

## Legislation Details (With Text)

**File #:** BILL NO. 17-160  
**Name:**  
**Type:** Ordinance - Committee  
**Status:** Passed  
**File created:** 7/3/2017  
**In control:** City Council - Regular Session  
**On agenda:** 7/27/2017  
**Final action:** 7/27/2017  
**Title:** AN ORDINANCE AUTHORIZING THE EXECUTION OF AN EASEMENT AGREEMENT BETWEEN THE LEE'S SUMMIT R-VII SCHOOL DISTRICT AND THE CITY OF LEE'S SUMMIT, MISSOURI. (PWC 7/18/17)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Easement Agreement

Date	Ver.	Action By	Action	Result
7/27/2017	1	City Council - Regular Session	for second reading	Pass
7/27/2017	1	City Council - Regular Session	adopted and numbered	Pass
7/18/2017	1	Public Works Committee	recommended for approval	Pass

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN EASEMENT AGREEMENT BETWEEN THE LEE'S SUMMIT R-VII SCHOOL DISTRICT AND THE CITY OF LEE'S SUMMIT, MISSOURI. (PWC 7/18/17)

Issue/Request:

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN EASEMENT AGREEMENT BETWEEN THE LEE'S SUMMIT R-VII SCHOOL DISTRICT AND THE CITY OF LEE'S SUMMIT, MISSOURI

Key Issues:

- The Residences at Echelon project was approved by the City Council on October 20, 2016.
- The City's Design and Construction Manual requires sanitary sewer mains be extended to plat boundaries to accommodate future growth
- Extending the sewer main to the plat boundary is not feasible from an engineering and maintenance perspective
- Future growth and maintenance can be accommodated by executing an easement agreement with the Lee's Summit R-VII School District

Proposed City Council Motion:

FIRST MOTION: I move for a second reading of AN ORDINANCE AUTHORIZING THE EXECUTION OF AN EASEMENT AGREEMENT BETWEEN THE LEE'S SUMMIT R-VII SCHOOL DISTRICT AND THE CITY OF

LEE'S SUMMIT, MISSOURI.

SECOND MOTION: I move for adoption of AN ORDINANCE AUTHORIZING THE EXECUTION OF AN EASEMENT AGREEMENT BETWEEN THE LEE'S SUMMIT R-VII SCHOOL DISTRICT AND THE CITY OF LEE'S SUMMIT, MISSOURI.

Background:

City Ordinance requires infrastructure to be extended to the plat boundary as development happens to more easily accommodate future growth without adversely impacting existing structures. In this instance, it was not feasible for the sanitary to be extended to the Northwest corner of the plat boundary without causing the sewer depths further downstream to exceed the maximum depths typically allowed by the Design and Construction manual. The sanitary sewer needed to serve the Residences at Echelon project area does not exceed maximum depths within the proposed development. The property to be served would be better served through the school district property to the south and west.

This Ordinance requirement was not in place when the school was constructed. If the Ordinance was in place at that time, the sanitary would have been extended at the time of the school construction. In lieu of extending the sanitary line to the plat boundary as part of the Residences at Echelon project, the Developer agreed to secure a dedicated sanitary easement with the school district so any future development would have access to the sanitary system.

The Lee's Summit R-VII school district has approved the easement for a future sanitary line which would be constructed when future development occurs.

Presenter: Dawn Bell, Project Manager, Development Services

Recommendation: Staff recommends approval of AN ORDINANCE AUTHORIZING THE EXECUTION OF AN EASEMENT AGREEMENT BETWEEN THE LEE'S SUMMIT R-VII SCHOOL DISTRICT AND THE CITY OF LEE'S SUMMIT, MISSOURI

Committee Recommendation: The Public Works Committee voted unanimously 4-0 to recommend to City Council approval of AN ORDINANCE AUTHORIZING THE EXECUTION OF AN EASEMENT AGREEMENT BETWEEN THE LEE'S SUMMIT R-VII SCHOOL DISTRICT AND THE CITY OF LEE'S SUMMIT, MISSOURI.