

**A RESOLUTION**

authorizing the Faye C. Nowell Trust to pursue access to sanitary sewer services through an annexation agreement for contiguous property located on the south side of Gillespie Bridge Road (5550 W. Gillespie Bridge Road).

WHEREAS, Fay C. Nowell, as Trustee of the Faye C. Nowell Trust (“Owner”) owns two (2) tracts of land commonly addressed as 5550 W. Gillespie Bridge Road (“Property”) upon which a failing on-site septic system is located (“Property”); and

WHEREAS, the Property is contiguous to the City of Columbia, Missouri (“City”) corporate limits along its southern boundary with the Longview Subdivision; and

WHEREAS, there is a City of Columbia sanitary sewer main (“City sewer main”) running along Becky’s Bluff Court within approximately sixty-five (65) feet of the Property; and

WHEREAS, the existing City sewer main serves approximately eighty (80) homes within the Longview Subdivision, Plat 1; and

WHEREAS, Owner is attempting to sell the Property with a contingency that the failing on-site septic system will be eliminated and the existing home and shop on the Property will be connected to the adjoining City sewer main; and

WHEREAS, such City sewer main has the capacity to provide service to the Property; and

WHEREAS, Policy Resolution No. R115-97A, adopted by the City Council on August 18, 1997, requires parcels pursuing connection to City sanitary service to either annex (for contiguous parcels) or enter into an annexation agreement (non-contiguous parcels); and

WHEREAS, the Property cannot receive a permit to repair the failing on-site septic system given its proximity to City sewer main; and

WHEREAS, City’s Code requires the Property to be served by a water main with a flow of eight hundred (800) gallons per minute (GPM) with fire hydrants within six hundred (600) feet of the Property; and

WHEREAS, the Property is currently served by Consolidated Water District No.1 with a water main capable of supporting domestic water service only, which is consistent with other lots located outside the city’s corporate limits within this area; and

WHEREAS, the Property and the lot to the east do not have access to a fire hydrant within six hundred (600) feet capable of meeting the required eight hundred (800) gallons per minute (GPM) fire flow necessary to support City fire service; and

WHEREAS, the Property is currently within the Boone County Fire Protection District service area and would become the responsibility of City following annexation with mutual-aid provided by the Boone County Fire Protection District; and

WHEREAS, the Boone County Fire Protection District requires water mains with a flow of five hundred (500) GPM for newly platted developments but such was not required at the time the building permit was issued; and

WHEREAS, Boone County Fire Protection District has tanker vehicles for fire response specifically designed to enhance fire suppression efforts in areas where the water main has a low flow; and

WHEREAS, City's Fire Department does not possess vehicles specifically designed to compensate for less water flow; and

WHEREAS, City's Fire Code compliance analysis does not utilize the fire suppression capacity of the Boone County Fire Protection District when analyzing adequate fire suppression resources and would require that a public water main sufficient of handling a flow of eight hundred (800) GPM be extended to the Property to meet the water flow required for fire suppression; and

WHEREAS, the public water main would be required to be extended a distance of approximately seven hundred (700) feet prior to annexation to meet the increased water flow required for fire suppression for the Property; and

WHEREAS, the Property would be the only property along west Gillespie Bridge Road to bear the cost of extending the water main to meet City Code requirements; and

WHEREAS, it is not feasible for the Property Owner to bear the cost of extending the water main to meet City Code requirements and has sought authorization to repair the failing on-site septic system located on the Property under Boone County regulations without accessing the City sewer main; and

WHEREAS, the Property, given its proximity to the City sewer main, is unable to meet the Boone County Health Department requirements that would permit such repairs to the on-site septic system; and

WHEREAS, although the Property is contiguous to the city limits, the Owner seeks to access the City sewer main under an annexation agreement, which is not contemplated by Policy Resolution No. R115-97A; and

WHEREAS, the Property is a unique situation that could pose a public health risk if allowed to remain on a private on-site septic system because of its proximity to a fully developed subdivision already connected to the City sewer main; and

WHEREAS, City finds it to be in the best interest of the City and the public health to enter into an agreement with the Owner which would allow for the connection to the City sewer main subject to future annexation of the Property at such time as additional City services to support the annexation become available.

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

SECTION 1. Faye C. Nowell is hereby authorized to pursue access to City of Columbia sanitary sewer services prior to annexation by entering into an annexation agreement setting forth the terms and conditions under which future annexation of the Property may occur. The form and content of the annexation agreement shall be substantially as set forth in "Attachment A" attached hereto and made a part hereof.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

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

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

APPROVED AS TO FORM:

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