

Meeting Minutes
Ladue Storm Water Advisory Committee
Thursday September 29, 2022 8:00 a.m.

Chairman Lloyd Palans called the meeting to order at 8:01 a.m.

The following members were present:

Lloyd Palans, Jim Adams, Maryann Rober, and Scott Solsvig

Also present:

Anne Lamitola, Public Works Director; Amanda Griffin and Mark Koester, Storm Water Engineers; Scott Kroenung, Finance Director, Roger Stewart, Flood Plain Administrator; John Fox and Bill Brennan, Councilmembers; Mayor Spewak, and Lori Mullins, Deputy City Clerk.

Mr. Palans identified many residents from Foxboro, Robin Hill and Deerfield-Wakefield and assured them they will be heard as these topics come up on the agenda. He asked if any members of the public that are not residents of Foxboro, Robin Hill or Deerfield-Wakefield would like to be heard. The following residents spoke to the Committee:

- Andy Deustchmann, 7 Conway Lane
- Kendra Gilligan, 10104 Conway Road

Both live in close proximity to Deer Creek, have both experienced significant storm water issues, and shared concern regarding future flooding.

Mr. Palans shared information on the Small Project Storm Water Grant Program and reported on the importance of reporting stormwater issues to MSD.

Adoption of the Agenda

The agenda was adopted upon motion by Mr. Adams and second by Ms. Rober.

Approval of the Minutes from the June 16, 2022 Meeting

The minutes were approved upon motion by Mr. Solsvig and second by Mr. Adams.

Storm Water Management Program Budget

City of Ladue latest Collector's Report for the Period Ending August 31st. The activity for August is \$154,314 vs \$91,503 for August 2021; a favorable variance of \$62,811 or 68.6%. Year to Date activity is \$843,996 vs \$752,629 for 2021 Year To Date; a favorable variance of \$91,368 or 12.1%.

Ms. Lamitola introduced Mr. Kroenung, the new Director of Finance.

Flood Buyouts

Ms. Lamitola reported on the flood buyout information. After the Foxboro residents presented their flooding experience to the City Council in August, staff was directed to research, prepare and submit Notice of Interest (NOI) to the Missouri State Emergency Management Agency (SEMA) regarding flood buyouts. After a disaster has been declared, the Hazard Mitigation Grant Program offers 75% funding with local funding of 25%. Flood Mitigation Assistance (FMA) offers 90% funding with 10% local funding and in some cases 100% funding based on prior flooding severity.

The deadline to apply was September 12th. SEMA has favorably forwarded the submissions of the NOI's to the Federal Emergency Management Agency (FEMA) for review. Formal application will be the next step. The City will require assistance of a consultant in this complex 12-18 month process. Steps include:

- Formal Application
- Appraisals
- Asbestos assessment and abatement
- Purchase Price Negotiation (Right-of-Way agent is involved)
- Homes will be demolished
- Deed restrictions at the time of property conveyance (must remain green space)
- Site restoration/grading

This was submitted as a line item in the stormwater budget as a project. There will be public meetings to enable further discussion. This is not part of the adopted storm water plan but is being proposed to come out of the storm water budget.

The City conservatively estimated the cost for the HMGP or 25% would be approximately \$1,667,250. This could decrease if the more competitive FMA is granted; potentially \$400,000 less.

Should the City pursue HMGP funding for 2 Robin Hill Lane, the City share would be approximately \$250,000.

Mr. Palans requested comments from Foxboro residents in attendance.

Kurt Thompson, 26 Foxboro, came to learn more about the City's response to the flooding

Greg Orf, 22 Foxboro, would like to address the breakdown of individual homes and how the City numbers were assessed. He would like information on how private insurance plays into this. He requested to speak with staff after the meeting. Ms. Lamitola stated privately insured homes are generally only eligible for the HMGP funding.

Savanah Ray, 15 Foxboro, wanted to express gratitude to Mayor Spewak and city staff for all their time and efforts.

Mr. Adams moved the committee make a recommendation to the City Council for approval of the buyout and Notice of Interest to facilitate relief for the residents of Foxboro and Robin Hill. The motion passed unanimously upon second by Ms. Rober.

Storm Water Management Program/2019 Five Year Implementation Program Project Status Update:
Robin Hill Lane - McKnight Lane Bank Stabilization Project (1618) Mr. Koester reported the project was substantially completed in July with only minor punch list items remaining. July flooding caused damage to landscape and channel construction. Plantings, streambank soil and erosion control were washed away by flood water. City Council approved a contract amendment in August for Intuition & Logic Engineering, Inc. to assess the damage and prepare a plan for restoration. Design fees were \$32,957. Intuition & Logic completed the damage assessment and restoration plans in September and submitted the plans to Gershenson Construction for a pricing proposal. The proposal was for \$74,075. The City Council approved funding of \$81,483 for the change order with a 10% contingency at a special September 28th meeting. Restoration work is expected to be completed in October. Public Works is working with FEMA to obtain reimbursement for expenses from the flooding. The City could potentially receive reimbursement for 75% of the expenses or approximately \$60,000-\$80,000.

Deerfield-Wakefield Stormwater Infrastructure Project (1601.01)

Ms. Griffin gave an update on the Deerfield-Wakefield Stormwater Infrastructure Project status. Trustees were invited to meet with the City's attorney on June 21 to pose project-related legal questions. Recent public meetings were held on August 16 and September 20. City staff, consultants, and the City's right-of-way agent have continued to meet individually with residents. The City has invested approximately \$500,000 in this project to date. Easement acquisition is underway, with a deadline issued to residents of October 1, 2022. Six easement binders have been signed.

Six of the necessary property owners, 25 Deerfield Road, 29 Deerfield Road, 10 Wakefield Drive, 11 Wakefield Drive, 12 Wakefield Drive, 1 Wakefield Drive, have declined easements. The Deerfield Terrace property owners have requirements that the City cannot meet.

Mr. Palans asked if residents of Deerfield-Wakefield would like to address the Committee. Mr. Mark Ratterman, 1 Trails End, Daniel Road trustee, appreciates what the City is doing and does not understand the hesitation of some residents. He suggested the retention basin be installed to allow for drainage as a first step so the investment is not wasted. As the neighborhood turns over, new residents may be more cooperative with the project. Ms. Lamitola stated a discussion on offering compensation for easements may be needed.

Mr. Palans shared the Ordinance states that in the event that the progress of a project stalled during the design phase due to a failure to reach an agreement with impacted parties and is so deemed by the committee, a project may be recommended to be placed on inactive status. Prior to this designation a hearing shall be held at a regularly scheduled meeting of the committee. A recommendation to place a project on inactive status shall include a set of conditions which if met, will allow the inactive status to be lifted. All affected property owners shall be informed of this recommendation at least one week prior

to the meeting through notice by first class mail. Upon recommendation of placement on inactive status all application of city resources shall be suspended.

Mr. Palans stated that the Committee can make a recommendation for notices be sent to all property owners that all necessary easements are obtained prior to the next meeting in January. Failure to obtain easements will result in placement of the project in inactive status.

Mr. Adams moved to place the Deerfield-Wakefield project on inactive status subject to notification of all applicable property owners at least one week prior to the meeting. Mr. Solsvig seconded the motion. Discussion ensued. The motion passed unanimously.

Willow Hill Stormwater Infrastructure Project (1614A)

Ms. Griffin gave an overview of the Willow Hill Stormwater Infrastructure Project status. All stormwater infrastructure detailed in the plans has been installed. Willow Hill and Loren Woods concrete curb, driveway aprons, and asphalt road work and landscape is complete. The contingency fund balance is \$141,073.34. There are \$371,000 change orders in dispute. The worst-case scenario would be going back to the City Council for an additional \$230,000.

Small Project Storm Water Grant Program

Mr. Koester reported there may be several in the future but currently are no new applications.

MSD/Deer Creek OMCI Taxing Subdistrict

MSD construction approval of the Robin Hill Lane – McKnight Lane Bank Stabilization project was obtained last week. An invoice for reimbursement of 2021 OMCI funds of approximately \$305,000 and 2022 OMCI funds of approximately \$310,000 will be submitted to MSD in the near future.

Other Matters Deemed Appropriate

Mr. Palans will serve on the MSD rate commission for another four years.

Discussion ensued regarding the size of the Country Club Drainage Bridge at Robin Hill. Ms. Lamitola reported that Intuition and Logic has summarized the City's completed project with project limits upstream of the McKnight Road bridge. The purpose of the project, as identified in the master plan, was bank stabilization to address erosion. A culvert was replaced, a hydraulic model was developed to ensure that at the location where the project ties in to the existing channel, the velocity and flow rate were not increased by the project.

Mr. Palans asked if it would be appropriate to have H.R. Green evaluate the bridge and the clearance.

Ms. Lamitola reported that if directed, staff could get a cost to evaluate the bridge, however, it is a private bridge and not part of the Master Plan adopted by City Council.

Mr. Bommarito reported the water under the bridge dams up at 2 Robin Hill. The volume of water under the bridge is excessive.

Ms. Lamitola reported the submission for grant funding for Storm Water remediation through the American Rescue Plan (ARPA) Funding is available through the state. The City applied for \$5,000,000 for the Deerfield-Wakefield project. It is unknown at this time if the funds could be used for other projects.

Schedule next meeting

The next meeting date will be January 26th, 2023

Adjournment

The meeting adjourned at 9:23a.m. upon motion by Mr. Solsvig and second by Mr. Adams.



Mr. Lloyd Palans, Chairman

