

Legislation Details (With Text)

File #:	BILL NO. 16-184	Name:	
Type:	Ordinance	Status:	Passed
File created:	8/24/2016	In control:	City Council - Regular Session
On agenda:	9/1/2016	Final action:	9/1/2016
Title:	AN ORDINANCE AUTHORIZING EXECUTION OF A NON-EXCLUSIVE EASEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND SAINT LUKE'S HEALTH SYSTEM, INC.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Ordinance, 2. Agreement, 3. Saint Luke's Fiber Aerial Map		

Date	Ver.	Action By	Action	Result
9/1/2016	1	City Council - Regular Session	adopted and numbered	Pass

AN ORDINANCE AUTHORIZING EXECUTION OF A NON-EXCLUSIVE EASEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND SAINT LUKE'S HEALTH SYSTEM, INC.

Issue/Request:

Saint Luke's operates a network communications facility in the Summit Technology Campus and a critical part of their network infrastructure is a fiber optic cable. Saint Luke's is requesting the use of a City controlled Utility Easement for their fiber optic cable.

Key Issues:

- 1) The Agreement is necessary when utilities solely for private use (such as Saint Luke's fiber) are placed in the Utility Easement (UE).
- 2) The Agreement does not give Saint Luke's sole rights to the UE. The UE can still be used by other entities or utility companies.
- 3) Saint Luke's is part of the One-Call system, which responds to locating underground facilities.
- 4) There is no cost to the City for this request.

Proposed City Council Motion:

FIRST MOTION: I move for a second reading of AN ORDINANCE AUTHORIZING EXECUTION OF A NON-EXCLUSIVE EASEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND SAINT LUKE'S HEALTH SYSTEM, INC.

SECOND MOTION: I move for adoption of AN ORDINANCE AUTHORIZING EXECUTION OF A NON-EXCLUSIVE EASEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND SAINT LUKE'S HEALTH SYSTEM, INC.

Background:

For several years the Saint Luke's fiber optic cable has been in a private easement on property owned by Townsend Summit, LLC. The recent development of Lot 7, 1st Plat of the Summit Innovation Center is causing

the movement of the fiber cable, and despite several efforts, Townsend Summit, LLC, and Saint Luke's could not find a suitable location within Summit Innovation Center. Saint Luke's remaining options were to move into a City Utility Easement or the right-of-way, and Saint Luke's determined the City Utility Easement would suit their needs.

Impact/Analysis:

Saint Luke's will bear all costs associated with relocating their fiber.

Timeline:

Start: N/A___

Finish: N/A___

Other Information/Unique Characteristics:

[Enter text here]

Presenter: Scott Ward, Senior Staff Engineer

Recommendation: Staff recommends approval of AN ORDINANCE AUTHORIZING EXECUTION OF A NON-EXCLUSIVE EASEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND SAINT LUKE'S HEALTH SYSTEM, INC.

Committee Recommendation: