

BILL NO. 19-153

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT AND CONSENT TO JOINT USE OF TRACK BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, IPL USA, INC. AND THE UNION PACIFIC RAILROAD (UPRR) COMPANY.

WHEREAS, the City of Lee's Summit ("City") owns and maintains a railroad spur located generally near Thompson Drive for the purpose of serving several industrial properties; and,

WHEREAS, the Union Pacific Railroad Company (UPRR) has determined that it needs to limit the stacking of rail cars in its nearby storage lot for IPL (Plastic Enterprises); and,

WHEREAS, UPRR and the City are agreeable to allow temporary storage of rail cars for IPL on the City's spur with the right to cancel the agreement on thirty (30) days' notice; and,

WHEREAS, IPL has requested such use of the City spur, and IPL has agreed to the terms of such use contained in the attached Agreement.

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

SECTION 1. That the City Council of the City of Lee's Summit hereby approves the agreement to permit joint use of a track by and between, IPL USA, Inc., the Union Pacific Railroad Company (UPRR) and the City of Lee's Summit, Missouri, attached hereto and incorporated by reference as if fully set forth herein, and authorizes the execution of the same by the City Manager.

SECTION 2. 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 _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk, *Trisha Fowler Arcuri*

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APPROVED by the Mayor of said city this ____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

Chief Counsel of Infrastructure and Planning
Nancy K. Yendes