

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 128-11

AN ORDINANCE

declaring it is in the public interest to proceed with construction of improvements to the Clyde Wilson Memorial Park; approving plans and specifications for the improvements; determining that the work shall be done by City employees; authorizing an agreement with The Curators of the University of Missouri for construction access to the Clyde Wilson Memorial Park; providing for payment for the improvement; and fixing the time when this ordinance shall become effective.

WHEREAS, the City Council adopted a resolution declaring the necessity of constructing improvements to the Clyde Wilson Memorial Park; and

WHEREAS, notice of a public hearing on this project was published in a daily newspaper of general circulation in the city; and

WHEREAS, the City Council has held a public hearing on construction of the improvement.

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

SECTION 1. The City Council finds that construction of improvements to the Clyde Wilson Memorial Park, more specifically to include replacement of existing bridges and reconstruction of trail sections, is necessary for the welfare and improvement of the City and that it is in the public interest that such improvements be made.

SECTION 2. The plans and specifications for these improvements, as prepared by the Department of Parks and Recreation, are hereby approved, adopted and made a part hereof by reference as fully as if set forth herein verbatim.

SECTION 3. As deemed advisable by the City Manager, City employees shall be used to construct the improvements.

SECTION 4. The City Manager is hereby authorized to execute an agreement with The Curators of the University of Missouri for construction access to the Clyde Wilson Memorial Park. 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 5. Payment for this improvement shall be made from park sales tax funds, and such other funds as may be lawfully appropriated.

SECTION 6. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2011.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

LICENSE AGREEMENT

THIS AGREEMENT is made and entered into by and between THE CITY OF COLUMBIA, a municipal corporation of the State of Missouri (hereinafter "City") and THE CURATORS OF THE UNIVERSITY OF MISSOURI, a public corporation of the State of Missouri (hereafter "University").

WITNESSETH:

WHEREAS, the City, through its Parks and Recreations Department, desires to enter onto University's premises for the purpose of facilitating a project for the improvement of access and bridges for its Clyde Wilson Memorial Park (hereafter the "Project"); and

WHEREAS, University is desirous of cooperating with City in support of the Project; and

WHEREAS, the parties deem it to their mutual benefit to set forth the terms of their agreement in writing;

NOW, THEREFORE, it is agreed by and between the parties as follows:

1. Upon execution of this agreement, University grants to City permission to enter onto University's property (hereafter "Premises") and establish work stage areas as further described in the attached document ("Exhibit A"). City shall commence its work within a reasonable period after execution of this agreement and shall complete construction within ninety (90) days thereafter, unless otherwise agreed between the parties in writing. City shall confer with University's Campus Facilities to ensure its activities are conducted so as to minimize disruption to University operations. Failure to comply with any of the terms of this provision shall render this agreement null and void.
2. City shall conduct its activities so as to minimize damage to University property and shall promptly repair any damages which result from City's activities at its expense and shall restore the Premises as mutually agreed by the parties upon completion of the Project. City expressly agrees that this agreement shall in no way restrict or encumber ownership interest of University in said Premises.
3. University reserves the right to continue to utilize the premises described herein during the term of this agreement provided such use shall not unreasonably interfere with rights granted to City herein.
4. City shall at all times comply with all laws, rules and regulations of University, state and federal governmental authorities relating to the Project and shall fully indemnify the University against any loss, cost or expense which may be sustained or incurred by the University as a result of the acts or omissions of City, any of City's employees, agents or contractors, or any other persons acting under City's direction and/or supervision. The University and University's officers, agents or employees

MU CONTRACT NO. 1100922

shall not be liable to City for any loss or damages or claims arising out of personal injuries or property damage on University property,

5. City agrees to require any construction contractors and/or subcontractors performing work on or about the Premises, if applicable, insurance coverage at least equivalent to that required by The Curators of the University of Missouri as cited in Article 11 of the most current version of the General Conditions of the "Consultant Procedures and Design Guidelines" document of the University of Missouri. These policies shall include workers' compensation, general liability and auto liability insurance. The Curators of the University of Missouri shall be provided "additional insured" protection under the contractors/subcontractors policies of insurance as required in said Article 11.

6. This agreement shall be deemed to have been entered into under the laws of the State of Missouri and the rights and obligations of the parties hereunder shall be governed and determined according to the laws of said State.

IN WITNESS WHEREOF, the parties have executed this agreement by their duly authorized representatives as of the date below their respective signatures, said License to become effective as of the later date.

THE CURATORS OF THE
UNIVERSITY OF MISSOURI

CITY OF COLUMBIA



Signature
Lisa J. Wimmenauer
Assoc. Director, Business Services

Signature

Title

Title

4/18/11

Date

Date



ATTEST:

Sheela Amin, City Clerk

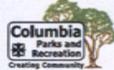
APPROVED AS TO FORM:

Fred Boeckmann, City Counselor



Clyde Wilson Memorial Park
Proposed Construction Access

North ▲
No Scale
2/3/11



Project Phase	Start Date	End Date	Construction Time	Access Area	Material Staging
Rollins Trail Reconstruction <i>Trail will remain open during reconstruction</i>	Late Winter/ Early Spring	Late Spring / Early Summer	3 - 4 weeks	Rollins ☆	Work Stage Area A & B ■
Rollins Bridge #1 Replacement	Monday, May 16, 2011	Monday, June 6, 2011	2 1/2 weeks	Rollins ☆	Work Stage Area B ■
Rollins Bridge #2 Replacement	Monday, June 6, 2011	Friday, June 24, 2011	2 1/2 weeks	Rollins ☆	Work Stage Area C ■
Rollins Bridge #3 Replacement	Monday, June 27, 2011	Friday, July 15, 2011	2 1/2 weeks	UMC Field ☆	Work Stage Area D and E ■
Bottom Bridge Replacement	Monday, July 18, 2011	Friday, August 5, 2011	2 1/2 weeks	UMC Field ☆	Work Stage Area D and E ■
Rockhill Bridge Replacement - Not Shown	Construction does not impact UMC				

Portions of the trail will be closed during the bridge replacement
 Note: All construction estimates are very weather and site condition dependent. Inclement weather or difficult site conditions (for example: excessive rock or unstable drainage banks) may add significant time to the construction times. The University will be notified as soon as any conditions exist that may change this proposed schedule.

Source: Mike Hood *MS*
FISCAL and VISION NOTES:

Agenda Item No. _____

City Fiscal Impact Enter all that apply:	
\$0	City's current net FY cost.
\$35,000	Amount of Funds Already appropriated
\$0	Amount of budget amendment needed
\$0	Estimated 2 yr net costs: 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)
Vision Implementation Impact Enter Below All That Applies: Refer to Website:	
Y	Vision Impact? (Y/N or if N, go no further)
12.1	Primary Vision, Strategy and/or Goal Item#
12.3	Secondary Vision, Strategy and/or Goal Item#
40	FY10/FY11 Implementation Task#

TO: City Council
FROM: City Manager and Staff
DATE: April 25, 2011
RE: Clyde Wilson Park Improvements *MS*

EXECUTIVE SUMMARY:

The Parks & Recreation Department is requesting authorization to proceed with improvements to the Clyde Wilson Neighborhood Park. Formerly known as Rockhill Park, this 9.17 acre park is officially located at 601 Rockhill Road but has separate street entrances from Wilson and Rollins. Based on neighborhood input, the plan is to perform improvements to existing bridges and trail sections, keeping the park in its' natural state. The work will be done by park labor and will be bid through the City's Purchasing Department. The total project cost is \$35,000 and is funded by the 2005 Park Sales Tax, Annual Maintenance Funds. The department is also requesting an ordinance that authorizes the City Manager to sign an agreement with the University of Missouri to access Wilson Park and work on property owned by the University as part of this project.

DISCUSSION:

The Parks & Recreation Department is requesting authorization to proceed with improvements to the Clyde Wilson Neighborhood Park. Formerly known as Rockhill Park, this 9.17 acre park is officially located at 601 Rockhill Road but has separate street entrances from Wilson and Rollins. On June 21, 2010, the City Council approved re-naming the park Clyde Wilson Memorial Park in honor of Mr. Wilson's many years of service to the City including serving as a City Council member, one term as the mayor, involvement with many City commissions, and as a found/leader of the East Campus Neighborhood Association.

On June 25, 2010 Park Planning staff met with several members of the East Campus Neighborhood Association to discuss the rehabilitation of the trails and the general improvements to Clyde Wilson Park. From that meeting it was determined the neighborhood was interested in more of repair of the existing trails

than the addition of any new amenities.

After meeting with other Park staff, a plan for rehabilitation of the existing trails was developed. The plan consists of :

- 1) The replacement of the five existing bridges (one completed as an Eagle Scout project). These bridges are at least 20 years old and have reached the end on their useful span. The existing bridges will be removed and new bridges built to the current standard will be constructed.
- 2) Major reconstruction of some sections of trail. This is chiefly at the Rollins Street entrance. This will require some minor re-routing of the existing trail.
- 3) Moderate reconstruction of failing trail sections. Several lengths of trail at switch back points and steep sections need some re-grading. This work can mostly be done by hand.
- 4) Minor maintenance work on the majority of the remaining trail sections.

On October 26 an Interested Parties meeting was held. Approximately 20 members of the public were in attendance through out the meeting. Overall the plan was viewed favorably. The chief comment was to keep the park as undisturbed as possible while addressing the trail problems. At that meeting there was interest in meeting on site to further discuss the plans and how they would affect the park. On November 3, planning staff met with approximately 6 members of the public and Councilperson Hoppe. A walk along most of the trails was done and the various repairs/replacements were discussed. Again the plan was viewed favorably with an emphasis on keeping the park much the way it is now.

On January 12, 2011 a meeting was held with the University of Missouri (MU) staff to discuss how to access parts of the trail from MU property. The access was needed because the steep terrain of the park prevents reaching some sections of the trails via City property. On February 15 a plan was given to MU for their review and approval. On February 25 a copy with a revised construction schedule was given to MU based on their comments. On April 21, an agreement from MU was completed and an ordinance is requested which will allow the City Manager to sign the agreement.

At the end of March 2011/beginning of April 2011, an Eagle Scout project was started and completed to reconstruct the bridge near the Rockhill Road entrance. This bridge was scheduled for replacement as part of this project.

The work will be bid through the City's Purchasing Department and be completed with a combination of contract and force account labor. Work is scheduled to begin the first week of June. Total project cost is estimated at \$35,000 and is funded by the 2005 Park Sales Tax, Annual Park Maintenance funds.

FISCAL IMPACT:

The \$35,000 capital project is identified in the City's FY-2011 budget and funded by the 2005 Park Sales Tax. The department currently maintains Clyde Wilson Park so this project will not impact the department's operating budget.

VISION IMPACT:

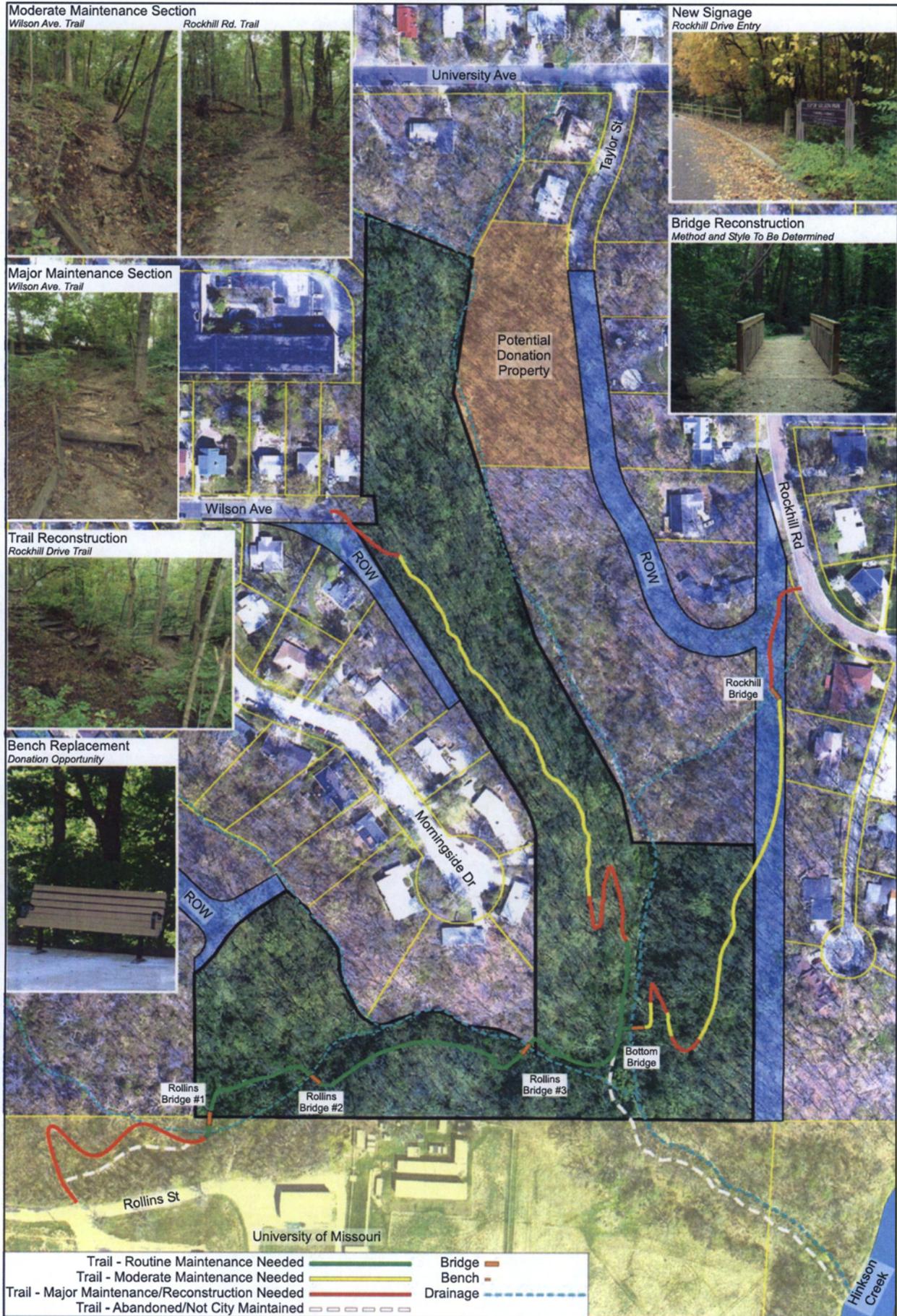
12.1 Goal: A variety of attractive, well-maintained parks throughout Columbia-including neighborhood parks, regional parks, nature parks, and urban parks-will ensure all residents have access to a full range of outdoor and indoor recreational opportunities.

12.3 Goal: An extensive network of greenways will play a significant role in providing transportation options, protecting wildlife corridors, watersheds and floodplains, and increasing public access to natural open spaces.

Implementation task #40: Fund and complete capital improvement program projects (parks).

SUGGESTED COUNCIL ACTIONS:

If the Council concurs that the project should proceed, the resolution calling for the public hearing should be approved, and following the public hearing, the ordinance approving the project and authorizing the City Manager to sign an agreement with the University of Missouri, should be adopted.



Clyde Wilson Memorial Park

0' 60' 120' 180'
Parcel lines property of Boone County

