

**The City of Lee's Summit
Action Letter - Final
Public Works Committee**

Tuesday, April 23, 2019
5:30 PM
City Council Chambers
City Hall
220 SE Green Street
Lee's Summit, MO 64063

- A. Invocation
- B. Pledge of Allegiance
- C. Call to Order

The April 23, 2019 Public Works Committee meeting was called to order by Chairman Faith, at 5:35 p.m. at City Hall, 220 SE Green St., in the City Council Chambers. Notice had been provided by posting the meeting notice with a tentative agenda, at least 24 hours in advance of the meeting, at both entrances to City Hall.

D. Roll Call

Present: 3 - Councilmember Rob Binney
Chairperson Craig Faith
Vice Chair Fred DeMoro

Absent: 1 - Councilmember Diane Forte

1. Approval of Agenda

A motion was made by Councilmember Binney, seconded by Vice Chair DeMoro, to approve the agenda as posted. The motion carried by a unanimous 3-0 vote.

2. Approval of Action Letter

- A. [2019-2704](#) Approval of the March 26, 2019 Action Letter.

A motion was made by Councilmember Binney, seconded by Vice Chair DeMoro, to approve the Public Works Committee Action Letter dated March 26, 2019. The motion carried by a unanimous 3-0 vote.

3. Public Comments

4. Business

- A. [BILL NO. 19-100](#) An Ordinance approving the award of Bid No. 324-19/20 (Overlay) for the Mill & Overlay 19/20 program to Ideker, Inc. in the amount of \$2,046,692.12, and authorizing the City Manager to enter into the agreement for the same. (PWC 4/23/19)

A motion was made by Vice Chair DeMoro, seconded by Councilmember Binney, that this Ordinance be recommended for approval to the City Council. The motion carried by a unanimous 3-0 vote.

- B. [BILL NO. 19-101](#) An Ordinance approving the award of Bid No. 324-19/20 (slurry) for the Surface Seal 19/20 program to Vance Brothers Inc. in the amount of \$1,061,749.75, and authorizing the City Manager to enter into the agreement for the same. (PWC 4/23/19)

A motion was made by Councilmember Binney, seconded by Vice Chair DeMoro, that this Ordinance be recommended for approval to the City Council. The motion carried by a unanimous 3-0 vote.

- D. [BILL NO. 19-102](#) An Ordinance approving Change Order #1 to the contract with Leavenworth Excavating and Equipment Company, Inc. for the Langsford Rd culvert repair project, an increase of \$393,645.00 for a revised contract price of \$663,017.05 and an increase of 30 calendar days to reach substantial and final completion. (PWC 4/23/19)

A motion was made by Vice Chair DeMoro, seconded by Councilmember Binney, that this Ordinance be recommended for approval to the City Council. The motion carried by a unanimous 3-0 vote.

- E. [BILL NO. 19-103](#) An Ordinance awarding Bid No. 43431683-C, for the Water Main Replacement FY19 - Harris Road to J & N Utilities, Inc., in the amount of \$387,800.80 and authorizing the City Manager to execute an agreement for the same. (PWC 4/23/19)

A motion was made by Councilmember Binney, seconded by Vice Chair DeMoro, that this Ordinance be recommended for approval to the City Council. The motion carried by a unanimous 3-0 vote.

- F. [BILL NO. 19-104](#) An Ordinance approving Change Order No. 1 to the contract with Industrial Salvage and Wrecking Company, Inc. for the 3rd Street Demolition Services, an increase of \$6,420.00 for a revised contract price of \$54,820 and authorizing the City Manager to enter into an agreement for the same. (PWC 4/23/19)

A motion was made by Councilmember Binney, seconded by Vice Chair DeMoro, that this Ordinance be recommended for approval to the City Council. The motion carried by a unanimous 3-0 vote.

5. Items for Discussion

- A. [2019-2709](#) Discussion of Streets Outside City's Jurisdiction

Dena Mezger, Director of Public Works, stated that at City Council there was discussion about the City of Lee's Summit annexing roads, specifically View High Drive and Lee's Summit Road in the Lakewood area. Mayor ProTem Lopez assigned the Public Works Committee to discuss. There are roads that residents use a considerable amount of time that are Kansas City roads in general. They are not kept up to the same standards. The question is what can we do about this. Further discussion of ideas is needed for how we might handle road condition issues.

Chairman Faith presented the idea to annex areas to take on the maintenance. Assessing the amount of lane miles would be necessary to figure costs. It has been explored somewhat with Kansas City and other agencies that control those areas. Faith asked about a possible road maintenance mutual aid program, such as with emergency services. This is in the exploration stage and one of the first things he would recommend would be to identify the areas of need.

Ms. Mezger explained the example of Kansas City between Gregory and Colbern where the City entered into an intergovernmental agreement in which they paid for their half of the design and construction. That was predicated upon Lees Summit going in and applying for Federal Aid to pay for most of Kansas City's portion. Locations of concern were discussed such as Hook Road with the shoulders ending at the City limits, and NW Oldham Parkway in front of Freddy's which belongs to MoDOT.

Councilmember Binney asked why the City doesn't already jurisdiction of the roads in City limits as well as the boundary roads. Ms. Mezger explained that Kansas City limits were there before we started development of Lakewood, the western perimeter, and Longview Lake with the Community College. Sometimes cooperative neighbors and shared agreements place City limit right down the middle of roads. With View High Drive and the boundary is the right-of-way line. On roads where we split jurisdiction there is shared responsibility for snow removal and the cost of mill and overlay where costs are split half and half.

It comes down to cost, communication, and caring commitment of a neighbor to even consider an annex. Then the added cost of bringing the roads up to standard and maintenance become an issue. Councilmember DeMoro asked if Kansas City lost out on getting Federal grants for that portion of Lee's Summit Road. Ms. Mezger mentioned that they have not and the last time she spoke to the director she indicated that part of LS Rd was within their 5 year capital plan.

Brian Head, City Attorney, described the legal process the City would have to go through. There is a de-annexation by the other entity and then an annexation by the City. There are reasons why they would want to do this such as cost and having a roadway that does not serve their residents very well. But for example if we took View High Drive from the current City limit over to the right-of-way on the other side, then we would control access to all of that property in Kansas City. They would no longer be in control of access to property within their city limits. So they might not want to do it for that reason. In order to do the annexation process it would require the City Council to approve an annexation ordinance predicated on a de-annexation from Kansas City. Then that ordinance would have to be approved by that Council. Both

Councils would have to agree. The agreement route would be a much simpler route. Although we would be expending Lee's Summit tax dollars on a piece of property that we have no jurisdiction over, no ownership, and not within City limit. There would be concern with using tax dollars generated in Lee's Summit for that purpose. If we did identify specific areas to address because of condition and use by Lee's Summit, we should proceed forward in that way. There are challenges from a legal standpoint. For areas in the County that the City would want to annex, that is within our authority to do. That would involve an involuntary annexation process that requires court hearings and a vote of the people. It could get to be fairly complex and very involved.

Chairman Faith then requested that staff come up with a list of areas and jurisdictions that are being considered: the roads completely out of our area, shared roads, and internal roadways that are maintained by MoDOT. From that list we can start to look for possible solutions and the legal considerations of each.

6. Roundtable

Councilmember Binney asked for an update on the light out at NW Ward and NW Chipman. Dena Mezger, Director of Public Works; addressed the situation saying that a driver hit a street light in the median. The streetlight was resting on the traffic signal arm and the streetlight was up in the electrical wires. The electrical box that serves the traffic controller was fried as well as the traffic control box for the signal. Closure of Ward for a couple of weeks is necessary to get it back on line. An update was provided on the landfill closing, and the PDA opened on Monday, April 15. They did a great job of getting it cleaned up and looking good. Rate changes were also discussed.

An update on a stormwater rate study was requested. Ms. Dena Mezger said it cannot be funded out of the CIP funds. City attorneys looked at the ballot language and said a study would not be allowable. It is a dead issue at the moment with no other funding alternatives. There are some one-time items that could come out of leftover money from this year's budget or dipping into reserve. The study was estimated at \$300-350K. In 2017 the renewed CIP sales tax had \$10M set aside for pipe, \$12M for flooding locations, and some for steambank stabilizations. Dena mentioned various needed projects and locations. The 2007 stormwater bond issue for Pine Tree Village which will go to Council shortly.

Chairman Faith asked about on the PRI land. PRI has hired their own engineer to start their investigation process which will take at least a year. Staff will start looking through new comprehensive plans to start incorporating the things needed to look at for PRI. It is on the table for the next year.

Chairman Faith asked about potholes and turnaround time. The crews are out

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every day working on potholes as reported. Ms. Mezger mentioned the Ward Road issue will take a couple of weeks to get work started there and that continuation of last fall's curb program will begin next week to finish the last few sections.

7. Adjournment

The April 23, 2019 Public Works Committee meeting was adjourned by Chairman Faith at 6:55 p.m. at City Hall, 220 SE Green Street, City Council Chambers.

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