

**MINUTES OF THE STORMWATER MANAGEMENT COMMITTEE MEETING
WEDNESDAY, MAY 27, 2009**

The Stormwater Management Committee met on Wednesday, May, 27, 2009. The meeting was held in the Main Conference Room at Leawood City Hall. Councilmember Jim Rawlings, Chair of the Committee called the meeting to order at 7:35AM.

Members in attendance: James Azeltine, Gary Bussing, Debra Filla, John Kahl, Carole Lechevin, Jim Rawlings

Committee Members absent: Bill Chiles, Pat Dunn, Mel Henderson, Alec Weinberg

Staff in attendance: Mayor Peggy J. Dunn, Joe Johnson, Chris Claxton, David Ley, Julie Stasi

Guests: Leslie Alford, Blue River Watershed Association

- **The first item of business was to approve the minutes from the last committee meeting.** Debra Filla made a motion to approve the minutes of April 10, 2009. Jim Rawlings seconded the motion. All were in favor. Motion passed unanimously.
- **Today's agenda topic was concerning Stormwater Education.** Leslie Alford was a guest speaker. The packet distributed to the Committee contained the latest flyer on Rain Gardens. The next June plantings scheduled at the Leawood Presbyterian Church set for June 1st at 7PM. Also an invitation for June 6th from 9 to 11 A M at Brook Beatty Park (with a rain date schedule of June 13, 2009).

Ms. Alford gave a presentation to the group on the Blue River Watershed. Handouts were also available that explained how Johnson County and Jackson County make up the Blue River Basin and the percent of land with impervious surfaces. A web site referenced of www.brwa.net was given for reference to help understand the blue river water association.

- **Councilmember Filla mentioned the focus of the Green Committee and Stormwater Committee. One of their next focus items was that of water conservation.** Carol Lechevin asked if the Parks department was incorporating sustainable initiatives within the park to minimize fertilizer runoff/pesticides, herbicides---because if we do all these initiatives but we are not walking the walk, then are we making headway? Chris Claxton said we have one planned rain garden at Brook Beatty Park. Another garden is planned across from Ironwoods in The Pavillions; which is owned by a Homes Association and that area is not an area where we do much treatment of any sort. We are looking at alternatives at other parks but we are not there yet.

Carol Lechevin had another concern: Particular to north Leawood area; relating to how mature trees have an impact on stormwater. A mature tree can absorb a one inch rain fall. You can see that -active working because underneath trees it is dry-- so the leaves, the bark, everything absorbs stormwater as well during a rain. The problem we have in old Leawood is the number of houses being torn down. They (builders) are actively working on top of the root systems within the canopies of the trees. I've seen port-a-pottys, stored materials, they are disturbing the ground. I know on 91st Street, I know of four (4) trees [mature trees] that are either dying or dead. And I'd like to see an initiative in terms of if you apply for a permit to renovate your house that you would have a tree preservation plan in place that you provide construction fencing around the tree and Leawood could help define where those canopies are and do inspections to make sure that damage is not occurring. One of the reasons people come and live in Old Leawood is because of the mature trees. We are going to see more and more of

these trees die because of the disturbance. I do not know how we go about pursuing that.

John Kahl- Wouldn't that be up to the individual property owner whether or not they want to save the trees? I can understand if it was a city project and we were doing a road and so the property owners didn't have any direct influence.

Carole Lechevin-the people she has talked to that lost trees, never intended to lose the trees, it was the construction supervisor on site that was unaware of the necessity of taking care of the tree that caused the damage. They did not have the awareness of it. Leawood should be at the forefront with a tree preservation ordinance.

Debra Filla-that was a good point to raise, how do we capture that education and get the message out before it happens?

Joe Johnson-Most trees that are in the right of way are maintained by the homes association or the property owners. The City does not maintain them. You could modify the Leawood Development Ordinance or the Building Permit Process to include something like that.

Mayor Dunn advised that we do have a tree preservation policy and though what Member Lechevin was speaking of is beyond that and can personally say that when she built years ago they had a builder that was pretty savvy. They purchased a lot with a 167 year old tree on it. That was why they purchased the lot. Their builder knew enough to fence the boundaries of the canopy to protect the root system of the tree and it is still gorgeous today. Some of it is education and we can certainly incorporate some of those educational points for some of the less savvy builders.

Julie Stasi mentioned that the Community Development Dept. and Building Official periodically hold open houses for builders who are in the permit application process. Possibly information could be at those meetings with handouts on tree care/preservation.

Chair Rawlings asked if there were any other areas locations in Leawood considered for rain gardens or any discussions.

Ms. Alford advised they were working on trying to get the Pavillions as they are across from Jeff Peterson's office out at Ironwoods Park. (Jeff had offered to do a training session out at Ironwoods Park this summer so in September we would be ready to plant).

Gary Bussing asked Chris Claxton if the work in Brook Beatty been run by the Parks or Arts Committee?

Chris Claxton said, not the Arts Committee, so much. Staff considered it when they thought it was going to be closer to the art piece, but they changed the location. The Parks Board heard the information last month. Chris, Brian and Dustin (all Parks Staff) were on hand for the rain garden event.

John Kahl-Wanted to say something somewhat negative in fashion: We have a number of people here that are on the City Council that set ordinances that decide what will and what will not happen in the City of Leawood and these things are wonderful and they do good things. Other things that the City has done with their buffers along the major stream ways all of these things help, but this is not a panacea. If we all go out and put a rain garden in our yard and our 100 year flood plain is not going to change. The big floods---These types of systems have absolutely no impact on the big regulatory floods. So I just want to make sure that that is common knowledge and not that we don't think "oh, I'm going to put a rain barrel in and that will take care of all my problems". As far as references to Minnesota area. Part of the problem is Ms. Alford was making reference to soil type comparisons in Minnesota. They have different soil types in Minnesota. Their soils drain a lot better. Lenexa has fought with these things for awhile. They put under-drains in their rain gardens. So it was nothing more than a big sand filter. But they have had issues with that as well. The concept with the native plants as you get it established. The roots kind of penetrate the clay soil and help promote drainage down the deeper stratus but the problem with clay soil is that when it gets wet, it swells. And so if everything gets wet it kind of swells up and seals everything off and then the degree of percolation would continue to get from there becomes limited. So if we're coming out of a very dry cycle we can get a pretty significant amount of infiltration but if we're coming out of a pretty wet cycle we may not get deal of infiltration and a lot of this water. You know what we can't

store and the depression is still just going to run off. The quality-- the effect of water quality on these things is largely driven by retention time. You know if the water just blows thru in thirty seconds or less these things aren't going to have a great deal of affect upon the quality of the water. They have to have some dwell time within the system. So like you said, they are helpful, they do provide benefit. Unfortunately in a lot of cases, the degree of benefit they provide is difficult to quantify. We've gone thru a number of different projects where we have tried to implement water quality enhancements and features within the storm drain system but if you test on the up stream side and test on the down stream side, you can't really tell a difference. So it is difficult to quantify. You know it is helping. You can't say you are going to reduce pollutants by 45%. You can't make that kind of a claim. We know it's official but we do not know the magnitude.

Carole Lechevin-John the intent is that the rain garden is intended to filter the first flush of rain. That 1.37 inch rain has the highest level of toxins in the water. So any little bit that we can do helps.

John Kahl-They are wonderful and are beneficial. I'm just saying we have all the City Council people here and they are going to vote to change ordinances and laws and rules and do not want them to be under the impression and especially since this committee supports them directly that if we say to put rain gardens in every lawn that we are not going to have any water quality problems and we're not going to have any flooding problems. It's not that degree of panacea.

Mayor Peggy J. Dunn-Appreciates that information and she does not believe it will be the recommendation or a mandate of the City. This is more information and education. There are many deeds restrictions with the Homes Associations that super-cede the City's rules and regulations. But the City has rules and regulations as well.

Ms. Alford-said that the City of Overland Park had an Ordinance that requires new businesses to hold all their stormwater and that they cannot let any stormwater run off their property.

Gary Bussing-Believes the ordinance is that the development can't increase the runoff rate.

John Kahl-Agreed that it is the run off *rate*. Not the run-off *volume*.

Gary Bussing-Post construction and pre-construction run-off has to be the same.

John Kahl-In other words they are not required to permanently store water on their site for 6 months right?

Ms. Alford- No, but if they take a completely grassy land and make a concrete area, they have to make initiatives to not have massive runoff; which is pretty progressive.

James Azeltine-Was thinking it would be useful to talk about practical ways (for example if someone comes in with an erosion problem or a standing water problem) we could ask them if they have applied any of the techniques that are shown in the handout out such as the one we have in today's packet "*KNOW YOUR ROOTS*". In looking at the "Fescue Turf" he is thinking 90% of his own yard is covered with this type of grass as opposed of some of the other native samples given that could be used that have a better root system. Aside from major storms, some of these minor water problems might be solved by using some of the native grasses have learning about today.

Ms. Alford-Said that is a great thing about the Brooke Beatty project is that it will only take three (3) years to take hold. While a tree is a great thing to plant, it takes years to develop to maturity. A rain garden only takes three years.

Deb Filla-Handed out an article from the Johnson County Neighborhood News on rain barrels. (attached to these minutes).

Chair Rawlings advised we would be in contact regarding our next meeting, at this time; there are no assignments for June.

**Meeting adjourned at 8:55 AM.
attachment (article; 2 pages)**