

MINUTES OF THE STORMWATER MANAGEMENT COMMITTEE

Meeting of: **Wednesday, August 26, 2015**
Leawood City Hall, Main Conference Room

COMMITTEE MEMBERS PRESENT:

Jim Rawlings, CHAIR and Councilmember Ward 2
Julie Cain, VICE CHAIR, Councilmember Ward 4
Carole Lechevin
John Kahl
Curt Talcott

COMMITTEE MEMBERS ABSENT:

Debra Filla, Councilmember Ward 1
Chuck Sipple, Councilmember Ward 3
Skip Johnson
Pat Dunn

STAFF PRESENT:

Joe Johnson, P.E., Director of Public Works
David Ley, P.E., City Engineer
Julie Stasi, Administrative Services Manager

Chair Rawlings called the meeting to order at 7:37 AM.

Introductions of members and staff. Five (5) members present out of a nine (9) member committee.
Quorum met.

FIRST ITEM OF BUSINESS: Previous Meeting Minutes

ACTION: John Kahl- Motioned to approve the Minutes (as revised) from May 27, 2015.

Curt Talcott- seconded the Motion; all attending members in favor.

Motion passed.

SECOND ITEM OF BUSINESS: New Business: Update for the Committee on Stormwater Projects. Joe Johnson gave an update of several stormwater projects.

The first project reviewed was the Leawood Heritage Stormwater Project near 87th & Ensley Lane. Joe displayed the map of the neighborhood and pointed out the houses that had a history of flooding and the channel that was improved upon. The City purchased one (1) lot with a house on it and the new channel runs through that location now. The requested recommendation now is to see if the Committee would be okay with splitting the lot that the City purchased and deed the land on the outside of the new channel back to the abutting property owners.

John Kahl-Asked who designed the project.

Joe Johnson-Advised Affinis designed the project.

Carole Lechevin-asked if the flood plain map changed at all now, did the project take the area out of the flood plain.

Joe Johnson-Advised it is not the FEMA Floodplain; but is referred to as Zone X.

David Ley- We will update the area. Once we are done with the construction, the surveyors will go out and record the accurate flood plain information for our information for when homes (like the home adjacent to the creek) are built. If the lot possibly is sold and becomes a tear-down/rebuild home; so

we can make sure they are keeping with the City Requirement in keeping it two (2) feet above the 100 year flood zone.

Curt Talcott-Unfortunately, when they did this last year on the maps, they had to choose one designation for Zone X for the entire county. FEMA required them to have one designation for the entire county, so they called these future flood plains/for future development-Zone X.

John Kahl-But aren't some of these areas, the areas that are above one square mile general cutoff. We haven't gotten to a square mile of drainage yet, isn't that basically why this area would be a Zone X?

Joe Johnson-Correct. It is not an area regulated by FEMA and is outside their regulatory authority.

Julie Cain-asked when does an insurance company require flood insurance?

John Kahl-When the flood plain touches the property.

Julie Cain-Whose flood plain?

Joe Johnson/John Kahl-FEMA Flood plain, FEMA, it is a banking law.

John Kahl-You can own a piece of property, and have a house up on top of the hill and have a river on the lot. If your lot goes down and in one little corner of it, it clips the flood plain-then you are required by law (if you have a mortgage; the bank is required by federal law). You can get lowered down to a lower category.

Curt Talcott-You actually now can get a Letter of Map Revision (LOMR) to pull the structure out of it. Or you can do a Letter of Map Amendment (LOMA) to pull the structure and not have to buy flood insurance.

Joe Johnson-But if it touches the lending institutions at their discretion can require flood insurance. An elevation survey could be done to show the flood plain crosses the lot, but the house may sit ten feet above it. Therotically, that is supposed to allow the waiver of having to have flood insurnace.

Curt Talcott-The lender can still technically require it. The bank (the lender) calls a company and they type in an address/property location. It is either then noted that the area is in or out of the flood plain.

Joe Johnson-Yes. They can still require it.

Joe Johnson-advised V.F. Anderson is the construction contractor and they have done a nice job.

David Ley-advised the contract is on schedule. The rain has them moving a little slower, but they are still working towards the goal set for their completion.

Julie Cain-Asked how did we determine value for the house we purchased.

Joe Johnson-advised we hired two appraisers for the County. The final pay was about 136% above the appraised value which is about what everybody else does. Most everybody pays 125% above appraisal and then on top of that moving costs, closing expenses. We did not want to get into that, so it came out to be about 136%.

Joe Johnson-displays photos of the construction. The residents really were great in dealing with all the construction mess and the concrete pours we had. The rain and the construciton debris-it has been quite a war zone looking area. Very tight working quarters with KCPL utility boxes, stormsewer, walls, water pumps, etc. The construction cost of the project was 2 million dollars, the County participated with 75% funding.

ACTION: John Kahl-Motioned to recommend the City divest themselves of the property purchased on the Leawood Heritage Stormwater Project and deed the property to the two abutting property owners of the lot; splitting the lot in a manner that best benefits the City.

Curt Talcott seconded the Motion; all attending members in favor and one vote emailed in from Skip Johnson in favor.

Motion passed.

89th & Mission Stormwater Project:

Joe Johnson-Separate project from the Leawood Heritage Project. We are pretty much complete with this one, in the grading/restoration, landscape portion now. AT&T has been in there unfortunately stirring some of it back up. Residents on this project have also been great to work with. David Ley-advised we had a man come in to City Hall asking about the project, and said he and his wife have loved watching the construction and haven't had to watch TV in weeks.

Three (3) Stormwater Preliminary Engineering Studies

Joe Johnson reminded us that these projects came to the Committee when we had rains and flooding two to three years ago. We identified three areas and conducted Preliminary Engineering Studies on all three locations. We had homes and street flooding and went through the process submitting the information to the County.

One has been funded already (Patrician Woods) and Leawood South and Waterford areas qualified to the County and they should show up on the County's list when we do next years programming. Not sure what year they will slate it for.

Patrician Woods (4301 W 126 Terrace): Approved. We will design in 2016 and construct in 2017.

David Ley-The plan is to remove a metal pipe underneath the roadway and remove the culvert and replace it along with some other improvements. David pointed out homes that had flooded. One has flooded three times, another two times. The water was about three to four feet deep over the roadways. Flowing from 127th down to Roe. We extended the stormsewer pipe so that when we do this project, we will not have to touch 127th Street.

This is around \$1.4 million is costs.

John Kahl-Asked if when they put together the Preliminary Engineering Studies, do they look at potential mitigation costs? The Clean Water Act and impacts and such? And if they have them, do we know if those costs would be eligible for SMAC Funding from the County? He asks because he sees the rules from the Army Corp of Engineers keep changing and streams are far more extensive to mitigate for than in years past. Example (if you take a concrete lined channel and pipe it).

Joe Johnson-Thinks it would be eligible.

Curt Talcott-Yes. Depends on the project, but they certainly have paid for mitigation costs on other projects he has seen.

Waterford (3504 W 129th Street): David Ley-This area had flooding. This area is upstream and there are two phases to this project. Part is by Leawood South. Street flooding. The proposal is to install pipe across the golf course. A much larger pipe. Detention in the system, an instead of removing concrete pipes that is in the back yards, we plan to go down the street above grade and

stay out of their back yards and do some storage under the street. This is to reduce the peak flow to these properties downstream. The existing stormsewer will stay. The street needs to be reconstructed anyway. We will have to go across the golf course.

Joe Johnson- 2.6 million dollar in costs. This one will probably be programmed when we do the corrugated metal pipe. Waterford was developed in the 1980's and Leawood South was developed in the 1970's.

Leawood South (12615 Wenonga): Joe Johnson- This is one we called "Lake Wenonga" if you recall. Cars have floated around when it floods. We are not doing curb replacement in this area, because we will be in here with a reconstruction and working on the pipe system. We will do it at that time. No homes removed. One home does have a walk out that we will be concerned with. It is a questionable area. We will try to flood protect it. We will be looking at the Golf Course to do a retention area. Costs for this project are \$4 million.

Staff showed pictures of the Pilot Project Bio-Basin near 8505 Belinder:

Staff displayed pictures of the Pilot Project installed on Belinder. Due to the yard slope, a retaining wall was needed to place the bio-basin in. The retaining wall was a large part of the project. This also was installed with the agreement that the home owner would take care of the structure. Eventually it will have to be cleaned out. Staff advised this was installed with part of a street project. The silt inlet at the bottom was also expensive. It is not very deep, but has holes in it and allows the first flush to drop silt etc in it. This was completed in the Spring of this year. It was proposed that this be built and the property owner would be responsible to clean it from time to time as needed. Again remember this was a Pilot Project. Original estimates were around \$15 to \$20,000. Actual costs came in at \$28,347. The area is about thirty to forty feet long, about 4 to 5 feet wide; this is 10,000 square feet. Costs were used in the Street Project; which was a 3 million dollar job. The overall project budget for the street rehab was not overrun/but splitting out the individual costs it came in higher than expected.

John Kahl-Added that if we really want to be serious about water quality, we have to start regulating what people put on their yards.

Joe Johnson-Another issue doing this type of application is the utilities in the area. Cable, electric, sewer etc.

Tomahawk Creek Wastewater Treatment Facility:

Joe Johnson updated the Committee and advised Johnson County Wastewater is planning to upgrade the current Treatment Facility that is near the City Park. A recent brochure of the future plans was included in the packet. Looks like plans are for design. We believe towards the end of the year they will meet with Leawood to go over their plans and processes for treatment systems. They own the land where our baseball field is. We have a 99 year lease on the land but they own it (where our Lee Boulevard) is. Possibly they will build underground storage tanks. Nothing set yet. They are looking at all new treatment processes and working with the EPA on what they can and cannot do. They are also looking at the Flood Plain in the area.

Chair Rawlings adjourned the meeting at 9:10 AM.

Minutes transcribed by: Julie Stasi, Leawood Public Works Department