

Legislation Text

File #: BILL NO. 20-57, **Version:** 1

An Ordinance Amending the Schedule of Fees and Charges to provide consistent management of the Rights-of-Way in accordance with Chapter 26, Streets, Sidewalks and Other Public Places, of the City Code of the City of Lee's Summit, Missouri. (F&BC 3/9/20)

Issue/Request:

An Ordinance Amending the Schedule of Fees and Charges to provide consistent management of the Rights-of-Way in accordance with Chapter 26, Streets, Sidewalks and Other Public Places, of the City Code of the City of Lee's Summit, Missouri.

Key Issues:

The City is requesting changes to the FY20 Schedule of Fees in conjunction with an ordinance amending Chapter 26, Streets, Sidewalks and Other Public Places, of the City Code (referred to as "ROW Ordinance"), to provide consistent management of the Rights-of-Way with respect to standards of work, bonding, and permitting. The Public Works Committee recommend the ROW Ordinance for approval on Monday, March 2, 2020.

To ensure clarity, the proposed ROW Ordinance updates modify section 26-133 by adding paragraphs J and K to read as follows:

J. A pavement cut fee will be paid by all permit users in accordance with the City's Schedule of Fees and such payment shall be in addition to any other right-of-way permit fees.

K. In addition to any other permit fee, a street crossing fee for boring as set out on the City's Schedule of Fees shall be paid when boring under City streets and alleys is to take place.

The proposed changes to the schedule of fees provide clarification on the per unit charge for right-of-way (ROW) permits, and also list the additional ROW fees for streets cuts and street crossings.

Both the street cut and street crossing fees would be additional fees added during the ROW permitting process. The current ROW permit fee is \$80 per unit; these fees would be added to that per unit fee if a street cut or street crossing is also necessary as part of the ROW work.

Street cuts require three to five separate trips/inspections along with the monitoring of the temporary street plate. The fee will aid in recuperating the expenses associated with the additional inspections. Most communities in the KC Metro have street cut/degradation fees.

When utility companies bore under city streets (street crossing) there is a risk that the hydraulic pressure could heave the street. Several streets are heaved every year and require extensive inspection to ensure proper restoration. The additional street crossing fee will help to recuperate expenses associated with the

additional inspections and oversight.

Public Works estimates approximately 50 street cuts per year, plus an additional 100 street crossings per year. The fees would be added when the applicant applies for a ROW permit. These two fees would generate an estimated \$12,000 in additional revenue to help cover associated costs.

Proposed City Council Motion:

FIRST MOTION: I move for second reading of an Ordinance Amending the Schedule of Fees and Charges to provide consistent management of the Rights-of-Way in accordance with Chapter 26, Streets, Sidewalks and Other Public Places, of the City Code of the City of Lee's Summit, Missouri.

SECOND MOTION: I move for adoption of an Ordinance Amending the Schedule of Fees and Charges to provide consistent management of the Rights-of-Way in accordance with Chapter 26, Streets, Sidewalks and Other Public Places, of the City Code of the City of Lee's Summit, Missouri.

Background:

Public Works estimates approximately 50 street cuts per year, plus an additional 100 street crossings per year. The fees would be added when the applicant applies for a ROW permit.

Impact/Analysis:

These two fees would generate an estimated \$12,000 in additional revenue.

Other Information/Unique Characteristics:

Changes to the FY20 Schedule of Fees in conjunction with an ROW Ordinance amending Chapter 26, Streets, Sidewalks and Other Public Places, of the City Code of the City of Lee's Summit, Missouri. The Public Works Committee recommended the ROW Ordinance for approval on Monday, March 2, 2020.

Dena Mezger, Director of Public Works
Chris Clubine, Management Analyst

Staff recommends approval of the ordinance.

Finance and Budget Committee (March 9, 2020) - A motion was made by Councilmember Carlyle, seconded by Vice Chair Lopez, that this Ordinance be recommended for approval to the City Council. The motion carried by unanimous vote.