

## Legislation Details (With Text)

**File #:** BILL NO. 18-13  
**Name:**  
**Type:** Ordinance - Committee  
**Status:** Agenda Ready  
**File created:** 12/29/2017  
**In control:** City Council - Regular Session  
**On agenda:** 2/1/2018  
**Final action:**  
**Title:** AN ORDINANCE AUTHORIZING EXECUTION OF A COOPERATIVE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND JACKSON COUNTY MISSOURI FOR SHARED USE PATHWAY AND OTHER TRANSPORTATION IMPROVEMENTS IN THE VICINITY OF THE ROCK ISLAND CORRIDOR. (PWC 1-16-18)  
**Sponsors:** Public Works Admin & Engineering, Binger, George

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Agreement, 3. County Trail Pre-Construction Notice and Map, 4. Location Map

Date	Ver.	Action By	Action	Result
2/1/2018	1	City Council - Regular Session	for second reading	Pass
2/1/2018	1	City Council - Regular Session	adopted and numbered	Pass
1/16/2018	1	Public Works Committee	recommended for approval	Pass

AN ORDINANCE AUTHORIZING EXECUTION OF A COOPERATIVE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND JACKSON COUNTY MISSOURI FOR SHARED USE PATHWAY AND OTHER TRANSPORTATION IMPROVEMENTS IN THE VICINITY OF THE ROCK ISLAND CORRIDOR. (PWC 1-16-18)

Issue/Request:

AN ORDINANCE AUTHORIZING EXECUTION OF A COOPERATIVE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND JACKSON COUNTY MISSOURI FOR SHARED USE PATHWAY AND OTHER TRANSPORTATION IMPROVEMENTS IN THE VICINITY OF THE ROCK ISLAND CORRIDOR

Key Issues:

- o Improvements to Chipman Road from View High to Bent Tree were approved by voters as part of the 2007 CIP Sales Tax Renewal
- o Jackson County Rock Island Rail Corridor Authority (RIRCA) and the Kansas City Area Transit Authority (KCATA) purchased rights to construct and operate a trail and transit services along the inactive Rock Island rail corridor
- o Chipman Road and the Rock Island intersect in Lee's Summit and require mutual cooperation for both entities to construct improvements at various locations
- o This agreement authorizes mutual access to rights of way necessary for construction
- o This agreement authorizes payment from the City to RIRCA for bridge construction and establishes

conditions of work in the City's jurisdiction

Proposed City Council Motion:

FIRST MOTION: I move for a second reading of AN ORDINANCE AUTHORIZING EXECUTION OF A COOPERATIVE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND JACKSON COUNTY MISSOURI FOR SHARED USE PATHWAY AND OTHER TRANSPORTATION IMPROVEMENTS IN THE VICINITY OF THE ROCK ISLAND CORRIDOR

SECON MOTION: I move for adoption of AN ORDINANCE AUTHORIZING EXECUTION OF A COOPERATIVE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND JACKSON COUNTY MISSOURI FOR SHARED USE PATHWAY AND OTHER TRANSPORTATION IMPROVEMENTS IN THE VICINITY OF THE ROCK ISLAND CORRIDOR

Background:

The improvements to NW Chipman Road corridor between View High and Bent Tree was recommended in the City's 2006 Thoroughfare Master Plan. Funding for the project was approved by voters as part of the April 2007 Sales Tax Renewal election. This project includes re-constructing approximately 0.9 miles of existing roadway as a three-lane facility with sidewalk, a multi-use trail, and street lighting, as well as removal of the existing railroad tunnel. The work requires relocation of 4,700 feet of water main, 1,400 feet of sanitary sewer, and extensive relocation of fiber optic transmission lines in the rail right of way. The major purpose for the project is safety improvements that will eliminate the one-lane railroad tunnel, narrow pavement, areas with no shoulder, and several sharp curves along the corridor.

The project has been dormant since April of 2012 when the right of way plans were completed. At that time, the City had reached an impasse with the Union Pacific Railroad regarding right of access along the Rock Island rail corridor to remove the one-lane tunnel. In 2016, Jackson County, in partnership with KCATA, acquired the rights to manage and construct improvements in the Rock Island corridor for trail and transit. The City began negotiating access rights with the County and KCATA in September of 2016 after the County was awarded federal funds for purchasing right of way and constructing the trail.

Funding rules mandate that the County is still subject to the Surface Transportation Board "Common Carrier Obligations," which means the County has to maintain a continuous rail corridor. Corridor continuity prohibits simple removal of the bridge over Chipman Road. Provision had to be made to replace the bridge through either constructing a new bridge or securing funds to build a bridge. Because the City road project is causing the bridge to be removed, the City is responsible to either build the bridge or make payment to the County in an amount sufficient to construct a freight rail bridge.

The agreement stipulates that the County will construct any bridge build over Chipman Road. Initially, the County may opt to construct a trail bridge. In the future, the County may, as necessary, construct a freight rail bridge or a commuter rail bridge, depending on the classification status of the rail corridor. The City will be required to give the County a one-year notice before the bridge of Chipman Road can be removed. Also, as part of the Chipman Road work, the City will have to relocate major fiber optic transmission lines running the length of the rail corridor. This agreement give the City permission to remove the bridge, relocate the fiber optic line, and construct the Chipman Road improvements in the County rail corridor.

Constructing the trail through Lee's requires the County to cross through the City's right of way in 5 locations: Old Pryor Road access road to Hartman Park, Longview Road, Ward Road, Scherer Road and Jefferson Street. This works required the County to obtain right of way permits from the City or construction improvements in the City's right of way. Additionally, the County must obtain a flood plain development permit and land disturbance permit from the City. This agreement stipulates the County must obtain those permits. To ensure compliance, the permit requirements were also included in the construction contract documents for the trail construction.

The County has recently awarded a construction contract to Radmacher Brothers, Inc. to build the trail from Brickyard Road in Kansas City, MO southward through Lee's Summit to the project terminus near SW Jefferson Street and Scherer Road. The work is currently scheduled to take place from January through September of 2018. The County will be taking the lead in public communications, working with residents, and inspecting the work. City and County staff will continue to coordinate work for the trail project and the Chipman Road project.

Chipman Road design, right of way and utility relocation work will restart in 2018 with the goal of constructing Chipman Road in 2019. Contracts modification for design work and agreements utility relocation will be necessary proceed.

Approval of this agreement will allow work on both the Chipman Road and Rock Island Trail projects to proceed.

Impact/Analysis:

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Timeline:

Start: January 2018

Finish: Upon completion of work (about December 2019)

Other Information/Unique Characteristics:

[Enter text here]

Presenter: George Binger, Deputy Director/City Engineer

Recommendation: Staff recommends approval of AN ORDINANCE AUTHORIZING EXECUTION OF A COOPERATIVE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND JACKSON COUNTY MISSOURI FOR SHARED USE PATHWAY AND OTHER TRANSPORTATION IMPROVEMENTS IN THE VICINITY OF THE ROCK ISLAND CORRIDOR

Committee Recommendation: The Public Works Committee voted unanimously 4-0 to recommend to City Council approval of AN ORDINANCE AUTHORIZING EXECUTION OF A COOPERATIVE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND JACKSON COUNTY MISSOURI FOR SHARED USE PATHWAY AND OTHER TRANSPORTATION IMPROVEMENTS IN THE VICINITY OF THE ROCK ISLAND CORRIDOR

