

## Legislation Details (With Text)

**File #:** BILL NO. 20-235  
**Name:**  
**Type:** Ordinance  
**Status:** Passed  
**File created:** 10/9/2020  
**In control:** City Council - Regular Session  
**On agenda:** 12/15/2020  
**Final action:** 12/15/2020  
**Title:** An Ordinance authorizing the execution of a License Agreement by and between the City of Lee's Summit, Missouri, and the Lakewood Property Owners Association, Inc. to grant access for the construction, installation, repair, replacement and maintenance of streetlights along Lakewood Boulevard. (PWC 12-7-20)  
**Sponsors:** Public Works Admin & Engineering

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. License Agreement, 3. Location Map

Date	Ver.	Action By	Action	Result
12/15/2020	1	City Council - Regular Session	for second reading	Pass
12/15/2020	1	City Council - Regular Session	adopted and numbered	Pass
12/7/2020	1	Public Works Committee	approved	Pass

An Ordinance authorizing the execution of a License Agreement by and between the City of Lee's Summit, Missouri, and the Lakewood Property Owners Association, Inc. to grant access for the construction, installation, repair, replacement and maintenance of streetlights along Lakewood Boulevard. (PWC 12-7-20)

Issue/Request:

An Ordinance authorizing the execution of a License Agreement by and between the City of Lee's Summit, Missouri, and the Lakewood Property Owners Association, Inc. to grant access for the construction, installation, repair, replacement and maintenance of streetlights along Lakewood Boulevard.

Key Issues:

- The Lakewood Boulevard Streetlighting project was included in the list of projects presented as part of the public information for the 2017 CIP Sales Tax Renewal approved by voters
- This project will install streetlights along Lakewood Boulevard, including the spillway and dam areas that are owned by the Lakewood Property Owners Association (LPOA).
- An agreement is needed for access to the spillway and dam areas to install and maintain street lights along Lakewood Boulevard.

Proposed City Council Motion:

FIRST MOTION: I move a second reading of an Ordinance authorizing the execution of a License Agreement by and between the City of Lee's Summit, Missouri, and the Lakewood Property Owners Association, Inc. to grant access for the construction, installation, repair, replacement and maintenance of streetlights along Lakewood Boulevard.

SECOND MOTION: I move for adoption of an Ordinance authorizing the execution of a License Agreement by and between the City of Lee's Summit, Missouri, and the Lakewood Property Owners Association, Inc. to grant access for the construction, installation, repair, replacement and maintenance of streetlights along Lakewood Boulevard.

Background:

Lakewood Boulevard is located on the north side of town bound by I-470 to the east, Lee's Summit Road to the west, and West and East Lakewood Lake to the south. The roadway is a minor arterial with an average daily traffic (ADT) of about 5,000 vehicles per day.

The Lakewood Boulevard Streetlight Improvement Plan was funded as part of the 2017 CIP Sales Tax, and the funds were allocated for this fiscal year as part of the FY21 Capital Improvement Plan adopted by Council. This project will improve traffic safety by installing continuous lighting along the roadway from Lee's Summit Road to I-470.

However, the City does not have continuous right of way over the dam and spillway owned by LPOA. As part of the lakes, dam, and spillway/overflow structures construction in the early 1970's, the City acquired a roadway easement to build and maintain Lakewood Boulevard as a public road over the LPOA properties. At the time the easement was acquired, the City did not have any policies, programs, or standards to install continuous lighting along roadways, so that roadway easement did not include the rights to install streetlighting. This new lighting project includes 76 streetlights within the roadway easement over the LPOA dam and spillway. City staff requested permission from the LPOA, through a license agreement, to install the lighting within the existing roadway easement. LPOA was supportive of the work and agreed to enter into a license agreement, subject to Council approval.

The new lighting will meet the current City requirements for continuous lighting design criteria found in the City's Design and Construction Manual - Section 5800 "Street Lighting." The new system will use LED bulbs for efficiency, reduce maintenance costs, conserve energy, and extend the service life. In order to accomplish the streetlight project, as described, access to the spillway and dam areas is necessary.

Impact/Analysis:

The City will adopt and include the cost associated with the street lights as part of the streetlight inventory. If this agreement is not approved, lights cannot be installed over the dam and spillway area. Studies have shown that transitions from bright lights to dark gaps along roadways can create traffic safety issues. Data has shown an increase in accidents occurs when drivers move from well-lit areas to dark spots along the roads. If the dark gaps area created, City staff will re-evaluate the project to modify the design to reduce the potential safety traffic issues.

Bob Hartnett, Interim Director of Public Works

Staff recommends approval.

The Public Works Committee voted unanimously 3-0 (Councilmember Carlyle "Absent"), to recommend to

City Council approval of an Ordinance authorizing the execution of a License Agreement by and between the City of Lee's Summit, Missouri, and the Lakewood Property Owners Association, Inc. to grant access for the construction, installation, repair, replacement and maintenance of streetlights along Lakewood Boulevard.