

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 36-14

AN ORDINANCE

declaring the need to acquire easements for construction of a sidewalk along the east side of Garth Avenue, between Leslie Lane and Parkade Boulevard; authorizing acquisition by negotiation or, if necessary, by condemnation; authorizing the City Manager to obtain and execute all instruments necessary for acquisition of such land; and fixing the time when this ordinance shall become effective.

WHEREAS, the Constitution and Statutes of the State of Missouri and the Home Rule Charter for the City of Columbia, Missouri, authorize the City Council to exercise the power of eminent domain, within or without the City, and among other things, to acquire, and maintain any property, real or personal within or without the City for all public uses or purposes, and to acquire, receive and hold any estate or interest in any such property; and

WHEREAS, the Council deems it necessary for the welfare and improvement of the City and in the public interest that certain private property be acquired by negotiation or by condemnation for public improvement.

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

SECTION 1. The City Council hereby declares the need to acquire easements for construction of a sidewalk along the east side of Garth Avenue, between Leslie Lane and Parkade Boulevard, described as follows:

Walter R. Nickel, Trustee of the Walter R. Nickel Family Trust
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-307-00-01-070.00

The west ten (10) feet of a tract of land described in a quit-claim deed in Book 3553 at Page 18, said tract being Lot 30 of Parkade Estates Block 1 as recorded in Plat Book 7 at Page 27, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri and containing 1,350 square feet inclusive of 80 square feet of platted utility easement.

Mary Jolene Bell
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-307-00-01-069.00

An irregular shaped parcel of land along the west line of a tract of land described in a warranty deed in Book 1093 at Page 734 and in a quit-claim deed in Book 4184 at Page 144, said tract being Lot 31 of Parkade Estates Block 1 as recorded in Plat Book 7 at Page 27, all of the Boone County Records; situate in the City of Columbia, Boone County, Missouri; said parcel being described as follows:

BEGINNING at the southwest corner of said Lot; thence along the west line of said Lot, said line also being the east Right-of-Way line of Garth Avenue, N.1°10'45"E., 80.12 feet to the northwest corner of said Lot; thence along the north line of said Lot S.88°49'15"E., 29.35 feet; thence leaving said line S.1°10'45"W., 23.50 feet; thence S.89°31'05"W., 4.20 feet; thence S.16°11'35"W., 58.50 feet to the south line of said Lot; thence along said line N.88°49'15"W., 10.00 feet to the POINT OF BEGINNING and containing 1,686 square feet inclusive of 89 square feet of platted utility easement.

John Charles Bell and Elizabeth Ann Bell, husband and wife
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-307-00-01-068.00

The west ten (10) feet of a tract of land described in a warranty deed in Book 3947 at Page 144, said tract being Lot 32 of Parkade Estates Block 1 as recorded in Plat Book 7 at Page 27, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri and containing 850 square feet.

Ennis L. McClanahan
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-307-00-01-057.00

An irregular shaped parcel of land along the west line of a tract of land described in a quit-claim deed in Book 584 at Page 686, said tract being Lot 44 of Parkade Estates Block 1 as recorded in Plat Book 7 at Page 27, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri; said parcel being described as follows:

BEGINNING at the southwest corner of said Lot; thence along the west line of said Lot, said line also being the east Right-of-Way line of Garth Avenue, N.1°10'45"E., 165.06 feet to the northwest corner of said Lot; thence along the north line of said Lot S.88°49'15"E., 15.00 feet; thence leaving said line S.1°10'45"W., 104.00 feet; thence S.10°28'45"W., 61.88 feet to the south line of said Lot, said line also being the north Right-of-Way line of Phyllis Avenue; thence along said line N.88°49'15"W., 5.00 feet to the POINT OF BEGINNING and containing 2,171 square feet inclusive of 120 square feet of platted utility easement.

SECTION 2. The City Manager is authorized to acquire the land described in Section 1 by negotiation.

SECTION 3. The City Manager is authorized to obtain, execute and record all deeds and other instruments necessary to acquire the land described in Section 1.

SECTION 4. If the City cannot agree with the owners, or those claiming an interest in the land described in Section 1, on the proper compensation to be paid for such land, or if the owner is incapable of contracting, is unknown, or cannot be found, or is a non-resident of the State of Missouri, the City Counselor is authorized to petition the Circuit Court of Boone County, Missouri, to acquire the land described in Section 1 by condemnation.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2014.

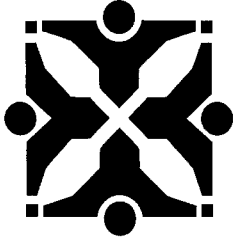
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



Source: Public Works

Agenda Item No:

To: City Council
From: City Manager and Staff

Council Meeting Date: Feb 3, 2014

Re: Easement Acquisition and Bid Call - Garth Avenue Sidewalk from Leslie Lane to Parkade Boulevard

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration legislation authorizing the acquisition of necessary easements, and a bid call through the Purchasing division for the construction of the Garth Avenue Sidewalk project. The project includes sidewalk along the east side of Garth Avenue, from Leslie Lane to Parkade Boulevard, and a crosswalk across Garth Avenue at Parkade Boulevard, as shown on the attached location map and plan sheets. Transportation Enhancement funding requires the construction contract for this project be awarded by June 2014. A public hearing was held on January 21, 2014.

DISCUSSION:

The proposed project is to construct a 6' wide sidewalk at the back of curb, with a bulb-out at the northeast corner of Garth Avenue and Leslie Lane, and bulb-outs at the northeast and southeast corners of Garth Avenue and Phyllis Avenue. The bulb-outs will help with cross slopes in the crosswalks and will provide a traffic calming effect along Garth Avenue. A crosswalk will be constructed across the north leg of the intersection of Garth Avenue and Parkade Boulevard, with pedestrian activated flashing yellow lights and an 8' wide center median refuge island.

Four (4) temporary construction easements are needed from four (4) separate property owners. Right of Way plans showing the proposed easements are attached, as well as plan and profile sheets, and a property owner contact log.

FISCAL IMPACT:

The project is estimated to cost \$293,600. The City will fund the required 20% local match of \$58,720, with MHTC funding 80%, or \$234,880.

VISION IMPACT:

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

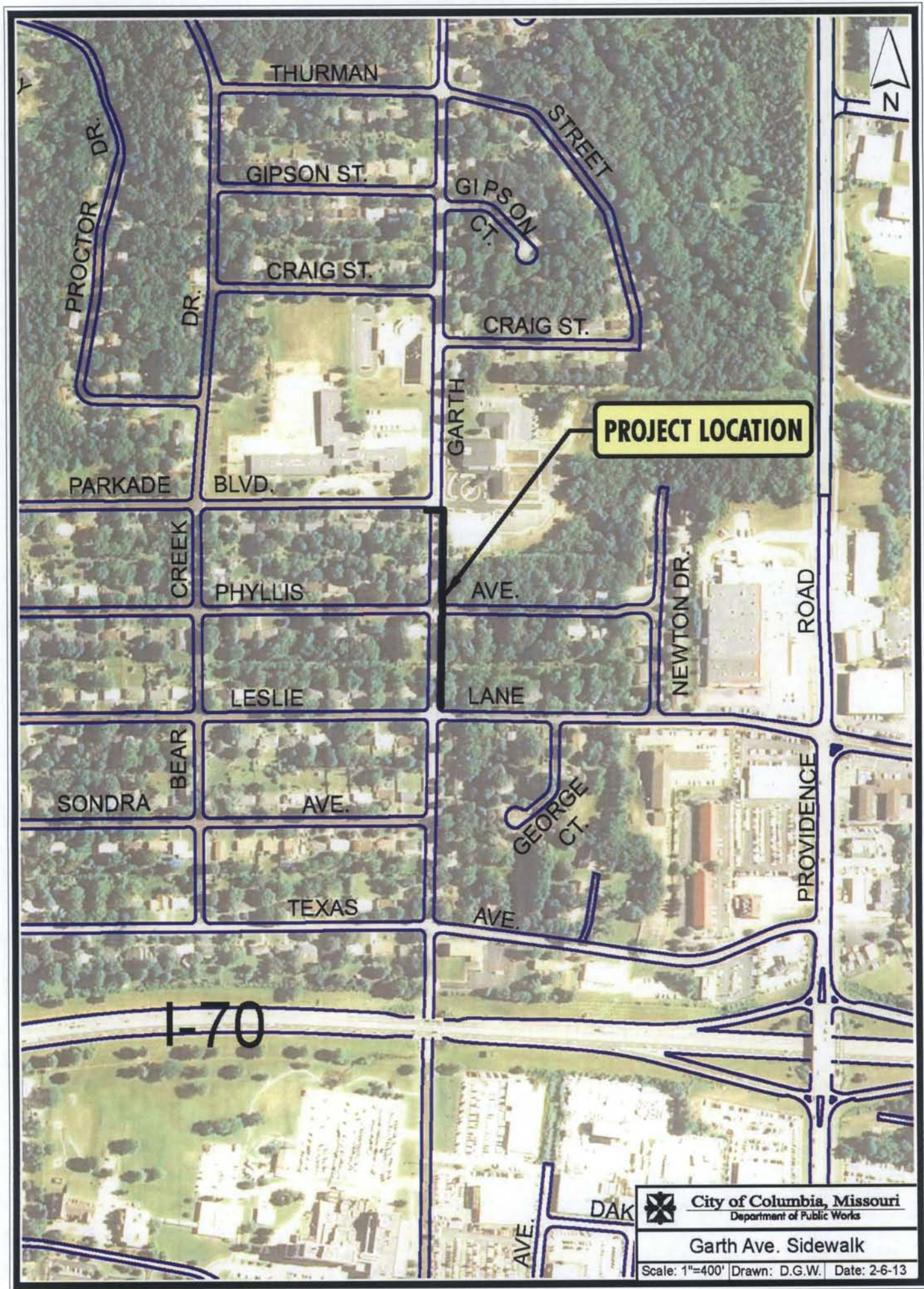
Give proper funding, priority, and support to repairing, connecting, and expanding the city sidewalk system. Increase the pace of sidewalk improvements.

SUGGESTED COUNCIL ACTIONS:

Approve the legislation authorizing the bid call and easement acquisition for the construction of the Garth Avenue Sidewalk project.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$11,721.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$294,880.00	Duplicates/Epands 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?	Yes
One Time	\$58,720.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	13.1.3
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 #	

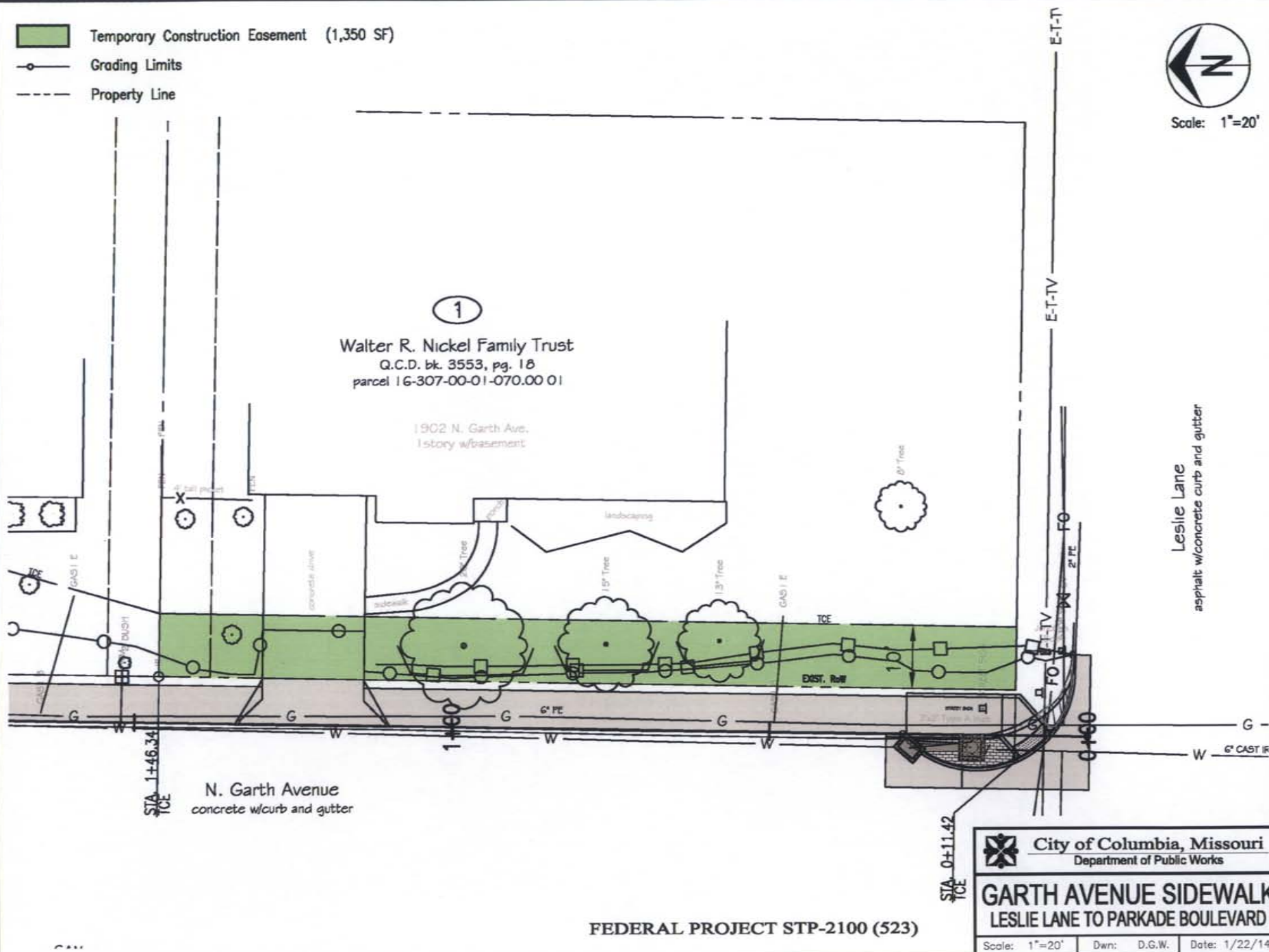
CITY OF COLUMBIA, MO PUBLIC WORKS - ENGINEERING DIVISION			NOTIFIED OF 9/4/13 I.P. MEETING	ATTNDED 9/4/13 I.P. MEETING	SPOKE WITH ON PHONE OR LEFT MESSAGE	NOTES
PROPERTY OWNER CONTACT LOG						
Project: Garth Avenue Sidewalk By: Sam Budzyna						
PARCEL NO./ADDRESS	OWNER NAME	OWNER ADDRESS				
Parcel 16-307-00-01-070.00 01 1902 N GARTH AVE	NICKEL, WALTER R FAMILY TRUST	1902 N GARTH AVE COLUMBIA MO 65202	X		1/23/14 - Spoke with on phone	Spoke with Real Estate Agent Vickey Miserez. Will email info for her records.
Parcel 16-307-00-01-069.00 01 1906 N GARTH AVE	BELL MARY JOLENE	1906 N GARTH AVE COLUMBIA MO 65202	X		1/23/14 - Left Message	
Parcel 16-307-00-01-068.00 01 1910 N GARTH AVE	BELL JOHN CHARLES & ELIZABETH ANN	2621 RIDGEFIELD ROAD COLUMBIA MO 65203	X		11/23/13 - Left Message	
Parcel 16-307-00-01-057.00 01 1 E PHYLLIS AVE	MCCLANAHAN ENNIS L	1 E PHYLLIS AVE COLUMBIA MO 65202	X		11/23/13 - Spoke with on phone	Spoke with Sabrina McClanahan. She attended the Public Hearing.
	FOX PATRICK AND DELORES				1/21/14 - Spoke with on phone	Spoke with Delores Fox. They are from St. Louis and are planning to purchase the property at 1902 N. Garth Ave in mid-February. They are aware of the project and think it is a good idea.



- Temporary Construction Easement (1,350 SF)
- Grading Limits
- Property Line



Scale: 1"=20'



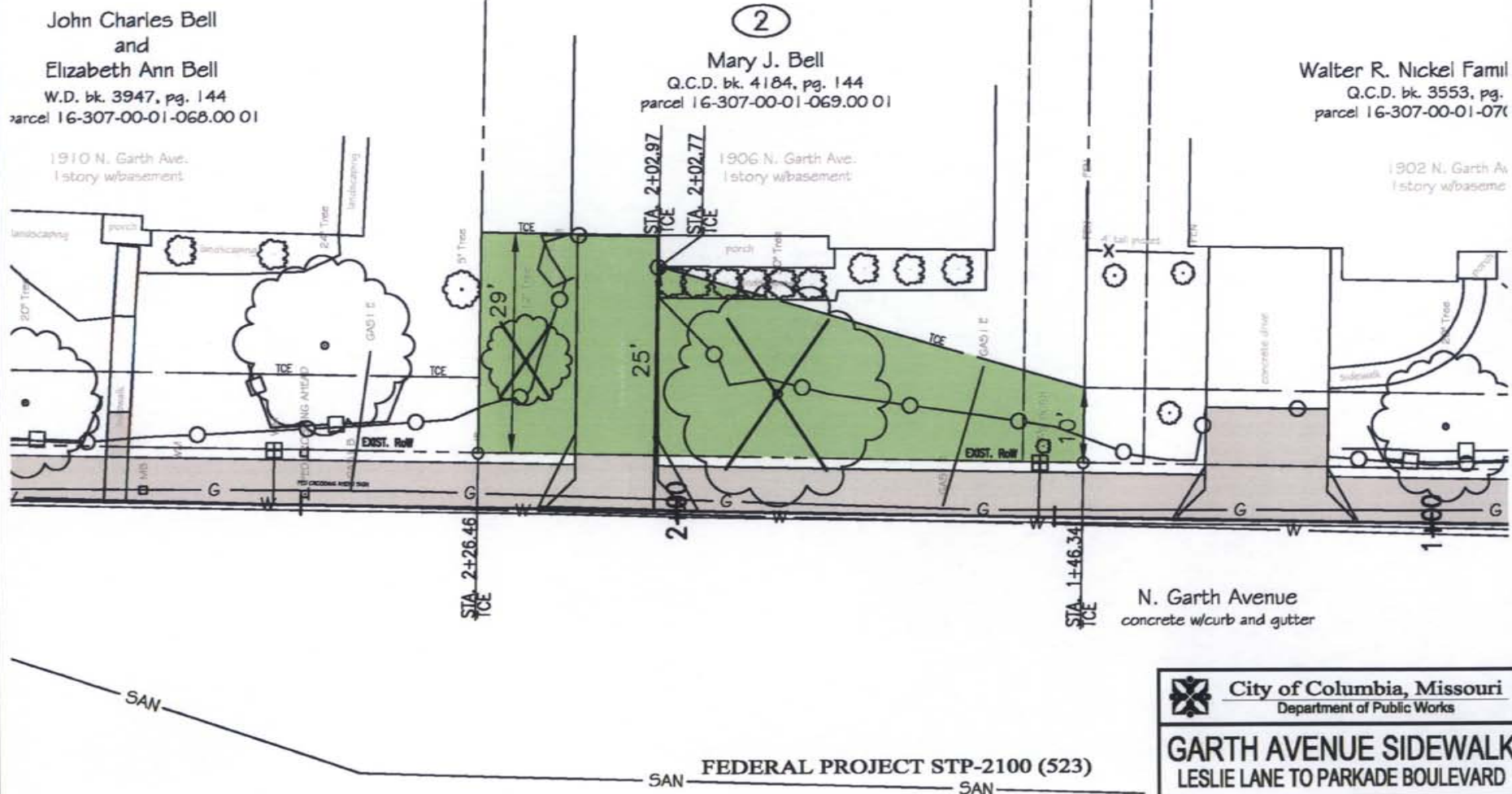
FEDERAL PROJECT STP-2100 (523)

	City of Columbia, Missouri		
	Department of Public Works		
	GARTH AVENUE SIDEWALK LESLIE LANE TO PARKADE BOULEVARD		
Scale: 1"=20'		Dwn: D.G.W.	Date: 1/22/14

- Temporary Construction Easement (1,686 SF)
- Grading Limits
- Property Line



Scale: 1"=20'



City of Columbia, Missouri
Department of Public Works

GARTH AVENUE SIDEWALK
LESLIE LANE TO PARKADE BOULEVARD

Scale: 1"=20' Dwn: D.G.W. Date: 1/22/14

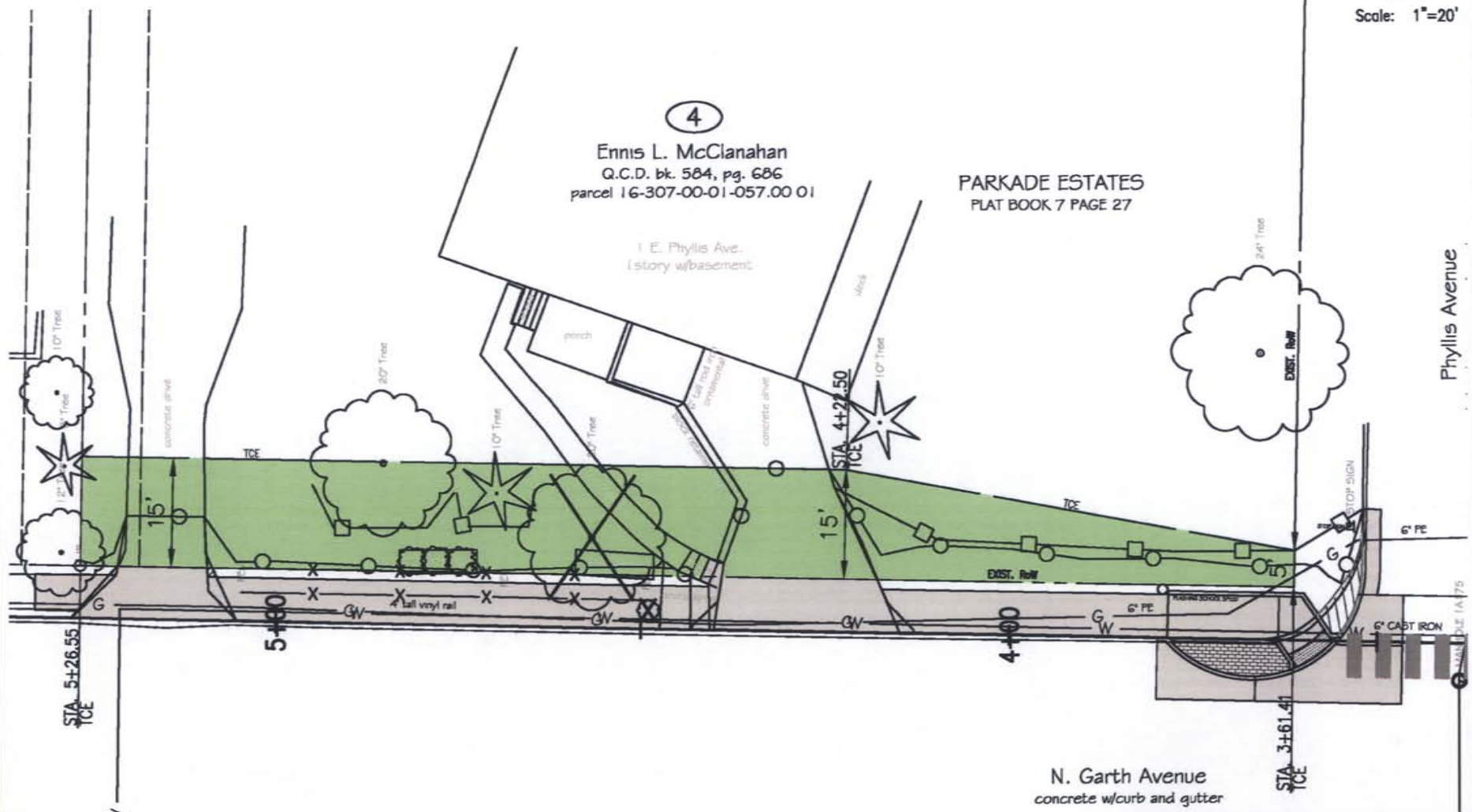
Temporary Construction Easement (2,171 SF)

Grading Limits

Property Line



Scale: 1"=20'



FEDERAL PROJECT STP-2100 (523)



City of Columbia, Missouri
Department of Public Works

GARTH AVENUE SIDEWALK
LESLIE LANE TO PARKADE BOULEVARD

Scale: 1"=20' Dwn: D.G.W. Date: 1/22/14



Parkade Baptist Church
W.D. bk. 372, pg. 201
parcel 16-307-00-00-007.00 01

Parkade Baptist Church
W.D. bk. 397, pg. 991
parcel 16-307-00-01-056.00 01

N. Garth Avenue
concrete w/curb and gutter

- 1 INSTALL PUSH BUTTON ACTIVATED PEDESTRIAN WARNING SIGNS WITH RECTANGULAR RAPID FLASHING BEACONS (FRONT AND BACK) PER TS-9.
- 2 CONSTRUCT 6" THICK PCC MEDIAN ISLAND PER PLAN AND DETAIL.
- 3 SAWCUT AND REMOVE EXISTING CURB AND STREET PAVEMENT AND CONSTRUCT PCC CURB AND GUTTER PER PLAN AND DETAILS.
- 4 CONTACT GARY BAUMGARTNER (876-3083) AMEREN UE GAS TO COORDINATE GAS VALVE BOX ADJUSTMENT ONCE SIDEWALK GRADE AND ELEVATION HAS BEEN ESTABLISHED AT LEAST 24 HOURS PRIOR TO POURING CONCRETE SIDEWALK. AMEREN UE WILL PERFORM ANY REQUIRED ADJUSTMENT. NO DIRECT PAYMENT WILL BE MADE FOR THIS ITEM.
- 5 REMOVE EXISTING SIDEWALK AND CONSTRUCT 4" THICK PCC SIDEWALK PER PLAN AND DETAILS.
- 6 REMOVE EXISTING RAMP AND CONSTRUCT 6" THICK PCC ADA COMPLIANT CURB RAMP PER PLAN AND DETAILS.
- 7 INSTALL DETECTABLE WARNING PANEL PER PLAN DIMENSIONS AND DETAILS.
- 8 INSTALL SOLID WHITE CROSSWALK MARKINGS PER PLAN AND DETAILS.

Parkade Elementary School
W.D. bk. 478, pg. 586
parcel 16-307-00-00-005.00 01

Karen M. Geren
W.D. bk. 3519, pg. 23
parcel 16-307-00-02-103.00 01

GARTH AVENUE SIDEWALK
Plan Sheet

City of Columbia, Missouri
Department of Public Works

File No. 18-02-11
Scale: 1"=10'
Date: 1/13/14
Des. S.C.B.
Dwn. D.G.W.
Chk. C.S.J.

Sheet
3 of 8



CONTRACTOR TO VERIFY
UNDERGROUND UTILITIES
DEPTH AND LOCATION

Ennis L. McClanahan
Q.C.D. bk. 584, pg. 686
parcel 16-307-00-01-057.00 01

PARKADE ESTATES
PLAT BOOK 7 PAGE 27

- 21 CONTACT DAVE STORVICK (874-7317) COLUMBIA WATER AND LIGHT TO COORDINATE ADJUSTMENT OF WATER VALVES AT LEAST 5 WORKING DAYS PRIOR TO BEGINNING CONSTRUCTION IN THIS AREA. COLUMBIA WATER AND LIGHT WILL PERFORM ANY REQUIRED ADJUSTMENTS. NO DIRECT PAYMENT WILL BE MADE FOR THIS ITEM.

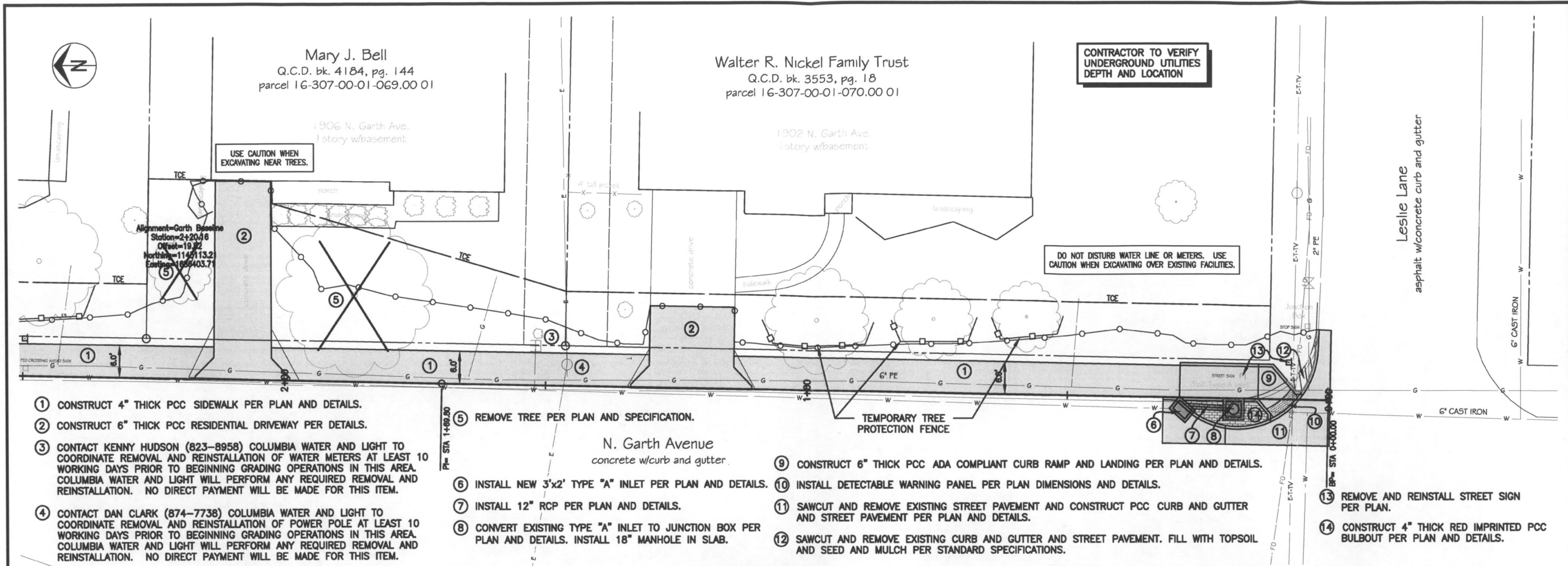
John Charles Bell
and
Elizabeth Ann Bell
W.D. bk. 3947, pg. 144
parcel 16-307-00-01-068.00 01

- 9 REMOVE AND REINSTALL VINYL RAIL FENCE TO PROPERTY LINE PER PLAN.
- 10 REMOVE LANDSCAPING BEDS AND SEED AND MULCH PER PLAN AND SPECIFICATION.
- 11 REMOVE TREE PER PLAN AND SPECIFICATION.
- 12 REMOVE EXISTING SIDEWALK WHERE NECESSARY AND CONSTRUCT 4" THICK PCC SIDEWALK PER PLAN AND DETAILS.
- 13 SAWCUT AND REMOVE EXISTING DRIVEWAY AND CONSTRUCT 6" THICK PCC RESIDENTIAL DRIVEWAY PER PLAN.
- 14 REMOVE AND REINSTALL FLASHING SCHOOL SPEED ZONE SIGN PER PLAN.

- 15 CONSTRUCT 6" THICK PCC ADA COMPLIANT CURB RAMP PER PLAN AND DETAILS.
- 16 SAWCUT AND REMOVE EXISTING STREET PAVEMENT AND CONSTRUCT PCC CURB AND GUTTER WITH STREET PAVEMENT PER PLAN AND DETAILS.
- 17 CONSTRUCT 4" THICK RED IMPRINTED PCC BULBOUT PER PLAN AND DETAILS.
- 18 INSTALL DETECTABLE WARNING PANEL PER PLAN DIMENSIONS AND DETAILS.
- 19 REMOVE EXISTING DRIVEWAY PAVEMENT. FILL WITH TOPSOIL AND SEED AND MULCH PER PLAN, SPECIFICATION AND DETAILS.
- 20 REMOVE AND REINSTALL STREET SIGN PER PLAN.

N. Garth Avenue
concrete w/curb and gutter

- 22 REMOVE AND REINSTALL MAILBOX BEHIND SIDEWALK PER PLAN.
- 23 CONTACT KENNY HUDSON (823-8958) COLUMBIA WATER AND LIGHT TO COORDINATE REMOVAL AND REINSTALLATION OF WATER METERS AT LEAST 10 WORKING DAYS PRIOR TO BEGINNING GRADING OPERATIONS IN THIS AREA. COLUMBIA WATER AND LIGHT WILL PERFORM ANY REQUIRED REMOVAL AND REINSTALLATION. NO DIRECT PAYMENT WILL BE MADE FOR THIS ITEM.
- 24 REMOVE AND REINSTALL PEDESTRIAN CROSSING SIGN PER PLAN.
- 25 CONSTRUCT PRIVATE SIDEWALK CONNECTION TO SIDEWALK PER PLAN. SEE DETAIL SHEET 6.
- 26 SAWCUT AND REMOVE EXISTING CURB AND GUTTER AND STREET PAVEMENT. FILL WITH TOPSOIL AND SEED AND MULCH PER STANDARD SPECIFICATIONS.



Revision	By	Date	No.

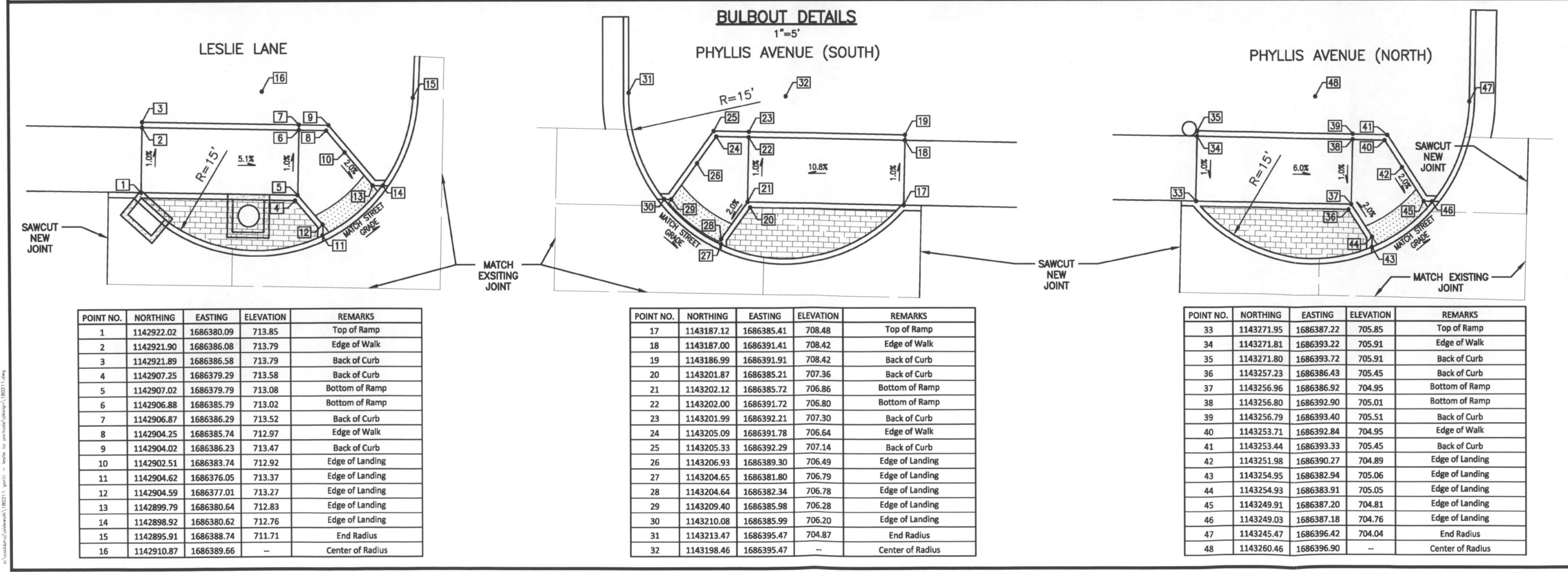
GARTH AVENUE SIDEWALK

Plan Sheet

City of Columbia, Missouri

Department of Public Works

File No.	18-02-11
Scale:	1"=10'
Date:	1/13/14
Des.	S.C.B.
Dwn.	D.G.W.
Chk.	C.S.J.
Sheet	4 of 8



\\sbs\dwg\johanna\180211_garth - Leslie to garth\dwg\180211.dwg
2011 Orthophoto Source: Boone County Assessor