

MINUTES OF THE STORMWATER MANAGEMENT COMMITTEE

Meeting of Wednesday, October 31, 2012
Leawood City Hall, Main Conference Room

COMMITTEE MEMBERS PRESENT:

Jim Rawlings, Councilmember Ward 2 and CHAIR
Debra Filla Councilmember Ward 1
Pat Dunn
Skip Johnson
John Kahl
Carole Lechevin

COMMITTEE MEMBERS ABSENT:

Gary Bussing, Councilmember Ward 3
Julie Cain, Councilmember Ward 4
Alec Weinberg

GUESTS: (by order of sign in sheet)

George Handley, 12508 Cedar, Leawood, KS 66209
Denise Mills, 12512 Cedar, Leawood, KS 66209
Tom Bruce, 12504 Cedar, Leawood, KS 66209
Mickey Dobratz, 12448 Linden, Leawood, KS 66209

STAFF PRESENT: Joe Johnson, David Ley, Julie Stasi

- **Chair Jim Rawlings called the meeting to order and asked for introductions at 7:40 AM.**
- **OLD BUSINESS: Past Meeting Minutes**
Deb Filla Motioned to approve the September 26, 2012 Minutes.
Skip Johnson seconded the Motion, all attending members in favor. Motion approved.
- **OLD BUSINESS: Review Drainage and Erosion Concerns-Patrician Woods Townes Homes Association**

Joe Johnson-Advised that at the last meeting we reviewed what is happening in Patrician Woods and the development that has occurred and the developments to Roe. If we need to review any of that we can pull up the material from the last meeting. At the end of the meeting last month, the group asked for us to look for other projects the City has approved that are similar to this or why we have approved some projects and not approved others. Joe said he went back 8 or 9 years and in looking at projects that have come before the Committee and those that were approved and not. For the most part found that projects that were approved were all projects that extended the City's storm sewer system. Whether it was upsizing our storm sewer system to accommodate a project system tying into it, or whether it was an open channel where we extended the City's public storm sewer system and then the City had ownership of it.

The projects the City has not moved forward with or made recommendations for approval, are generally bank erosion projects. Most of those have been either owned privately or within a Homes Association tract, where it was a specific reach of the channel that the City was requested to fix. And in those cases, the channel is private and we can't just go in and fix one lot. You have to do a more encompassing project or it was land owned by the Homes Association and that is an issue you take up with the Homes Association.

In looking to this project in comparison to the other projects that have come before here and that the Committee has made recommendations on to move forward for some sort of improvement; this would be similar to those we have done in the past, where we have extended the City's storm sewer system and then

maintained the pipe system for eternity.

Jim Rawlings-Could you refresh our memory on: we have the creek which is not a storm sewer but there is a storm sewer that this would hook up to if we recommend to do this?

Joe Johnson-Joe shows area 5, 6, 7 and 8 where the City's storm sewer drains to and passes underneath Roe tying into a curb inlet #6; crossing Linden and then goes about 20', then daylights into a natural channel, then it runs back and ties into a much larger channel, then drains into Tomahawk Creek. The homes all abut in an area up to it.

John Kahl-When we talk about extending the City's storm sewer system, is the land where the storm sewer would be constructed, is that easement, is that right-of-way?

Joe Johnson-The City would need for the Homes Association to dedicate easements for the storm sewer that sits within the road. Right now it is private. They would have to dedicate a Storm Sewer Easement that would give the City the right to maintain it. The property owner/s would have to dedicate easements (Storm Sewer Easements) and a Temporary Construction Easement for the pipe system that got extended. Then the City would have the rights to go in and maintain the storm sewer in case it would ever fail or anything would go wrong.

John Kahl-It's done by easement, not by right of way.

Joe Johnson-Yes, by easement. We have a standard easement form and we would write the legal description for it.

John Kahl-What did we think the costs were?

Joe Johnson-Between \$60,000 and \$70,000. Generally we estimate \$300-330 a foot and we are about \$200' in length.

John Kahl-And if we did this, how far out could it be done within the scope of other considerations and projects and obligations the City has?

Joe Johnson-Maybe two years, not that far out time wise. It would be something we would look at when we plan the next CIP (Capital Improvement Program) which we will start on before the end of this year and then look at how that can be programmed.

Deb Filla Motioned to recommend to the Council that the City approve a project extending the stormsewer system enclosing the exiting open channel; provided the property owners and homes association donate the necessary easements for stormsewer to be public.

John Kahl seconded the Motion, and adding a clarification that this area be an extension of the City's storm sewer system and that it will no longer be a private system and stressing that the property owners and homes association must provide all easements; which would allow for future access and maintenance of the system.

DISCUSSION

Carole Lechevin-Asked what happens at the end of the extension where it daylights into the existing creek.

Joe Johnson-It is a branch of Tomahawk Creek (in a tract owned by the Homes Association).

Carole Lechevin-What happens if there are issues where this daylights into Tomahawk Creek? In the future if there is erosion at that point? Is that the City's responsibility?

Joe Johnson-the City would maintain the area around the outlet. So that the pipe functions and is safe. Once you get beyond that reach where there is erosion, then that is the Homes Association or private property. Not any different that most of the other outlets that discharge into natural channels. What we would do here is at the end of the line, we would put a structure and turn the pipe so that it is discharging down-stream and more in the direction of the flow of the water so you are not trying to push it into the stream or compete against the water that is in the channel. So that we minimize that. We would probably have to build some sort of head-wall at that location so we give it a good chance of not having any erosion that would impact the outlet in the future.

Carole Lechevin-I guess my question is, is there an ending point? I know water is dynamic . . .

Joe Johnson-No. There is no ending point. We can design it so that when we discharge the flow it will be in the direction of the stream flow so we minimize that type of disruption in the channel.

Jim Rawlings-To get the easements, it is a simple form that will not require any legal issues or expense or proper filing?

Joe Johnson-No, the cost for filing is simple. When we survey it we will survey the legal description that we will then put on our standard easement forms for signatures. The Homes Association will have to have an action by their Board to approve and then the President of the Homes Association would sign that easement and then the property owners would then sign the easement for the pipe extension. There's two parts. The Homes Association owns the land where the street is at. We will start at inlet #6 and we will replace the pipe underneath the street. Right now it is corrugated and if the City is going to go in, we would make it all concrete because eventually you have to replace corrugated. So we would start at inlet #6, go across the street and then extend the pipe from where it ends and extend it all the way down to the natural channel. At that point, that is where we would need the easement from the private property owner.

Jim Rawlings-asked Mr. Handley if he sees any issues as far as this suggestion?

George Handley-He sees one thing that will make the City feel better, the 45 degree angle on the end of the pipe would help minimize the erosion that is already going on because the water will be flowing better, that should help.

Mickey Debratz-Does not see any issues.

Jim Rawlings-Well if there is, there won't be a project.

Mickey Debratz- Advised two of the five people are here that would recommend we (the HOA Board) do something.

Tom Bruce-Advised he is one of the two home owners involved and there shouldn't be any easement issue.

Chair Rawlings called for a vote on the Motion and Second on the floor:

Members voted on the recommendation:

Members in Favor: Filla, Kahl, Rawlings, Lechevin, S. Johnson

Members Against: Dunn

Motion passed/approved.

Pat Dunn [Explaining his Ney vote]-Advised he thinks all of these waterways should be public responsibility. He has thought that for a long time. That is not the way things are structured currently. And there have been a lot of people who have come in here with similar situations asking for relief and we have sent them away. I am concerned about that. This Motion requires me to substitute my judgment for the experts that say that this is not the City's fault that this is going on; which would justify doing this and there is nothing in the facts to distinguish this from numerous other cases that have come before us and that is my concern. That is why I voted against it.

Chair Rawlings-Thank you.

Staff advised Guests in attendance that the recommendation would be requested to be on the Agenda List for Council's Review on November 19, 2012. It is actually the Council that would approve or not approve the recommendation. Chair Rawlings also recommended the guests have a representative at the Council Meeting to in case there are any questions and to support their interest in the recommended project.

- **OLD BUSINESS: Consider a Green Street Pilot Project**

Joe Johnson-Staff continued to look for streets that could be an area of a Green Street Pilot Project.

John Kahl-asked about the criteria we were using to select a street.

David Ley-advised he would like an area adjacent to a tract maintained by a Homes Association and in

an area where we plan to redo the curbs. Basically a subdivision built between 1985 and 2000. We were looking at selecting a wider street (generally about 32 feet wide) in order to bring the curb in instead of trying to do it behind the curb. We normally have utilities that are within the right of way that could be in conflict with this feature.

Joe Johnson-advised in talking with David Dowell-they do not recommend selecting a street where you have parking as the feature would take away parking in front of a residence and they do not recommend placing it in the area of a driveway. They recommended us looking for a wider street or some residential street that does not have that front street parking. We are trying to do this in conjunction with the curb replacement program that starts in 2013 and goes for 4 years.

John Kahl-is concerned about doing the pilot project with the curb program. By the time we put in our project and look at it and think we like it, the curb program is going to be done.

Joe Johnson-Yes.

John Kahl-It will take a year to get it in and look at it. Then you'll probably want to wait another year or two to see if it works, now we're at 2015 and by then the curb program will be over with. The reason why he is asking the question is if we're using it more of a pilot to see how it works for the City of Leawood, in conjunction with the curb program. But his thinking is can we do it on a more public street? And that wouldn't be where the curb program is but the timing of how this seems to be working, he doesn't know other than paying for the pilot project itself within the curb program, he does not know if any the rest of this is going to fit within the lifespan of that and then we might be doing something else only on a larger scale.

Joe Johnson-you will be. Correct.

John Kahl-Is suggesting maybe we don't necessarily need to focus it on streets where the curbs are going to be replaced for this pilot effort.

Joe Johnson-Well that is where the money is at right now. So unless someone wants to get different pilot money to do a different street that is not on the curb program, that's fine.

John Kahl-We don't have any other streets in the City of Leawood that are getting re-worked or re-done sometime in the next year or two? Other than what's going to be done on the curb program?

Joe Johnson-We will.

David Ley-But we won't have the street reconstruction next year.

Joe Johnson-The street reconstruction doesn't work real well with the parameters with which we were talking with the consultant about in a residential setting. We need to look at a wider street. We were at a conference today where we were looking at street-scapes. A lot of them were in down town areas where like Kansas City Missouri is doing, where it's 5 lanes wide and they are narrowing the street and putting in walkways and within those walkways. Or they were looking at streets where, like Seattle and Texas where you have alleys and everyone parks in the back and they really do not have parking in front of their homes, so you can narrow the streets, where you don't have driveways that come out to the street.

Debra Filla-Why do driveways make a difference? I'm not following that.

Joe Johnson-David Dowell showed that where people pull in and out of their driveways, it creates issues with property owners in doing that. That was his experience and that is why he indicated not to put it in front of a driveway. When you look at it, a lot of times the driveways are on the same sides of the properties, so you have about 40 to 50 feet between driveways. So if you take 40 feet of it up by putting one of these Green features in then you basically will be putting it in front of your neighbor's area.

Carole Lechevin-Do they have to be that big? I've worked on some projects that are a lot smaller. As in length in front of a property. It seems like this sort of project would fit really well in old Leawood because of the way the original layout of old Leawood was. Originally there was no infrastructure, so this it seems to me would fit very well and be very visible and make a great impact.

Joe Johnson-You are limited somewhat in north Leawood. Taking info from an APWA Conference and a discussion on Green Streets he recently attended, Joe advised they were talking about doing this type of infrastructure. It was similar to KCMO where they had combined sewers and they were trying to figure out how to capture the water and hold the water so they don't have their sewage treatment plant overflow and pump millions of gallons of raw sewage into (and in this case Brush Creek for Kansas City) and probably the Mississippi River for St Louis. But all of these treatments are on at the downstream end adjacent to a storm sewer. Because you run the water through, off the street, put a curb cut, take the water off the street and run it through this treatment bay. Let the nutrients and all the solids and everything settle out and then the water goes into the stormsewer and off it goes. The problem with North Leawood is there are very few streets left that meet and two there are not a lot of storm sewers up there. Where you want to put these is right next to a storm sewer. You want the water to run through it, clean it and then tie into the City's storm sewer system.

Deb Filla-Also in line with this, do we have a map of our street improvements and can we figure out with Mark Andrasik of our I.S. Department how to get that map on the web? A map of the reconstruction list. One of the number one questions she gets as a councilmember is what streets are scheduled. If it was on the Web it would be right there and be a great service.

Deb Filla-pointed out an area at Meadow and Belinder.

Joe Johnson-shows an area near 132nd & Mission Road that has a common ground maintained by a Homes Association.

Carole Lechevin-That area is huge and that is asking a lot of a homes association. These areas are a lot of maintenance. There is a cost impact to a Homes Association. I think it can be minimized somewhat depending on how it's designed. These things have native grass and flowers; they don't look nice and tidy.

Chair Rawlings-Is there a minimum of how long these structures should be?

David Ley-We have asked but not heard back. We also need to get the Homes Associations on board.

Joe Johnson-The hard part about it is finding a property owner or a Homes Association that is willing to take on the maintenance of it once it is put in.

Deb Filla-Is willing to speak with residents up north in areas mentioned in the groups discussion. Also thinks we should talk to Homes Associations in Wilshire and Waterford.

Deb Filla Motioned to recommend the City fund and a pilot Green Street Project for two (2) locations, contingent upon the property owners and/or homes association's interest in participating.

Pat Dunn seconded the Motion.

All present members were in favor.

Motion approved.

- **Chair Rawlings adjourned the meeting at 8:53AM.**

Unless there is an assignment, the Stormwater Committee will probably not meet in November or December (due to HOLIDAYS).

Minutes transcribed by Julie Stasi, Public Works Department.
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