

## **BILL NO. 17-55**

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AN ORDINANCE APPROVING THE INTERGOVERNMENTAL AGREEMENT FOR SANITARY SEWER SERVICE BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE PRAIRIE TOWNSHIP FIRE PROTECTION DISTRICT, AUTHORIZING THE MAYOR TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY OF LEE'S SUMMIT, AND AUTHORIZING A ONE-TIME, NON-PRECEDENT SETTING EXCEPTION TO SECTION 6500.F.1.j. OF THE CITY OF LEE'S SUMMIT DESIGN AND CONSTRUCTION MANUAL TO ALLOW A SANITARY SEWER CONNECTION TO THE CITY'S SANITARY SEWER SYSTEM FROM A LOCATION OUTSIDE THE CORPORATE LIMITS OF THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the City of Lee's Summit, Missouri (hereinafter "City") is a municipal corporation operating and existing under the laws of the State of Missouri; and,

WHEREAS, the Prairie Township Fire Protection District (hereinafter "the District") is a Missouri political subdivision organized and existing under the laws of the State of Missouri for the primary purpose of supplying protection by any available means to persons and property against injuries and damage from fire and from hazards which do or may cause fire; and,

WHEREAS, the District fire station is located at 11010 S. Milton Thompson Road, unincorporated Jackson County, Missouri, immediately adjacent to the corporate limits of the City; and,

WHEREAS, the District currently operates using a private septic system for the removal of wastewater; and,

WHEREAS, due to the current configuration and location of lateral lines servicing the private septic system, as well as damage that the current system has suffered, the District has determined that it is necessary to upgrade its wastewater removal system; and,

WHEREAS, the City's sanitary sewer system has a main line that is approximately 3,000 feet from the District fire station; and,

WHEREAS, the District has requested that the City allow a connection from the District fire station to the City's sanitary sewer system for express purpose of providing the District sanitary sewer service; and,

WHEREAS, the City has reviewed the expected impact of flows on the system from a potential connection from the District fire station, and has determined that there are no concerns regarding capacity or other service related issues; and,

WHEREAS, the District already receives its' water service from the City; and,

WHEREAS, the District would be responsible for all construction and related costs to connect the District fire station to the City's sewer main, including costs for and acquisition of necessary easements for construction, and would be billed at the regular rate for all sewer services provided to District by the City; and,

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WHEREAS, Pursuant to Section 6500.F.1.j of the City of Lee's Summit Design and Construction Manual, individual sanitary sewer connections are not allowed for properties located outside the corporate limits of the City; and,

WHEREAS, Section 32.240 of the City of Lee's Summit Code of Ordinances, "the City may enter into contracts with any person, including municipalities, sanitary districts, and other political subdivisions and public bodies, for the rendering of any unusual or extraordinary sewerage service; provided, however, that the rates or charges to be paid thereunder shall not be less than an amount which is fair and equitable, taking into account the cost to the City of providing such services;" and,

WHEREAS, in the interest of providing cooperative assistance to the District, a political subdivision, and in light of the minimal impact on the City's sewer system, City desires to authorize a one-time, non-precedent setting exception to Section 6500.F.1.j. of the City of Lee's Summit Design and Construction Manual in order to allow the District, which is located outside the corporate limits of the City, to obtain sanitary sewer service from the City; and,

WHEREAS, in an effort to comply with Section 32.240 of the City of Lee's Summit Code of Ordinances, as well as in order to effectuate the one-time, non-precedent setting exception to Section 6500.F.1.j. of the City of Lee's Summit Design and Construction Manual, the parties have jointly negotiated an Intergovernmental Agreement, attached hereto as "Exhibit A" and incorporated herein as though fully set forth, which sets forth the understandings and expectations of the provision of sewer service to the District.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the Intergovernmental Agreement for the Provision of Sanitary Sewer Service by and between the City of Lee's Summit, Missouri and the Prairie Township Fire Protection District, a true and accurate copy being attached hereto as "Exhibit A" and incorporated herein by reference as though fully set forth, be and is hereby approved and the Mayor is authorized to execute the same by and on behalf of the City.

SECTION 2. That a one-time exception to Section 6500.F.1.j. of the City of Lee's Summit Design and Construction Manual is hereby authorized to allow a sanitary sewer connection to be constructed from the City's sanitary sewer main from the District fire house located outside the corporate limits of the City, located at 11010 S. Milton Thompson Road, Lee's Summit, Missouri 64086, and that all costs for connection shall be borne by the District.

SECTION 3. That this Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_ day of \_\_\_\_\_, 2017.

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*Mayor Randall L. Rhoads*

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ATTEST:

\_\_\_\_\_  
City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Mayor *Randall L. Rhoads*

ATTEST:

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City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

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Chief Counsel of Infrastructure and Planning  
*Nancy K. Yendes*