

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 254-13

AN ORDINANCE

authorizing a right of use permit with East Campus Neighborhood Association for construction, improvement, operation and maintenance of four decorative gateway signs with breakaway bases in a portion of the Ann Street, Bouchelle Avenue, Cliff Drive and University 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 East Campus Neighborhood Association for construction, improvement, operation and maintenance of four decorative gateway signs with breakaway bases in a portion of the Ann Street, Bouchelle Avenue, Cliff Drive and University Avenue rights-of-way. The form and content of the right of use 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 **East Campus Neighborhood Association** 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 Ann Street, Bouchelle Avenue, Cliff Drive, and University Avenue Columbia, County of Boone, State of Missouri, and more particularly described as follows, to wit:

The street right-of-way of Bouchelle Avenue at the southwest corner of the intersection of Bouchelle Avenue and William Street; Cliff Drive at an island in the intersection of Cliff Drive and Ann Street; and University Avenue at the northeast and southeast corners of the intersection of University Avenue and College Avenue, within the limits of the City of Columbia.

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 four (4) decorative gateway signs with breakaway bases.
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 Ann Street, Bouchelle Avenue, Cliff Drive, or University Avenue 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 decorative gateway signs with breakaway bases 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 decorative gateway signs with breakaway bases or any utility existing in the easement at the time this permit is granted, is necessary which would require the relocation of the decorative gateway signs with breakaway bases, the Permittee shall relocate the decorative gateway signs with breakaway bases at their own expense.
8. The Permittee agrees by exercising its rights under this permit that if the decorative gateway signs with breakaway bases become damaged in anyway, 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 decorative gateway signs with breakaway bases 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. 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: _____
Michael Matthes
City Manager

Attest:

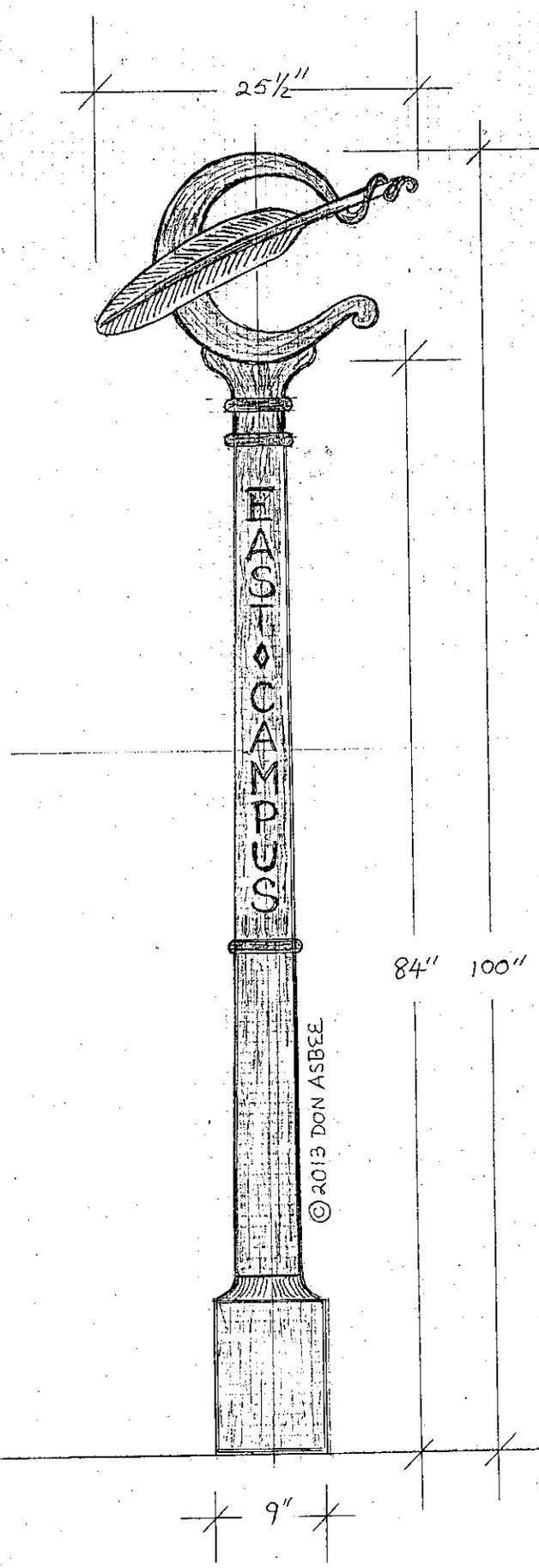
By: _____
Sheela Amin
City Clerk

Approved as to form:

By: _____
Nancy Thompson
City Counselor

East Campus Neighborhood Association

By: Janet Hammen
Janet Hammen
President



$25\frac{1}{2}''$

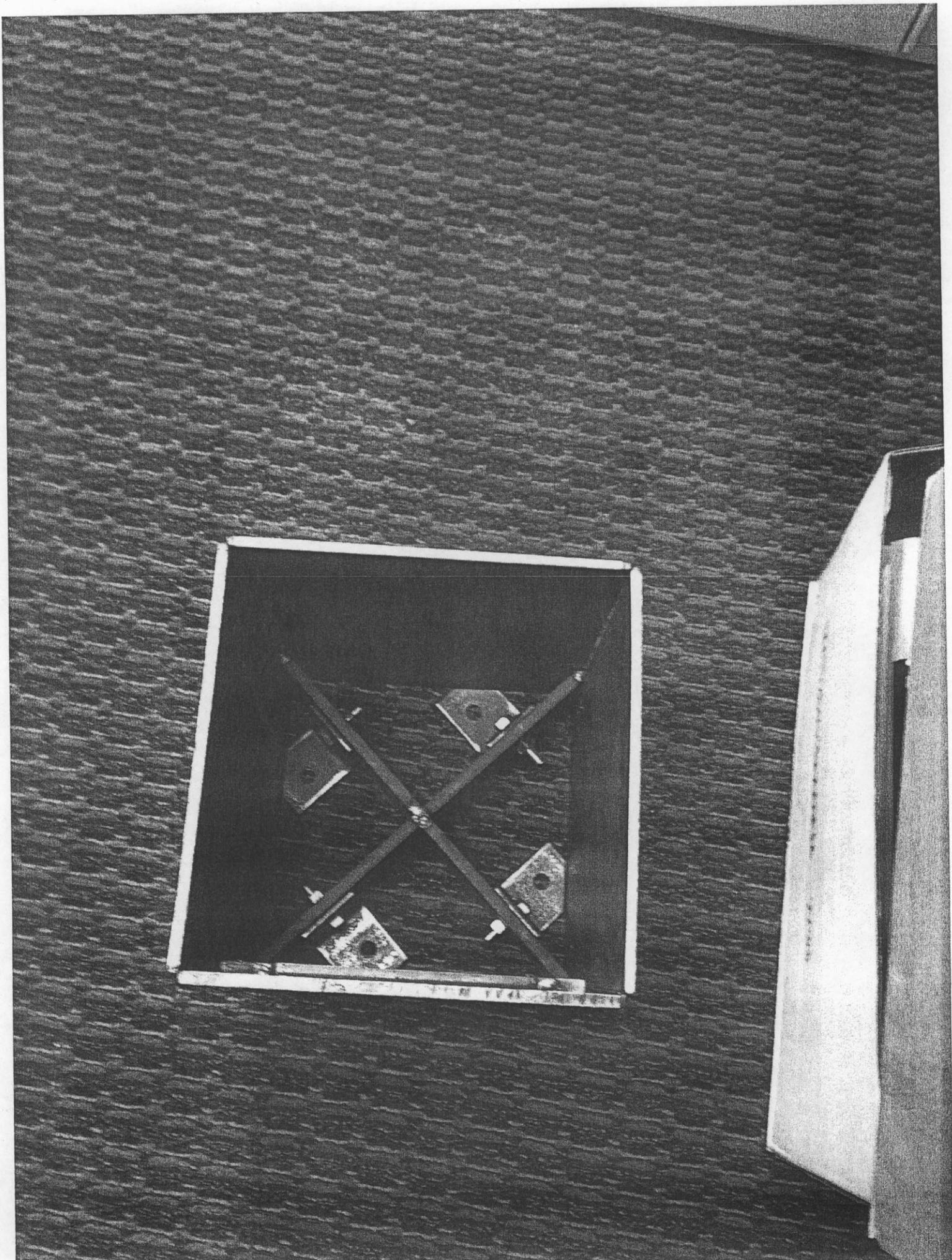
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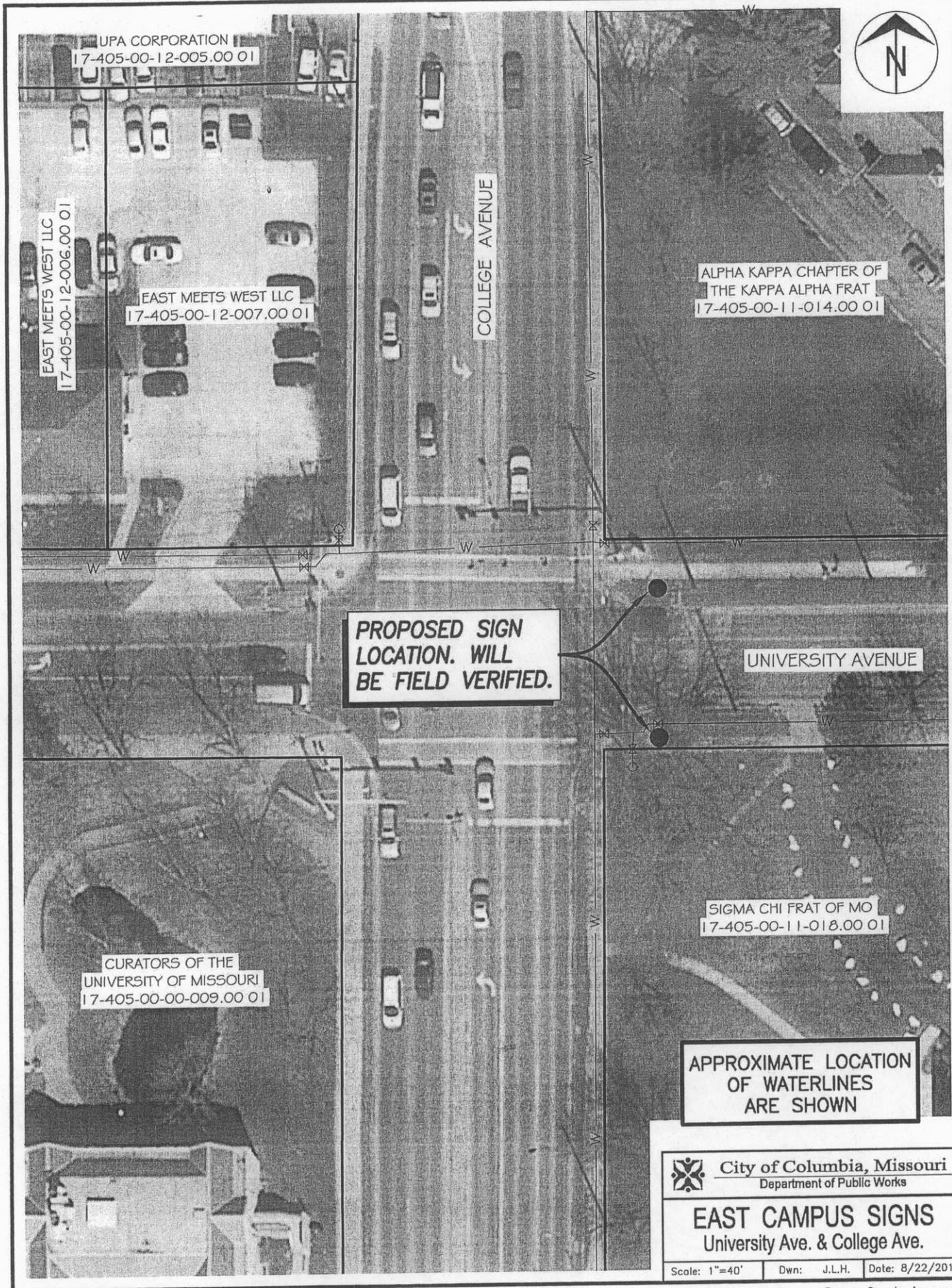
$84''$ $100''$

$9''$

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UPA CORPORATION
17-405-00-12-005.00 01

EAST MEETS WEST LLC
17-405-00-12-006.00 01

EAST MEETS WEST LLC
17-405-00-12-007.00 01

COLLEGE AVENUE



ALPHA KAPPA CHAPTER OF
THE KAPPA ALPHA FRAT
17-405-00-11-014.00 01

**PROPOSED SIGN
LOCATION. WILL
BE FIELD VERIFIED.**

UNIVERSITY AVENUE

CURATORS OF THE
UNIVERSITY OF MISSOURI
17-405-00-00-009.00 01

SIGMA CHI FRAT OF MO
17-405-00-11-018.00 01

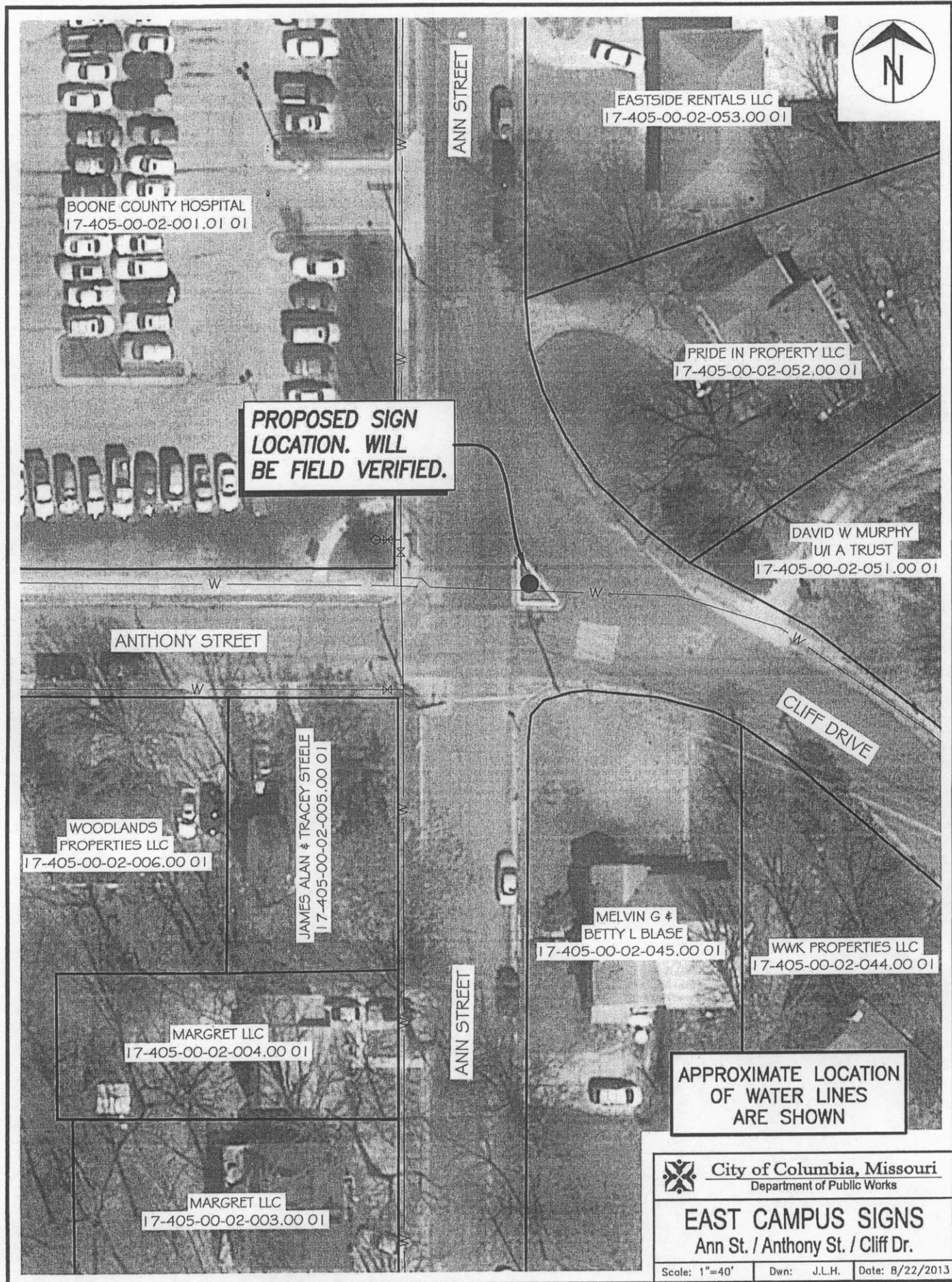
**APPROXIMATE LOCATION
OF WATERLINES
ARE SHOWN**



City of Columbia, Missouri
Department of Public Works

EAST CAMPUS SIGNS
University Ave. & College Ave.

Scale: 1"=40' Dwn: J.L.H. Date: 8/22/2013



BOONE COUNTY HOSPITAL
17-405-00-02-001.01 01

ANN STREET

EASTSIDE RENTALS LLC
17-405-00-02-053.00 01



PRIDE IN PROPERTY LLC
17-405-00-02-052.00 01

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DAVID W MURPHY
U/I A TRUST
17-405-00-02-051.00 01

ANTHONY STREET

CLIFF DRIVE

WOODLANDS
PROPERTIES LLC
17-405-00-02-006.00 01

JAMES ALAN & TRACEY STEELE
17-405-00-02-005.00 01

MELVIN G &
BETTY L BLASE
17-405-00-02-045.00 01

WWK PROPERTIES LLC
17-405-00-02-044.00 01

MARGRET LLC
17-405-00-02-004.00 01

ANN STREET

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MARGRET LLC
17-405-00-02-003.00 01



City of Columbia, Missouri
Department of Public Works

EAST CAMPUS SIGNS
Ann St. / Anthony St. / Cliff Dr.

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ROBERT N #
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17-405-00-23-052.00 01

LYNDEL L #
MARILYN A ADKINS
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EMMA JEAN McKININ
17-405-00-25-026.00 01

TIMOTHY WAID
PROPERTIES
17-405-00-23-049.00 01

COLUMBIA UNITED
PROPERTIES
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ROLANDO E # TERESA G BARRY
17-405-00-25-027.00 01

BOUCHELLE AVE.

WILLIAM STREET

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17-405-00-25-028.00 01

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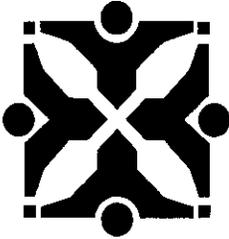
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City of Columbia, Missouri
Department of Public Works

EAST CAMPUS SIGNS Bouchelle Ave. & William St.

Scale: 1"=40' Dwn: J.L.H. Date: 8/22/2013



Source: Public Works

Agenda Item No:

To: **City Council**
From: **City Manager and Staff**

Council Meeting Date: Sep 3, 2013

Re: Authoring a Right of Use Permit with East Campus Neighborhood Association for Access to City Right of Way on Portions of Ann Street, Bouchelle Avenue, Cliff Drive, and University Avenue

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration an ordinance authorizing the City Manager to execute a right of use permit with East Campus Neighborhood Association to construct, operate, and maintain decorative gateway signs with breakaway bases, within a portion of the right of way of Ann Street, Bouchelle Avenue, Cliff Drive, and University Avenue.

DISCUSSION:

East Campus Neighborhood Association has requested to construct, operate, and maintain decorative gateway signs with breakaway bases, within a portion of the right of way of Bouchelle Avenue at the southwest corner of the intersection of Bouchelle Avenue and William Street; Cliff Drive at an island in the intersection of Cliff Drive and Ann Street; and University Avenue at the northeast and southeast corners of the intersection of University Avenue and College Avenue (see attached diagrams). The decorative gateway signs and breakaway bases are of a unique design and will be custom fabricated. Staff has reviewed the proposed design of the sign and base, and has no issues.

Council should be aware that the decorative gateway signs do not meet the letter of the sign ordinance, which requires subdivision or neighborhood identification signs to be located either on private property or on median strips in the right of way, and requires setbacks at an intersection of 25 feet. Staff believes this condition is mitigated by the slender design of the signs and the right of use agreement.

The right of use permit stipulates the responsibilities and duties of East Campus Neighborhood Association and is similar to other right of use permits granted for this type of project.

FISCAL IMPACT:

None

VISION IMPACT:

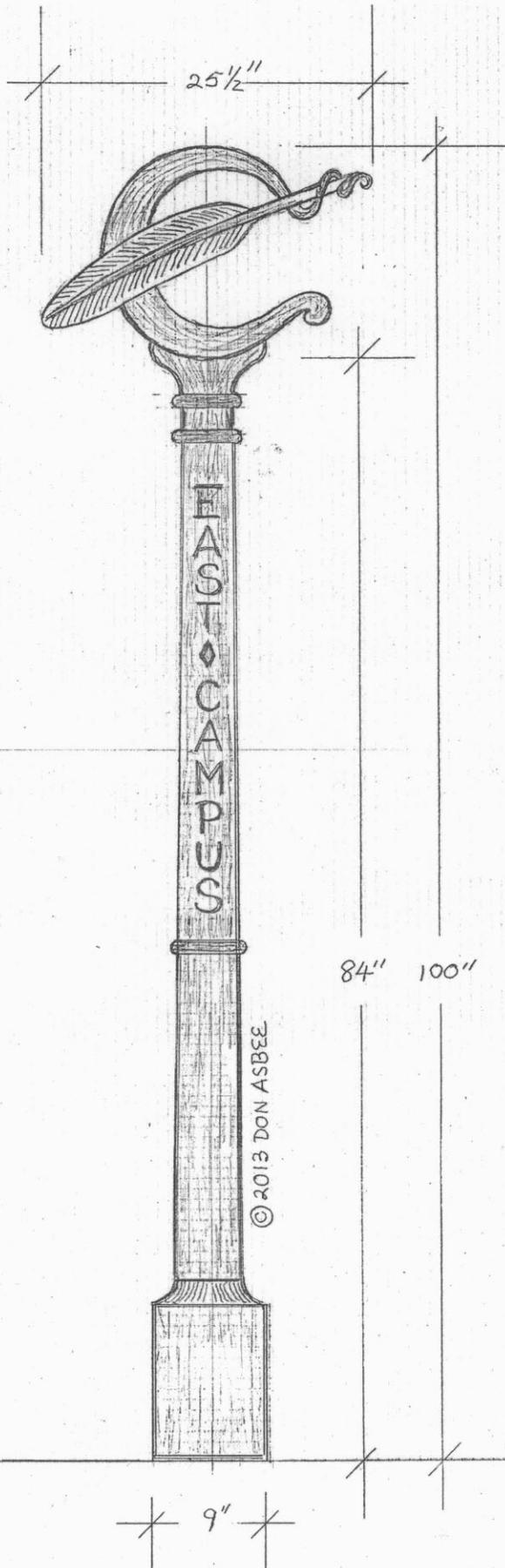
<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None

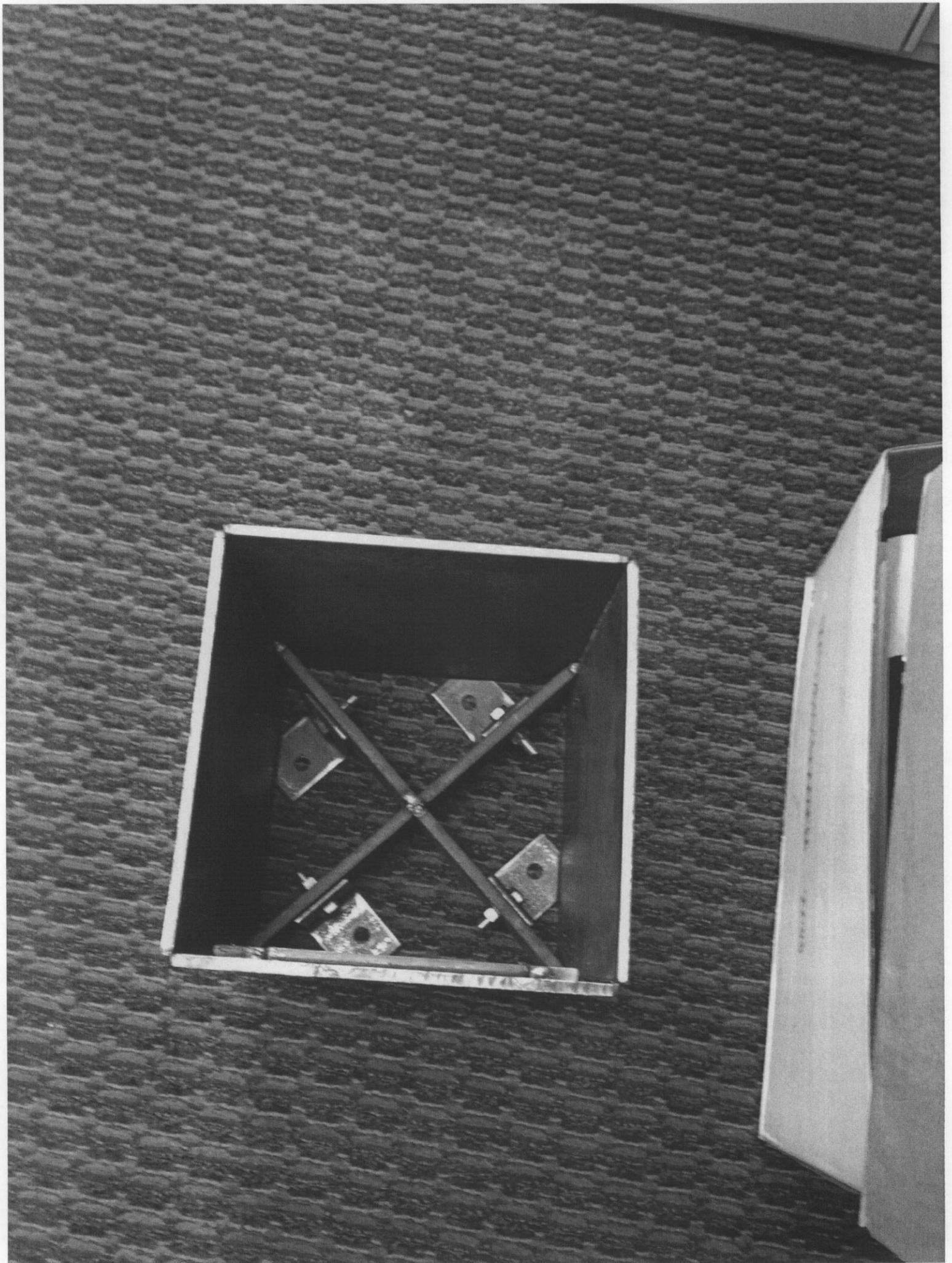
SUGGESTED COUNCIL ACTIONS:

Approve the ordinance authorizing the City Manager to execute a right of use permit with East Campus Neighborhood Association to construct, operate, and maintain decorative gateway signs with breakaway bases in the City right of way of Ann Street, Bouchelle Avenue, Cliff Drive, and University Avenue.

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 #	









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