

MINUTES OF THE STORMWATER MANAGEMENT COMMITTEE MEETING

Wednesday, May 25, 2011

COMMITTEE MEMBERS PRESENT:

Councilmember and CHAIR of the Committee Jim Rawlings, Councilmember Julie Cain,
Councilmember Debra Filla, Skip Johnson, John Kahl, Carole Lechevin, Mike Levitan,
Alec Weinberg

COMMITTEE MEMBERS ABSENT:

Councilmember Gary Bussing, Pat Dunn,

STAFF PRESENT:

Joe Johnson, David Ley, Julie Stasi

- **Chair Rawlings called the meeting to order at 7:33AM** in the Main Conference Room at Leawood City Hall.
- **The first order of business was to review the Minutes from the last meeting.**
Debra Filla made a Motion to approve the Minutes from February 23, 2011.
Julie Cain seconded the Motion. All members present were in favor. Motion passed.

Debra Filla asked about a topic covered in the last Minutes and that was the selection of engineers for a future RFP storm water project with Leawood and Prairie Village; asking if the City had made those selections yet.

Joe Johnson advised we will probably do that the end of June or July and have someone on in September or October. Staff did get with Prairie Village and they gave us a name of a firm to ask as well as the ones we've selected. Joe advised it would be Larkin, Phelps, Affinis and J2 Engineering and Environmental Design.

- **The second order of business was to review information on an illegal drain at 13712 Fontana.**
Joe Johnson advised that the City deals with this type of issue every year. The City probably issues 100+ citations a year for illegal discharge in the public right-of-way. In the packet, there is a copy of the Ordinance 4-951A [INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS AMENDED, SECTION R401.3. DRAINAGE] that talks about this.

The City issues citations for this and side yard drains that are discharged right at the property lines, and have been for years. In the past the citation was issued as a nuisance complaint or property code complaint violation and in 2008, the Council passed an Ordinance that set the standards and guidelines if there was a discharge of either sump pump or roof drains that had been connected into a pipe system and brought close to the property line. That if there was an issue with the discharge, this

Ordinance established the limits of how close a property owner can discharge either a sump pump or a roof drain. This Ordinance did not establish the City's ability to go out and issue citations the City has been addressing this for many years.

Joe Johnson advised what normally happens is, either we see it ourselves or we get complaints from a neighbor. We do not have the Codes Department going out picking a subdivision to try and find this type of violation. Generally if we see it, it occurs when our crews are out making street repairs or on a street project where one of our inspectors notices it. Most of the time it is a neighbor that calls in the location of the problem. In most instances water is in the curb or ice forms in the curb and street making it very noticeable.

Joe Johnson advised there is no "grandfathering" of this occurrence. The City has been sending citations similar to this for years, the Ordinance just establishes the limitations on how close one can discharge a buried pipe system to either a side yard, rear yard and in this case, to the right-of-way. Sump-pump discharges cannot be any closer than 15 feet to a property line or the right-of-way and roof drains cannot be any closer than 10 feet to the same. This is common. The City probably issues over 100 citations a year for these types of discharges and then we work with property owners and try to help them with a solution. It could be rain-garden or suggestion of digging a hole 4 feet by 4 feet, 4-foot deep filled with rock and then sodded, where the water would discharge into. This provides a nice area for the water to drain into and there is a large surface area for the water to be soaked into the surrounding soil. If a property owner is fortunate enough to have a storm sewer system and a curb inlet or a junction box on their property, the City does allow a property owner to tie their roof drains or sump pumps to the storm sewer system.

Joe Johnson advised under NPDES, those are two allowable discharges into the City's storm sewer system so there would be no violation and we do allow them to do that. But you have to tie into the structure. You cannot knock a hole into the pipe and tie into it, you have to tie into a storm water structure; which requires a permit and then Public Works will inspect it to make sure the connection is done appropriately and fixed where they break into our storm sewer box.

The Committee asked about the Villaggio Berm that was mentioned in the resident's letter.

Joe Johnson advised there was frustration out there that the berm is not landscaped. Prior to their construction the area of Villaggio drained onto the subdivision of Leawood Meadows. Now, there is a berm that runs east and west at the south end of the Villaggio Development (north of Leawood Meadows) so none of that water drains onto Leawood Meadows – the only overland flow is from the top of the berm down now. The berm captures all the water to the north and an existing pipe system within that development collects the water. Joe pointed out a location where there is a large underground detention that takes water collected by the stormsewer system in the Villaggio Development. The water then discharges out of the detention basin into the existing pipe system at Fontana continuing through Leawood Meadows. This has greatly reduced the amount of surface water that Leawood Meadows used to get.

Joe Johnson-At 13712 Fontana, they do get drainage from the northern lots in their subdivision as this lot is downhill. The homes north of them drain to the rear of the property and then along the rear property line south eventually coming across the rear of 13712 Fontana. They only get a small area from the south side of the berm. The area north of the berm is captured by the storm sewer system in the Villaggio Development. Joe mentioned that we have had unusual heavy rains in the last two years causing minor floods in yards similar to the pictures in the packet. This was common all over the City to see areas like that from drainage.

Alec Weinberg-Made a Motion that the Ordinance be observed/enforced and the residents given 90 days to correct the problem.

John Kahl-seconded the Motion. All present members were in favor; Motion passed unanimously.

Debra Filla-wanted to bring up too, information about rain barrels, as we have discussed maybe one could help these residents. We have brought this up before and were told that Codes does not allow them on the front of properties. We had asked if they would be allowable on the sides and back of properties. Has any progress ever been made on that?

Jim Rawlings advised he thought City Administrator Scott Lambers would look into it. So we can ask him or Richard Coleman in Community Development if anything has happened with that.

Joe Johnson-advised the rain barrel would be appropriate for a roof drain. His guess is that this particular location had a sump pump draining out to the curb, but he is not sure of what exactly is draining here; just that it's at the curb and shouldn't be.

Julie Cain-So if the Committee recommends a 90 day time frame to fix, how do we help or inform them of this?

Joe Johnson –said the Recommendation goes back to the Council to uphold the ordinance and this is scheduled for the June 6, 2011 council meeting. Once the Council is okay with this recommendation, we will work with Code Enforcement to let them know the decision so that information can be passed onto the property owners.

Meeting adjourned at 8:15 AM.

Minutes transcribed by Julie Stasi, Leawood Public Works Department
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