

## Legislation Details (With Text)

<b>File #:</b>	BILL NO. 17-141	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	5/31/2017	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	7/13/2017	<b>Final action:</b>	7/13/2017
<b>Title:</b>	AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT AND CASS COUNTY REGARDING SNOW REMOVAL AND ROAD MAINTENANCE TO PROVIDE FOR FUNDING OF A CAPITAL IMPROVEMENT PROJECT BY THE CITY OF LEE'S SUMMIT FOR WARD ROAD IMPROVEMENTS AND ONGOING MAINTENANCE RESPONSIBILITIES (COUNTY LINE ROAD TO 163RD ST.) (PWC 6/20/17)		
<b>Sponsors:</b>	Public Works		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Ordinance, 2. Cass County Ward Road Intergovernmental Agreement		

Date	Ver.	Action By	Action	Result
7/13/2017	1	City Council - Regular Session	for second reading	Pass
7/13/2017	1	City Council - Regular Session	approved and numbered	Pass
6/20/2017	1	Public Works Committee	recommended for approval	Pass

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT AND CASS COUNTY REGARDING SNOW REMOVAL AND ROAD MAINTENANCE TO PROVIDE FOR FUNDING OF A CAPITAL IMPROVEMENT PROJECT BY THE CITY OF LEE'S SUMMIT FOR WARD ROAD IMPROVEMENTS AND ONGOING MAINTENANCE RESPONSIBILITIES (COUNTY LINE ROAD TO 163RD ST.) (PWC 6/20/17)

Key Issues:

Ward Road improvements from County Line Road to South City Limits was approved by voters as part of the 2007 Capital Sales Tax Renewal

The project limits were later extended south to 163<sup>rd</sup> Street, causing work to be done outside the City Limits in unincorporated portions of Cass County

This agreement is necessary to complete the project in Cass County and continue an existing maintenance agreement with Cass County

Proposed City Council Motion:

FIRST MOTION: I move for a second reading of AN ORDINANCE AUTHORIZING THE EXECUTION OF AN

AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT AND CASS COUNTY REGARDING SNOW REMOVAL AND ROAD MAINTENANCE TO PROVIDE FOR FUNDING OF A CAPITAL IMPROVEMENT PROJECT BY THE CITY OF LEE'S SUMMIT FOR WARD ROAD IMPROVEMENTS AND ONGOING MAINTENANCE RESPONSIBILITIES (COUNTY LINE ROAD TO 163RD ST.)

SECOND MOTION: I move for adoption of AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT AND CASS COUNTY REGARDING SNOW REMOVAL AND ROAD MAINTENANCE TO PROVIDE FOR FUNDING OF A CAPITAL IMPROVEMENT PROJECT BY THE CITY OF LEE'S SUMMIT FOR WARD ROAD IMPROVEMENTS AND ONGOING MAINTENANCE RESPONSIBILITIES (COUNTY LINE ROAD TO 163RD ST.)

Background:

Improvements to Ward Road were approved by Lee's Summit voters as part of the 2007 Capital Sales Tax Renewal, hereinafter referred to as the "Project". This Project is primarily a complete streets project that includes sidewalk, shared-use path, street lighting, curb and gutter, enclosed storm drains, permitting requirements, utility relocations, culvert replacements or extensions, roadway widening to accommodate one vehicular lane in each direction of travel with turning lanes, pavement marking, signing, and pavement improvements, hereinafter referred to as the "Improvements."

The original project scope extended from County Line Road south to Fenwick Road because it was the last cross street entirely within the corporate limits of Lee's Summit. The project was later directed to be extended south to Raintree Parkway, which requires building west portions of the road outside the City Limits in unincorporated areas of Cass County. The improvements outside the County's jurisdiction will be along Ward Road from approximately 1,150 feet south of Fenwick Drive to Raintree Parkway, 163rd Street, and then transition to match the existing road at Gore Road. The work will be fully funded through the Lee's Summit Capital Sales Tax Renewal.

Currently, the City and Cass County have an Interlocal Governmental Agreement to coordinate maintenance and capital improvements of the shared road. That agreement was approved by the City Council in 2009 by passage of Ordinance No. 6842. The modified agreement will continue maintenance of the new road, consistent with the previous agreement, which includes snow removal, pothole patching, and storm drainage maintenance.

City Staff conducted a public meeting to share the preliminary plans and initiated communications directly with Cass County Public Works and Cass County Commissioners to review the project scope. Cass County Commissioners and a few residents voiced specific objections to installing a sidewalk on the west side of the road and the City's proposal to annex the right of way.

Under guidance from Cass County, the City sent letters to unincorporated Cass County residents located along the west side of the road who were notified of the City's intention to annex the project roadway into the City of Lee's Summit. Both positive and negative comments were received regarding the proposed improvements and annexation.

Cass County decided to move forward by entering into an intergovernmental agreement that would not allow annexation, but instead continue the agreement for roadway maintenance. Cass County also approved the

agreement on the condition that the proposed sidewalk along the west limits of the project is not built. All other proposed design characteristics remain: 3-lane road with sidewalk along entire east side, 10-foot trail north of SW Fenwick Road.

This agreement was approved by Cass County on May 11, 2017. The final design phase and right of way acquisition within Cass County will commence upon approval of this agreement by the City. Most of the right of way has been acquired along the east side. The scheduled has assumed that some properties may require condemnation to meet estimated construction startup in 2018.

Presenter: Mark Green, Staff Engineer

Recommendation: Staff recommends approval of AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT AND CASS COUNTY REGARDING SNOW REMOVAL AND ROAD MAINTENANCE TO PROVIDE FOR FUNDING OF A CAPITAL IMPROVEMENT PROJECT BY THE CITY OF LEE'S SUMMIT FOR WARD ROAD IMPROVEMENTS AND ONGOING MAINTENANCE RESPONSIBILITIES (COUNTY LINE ROAD TO 163RD ST.)

Committee Recommendation: The Public Works Committee voted unanimously 4-0 to recommend to City Council approval of AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT AND CASS COUNTY REGARDING SNOW REMOVAL AND ROAD MAINTENANCE TO PROVIDE FOR FUNDING OF A CAPITAL IMPROVEMENT PROJECT BY THE CITY OF LEE'S SUMMIT FOR WARD ROAD IMPROVEMENTS AND ONGOING MAINTENANCE RESPONSIBILITIES (COUNTY LINE ROAD TO 163RD ST.)