fabric, poles, and rails. The temporary fence poles were driven to establish the fence line at ten-foot (10) intervals. The two access/egress gates are also six-foot (6) high galvanized chain-link material. The access/egress gates shall open into the site or are cantilevered along the line of the fence.

Also as part of the former MGP site remedial actions, Ameren Missouri's contractors erected an aluminum frame, clear span; fabric clad, temporary structure to enclose planned soil excavations. The temporary structure is a Universal Fabric Structures TFS RV Series shelter. The temporary structure is 40-meters (132-feet) wide and 45-meters (146.25-feet) long. The north wall of the temporary structure extends approximately 29-feet beyond the Ameren Missouri property boundary into the Orr Street right-of-way at a point 75-feet south-southwest of the Ameren Missouri property corner. The west wall of the temporary structure extends approximately 101-feet south back to the Ameren Missouri property boundary.

None of the temporary site improvements associated with the Right-of-Use Permit extend into roadways nor impede street traffic. Two diagrams depicting the locations of the temporary improvements associated with this Right-of-Use permit are also attached to the correspondence

Ameren Missouri also requested through an "Application for Short-Term Restrictions & Closures for Construction Projects & Repairs" that the sidewalk adjacent to the site be closed to pedestrians for the duration of the remedial actions as a public safety consideration. The application and the associated Project Traffic Control Plan detailing the sidewalk closure and signage installed according to the original permit consistent with the Manual of Uniform Traffic Control Devices is being resubmitted for consideration by the city also.

On behalf of Ameren Missouri I would like to thank you for your consideration of our request for this Right-of-Use Permit. If you have questions regarding the remedial action project you may contact me at 573-876-3045, or Mr. Warren Mueller at 314-554-3063.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael K. Holman".

Michael K. Holman  
Director Missouri Gas Operations  
Ameren Missouri

## **RIGHT OF USE PERMIT**

KNOW ALL MEN BY THESE PRESENT that on this 3rd day of December, 2013 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 Ameren Missouri, 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 right of way of Orr Street and Park Avenue, Columbia, County of Boone, State of Missouri, and more particularly described as follows, to wit:

The right-of-way of Orr Street and Park Avenue located adjacent to 210 Orr Street, within the limits of the City of Columbia, further described by the diagrams(s) 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 a temporary structure built at 210 Orr Street, and partially located in the right-of-way of Orr Street, and a temporary six-foot (6) tall chain-link fence with two (2) six-foot (6) tall chain-link access/egress gates (hereinafter referred to as "temporary remedial action project improvements") built in the right-of-way of Orr Street and Park Avenue to allow for the removal of contaminated soil and other materials associated with the remedial actions by Permittee at 210 Orr Street.
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 Orr Street and/or Park Avenue without City 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 its construction plans or diagrams locating the proposed temporary remedial action project improvements 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 the work being done in the right-of-way.
6. When the temporary remedial action project improvements are 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 temporary remedial action project improvements, or any utility existing in the easement at the time this permit is granted, is necessary which would require the relocation of the temporary remedial

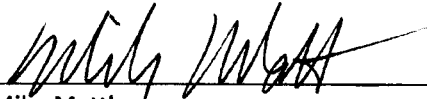
action project improvements, the Permittee shall relocate temporary remedial action project improvements at their own expense.

8. The Permittee agrees by exercising its rights under this permit that if the temporary remedial action project improvements are damaged in anyway, whether negligently or intentionally by the construction, repair, modification or relocation of temporary remedial action project improvements or of any utility existing in the right-of-way of said city street at the time this permit is granted it will repair or replace the temporary remedial action project improvements at its 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. This permit shall remain in effect until canceled by the City of Columbia, which shall be obligated to notify Permittee six (6) months in advance of the 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.

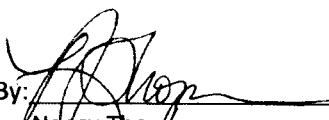
**City of Columbia, Missouri**

By:   
Mike Matthes  
City Manager

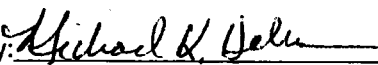
**Attest:**

By:   
Sheela Amin  
City Clerk

**Approved as to form:**

By:   
Nancy Thompson  
City Counselor

**Ameren Missouri**

By:   
Michael K. Holman  
Director Missouri Gas Operations  
Missouri Distribution Operations