

Meeting Minutes
Ladue Storm Water Advisory Committee
Thursday September 28, 2023 8:00 a.m.

Chairman Lloyd Palans called the meeting to order at 8:02 a.m. He introduced and welcomed two new members to the Committee, Mike Kinsella, and Phillip (Flip) Schwarz

The following members were present:

Lloyd Palans, Maryann Rober, Scott Solsvig, Mike Kinsella, and Phillip (Flip) Schwarz

Also present:

H.R. Green representatives: Josiah Holst, and Samantha Keeven;
Mayor Spewak; Erin Seele, City Attorney; Anne Lamitola, Public Works Director; Scott Kroening, Finance Director; Amanda Griffin, Storm Water Engineering Manager; Councilman Bill Brennan; and Lori Mullins, Deputy City Clerk

Adoption of the Agenda

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

Approval of the Minutes from the July 13, 2023 Meeting

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

Storm Water Management Program Budget

Ms. Griffin reported on the latest available City of Ladue Collector's Report Storm Water Fund activity: August 2023 activity is \$224,648 vs \$154,314 for August 2022; a favorable variance of 45.6%. August 2023 Year to Date activity is \$1,928,220 vs \$843,996 for August 2022 Year To Date: a favorable variance of 128.5%.

Ms. Lamitola shared information on the proposed 2024 budget for the Stormwater Fund and the Flood Buyouts. The long-term, 10-year stormwater fund budget includes allowances for design and construction for projects that will begin after the Stormwater Master Plan update is approved.

Flood Buyouts Update

The FMA buyout application was submitted to (SEMA) State Emergency Management Agency who reviewed the application, then shared comments for revision. The revised submittal was provided to SEMA in January and additional revisions were submitted on January 17, 2023. The City learned in late August that the FMA buyout application is moving to the second round of reviews by FEMA.

The HMGP applications are still being reviewed by FEMA who received the applications from SEMA in August 2023. The City submitted the HMGP applications to SEMA in March 2023.

City Council has determined that an application will be submitted through the next FMA round for 23 Foxboro Road.

Storm Water Management Program/2019 Five Year Implementation Program

Inactive Status Considerations: - Deerfield-Wakefield Stormwater Infrastructure Project (1601.01)

Due to an inability to obtain the requisite easements, the Storm Water Advisory Committee placed the Deerfield-Wakefield Stormwater Infrastructure Improvements project on inactive status at the July 13, 2023 meeting. In accordance with Ordinance No. 2137, Section 2-326(b), a recommendation to place a project on inactive status shall include conditions which, if met, will permit the inactive status to be lifted.

Ms. Griffin shared four recommended conditions for the Deerfield-Wakefield Stormwater Infrastructure Improvements project ("the Project") to become active again. If all of the following conditions are met, the project may return to the Committee for consideration:

1. Obtain all remaining easements for the Project, including easements for properties previously obtained, but whose ownership and/or title has changed.
2. Obtain written acknowledgement or reaffirmations from property owners who previously donated easements to confirm they are still in favor of the Project.
3. Obtain easements that were previously obtained and recorded, then released as a result of the Project's placement on inactive status.
4. Obtain Temporary Construction Licenses from Deerfield Road subdivision, Ellsworth Lane subdivision, Daniel Estates subdivision, and Deerfield Terrace subdivision and Permanent Sewer Easements from Daniel Estates and Deerfield Terrace subdivisions.

Mr. Solsvig moved to approve these conditions as outlined to restore active status. The motion passed unanimously upon second by Ms. Rober.

Staff requested guidance regarding timing of releasing the easements that were previously recorded. Staff reported that residents were told that if it is definitively determined that the project will not proceed, then the City would record a vacation of the recorded easements. This was stated to achieve the same spirit as the City's previous practice of not recording easements until all easements are signed. The City Attorney clarified that it will technically be a release or abandonment of these easements instead of a vacation because the easements have not been put to public use. Fourteen (14) easements dedicated to the City of Ladue were previously recorded with the St. Louis County Recorder of Deeds Office, including a Permanent Drainage Easement from 12 Wakefield Drive, and the following Temporary Construction Easements: 1, 2, and 15 Danfield Road, 32 Daniel Road, 38 Deerfield Terrace, 19, 21, 25, and 27 Ellsworth Lane, 7 Trails End Lane, 1 and 12 Wakefield Drive, and 50 Woodcrest Drive. Once an easement is released, it is void. Released easements will need to be signed again in order to be valid.

Ms. Seele reported that the easements could impact home sales, as recorded easements are found in title reports.

Mr. Palans recommended that easements be released. Restoring the project would require all new easements. MSD easements were signed, but not recorded.

Mr. Solsvig moved to release easements that were recorded for the Deerfield/Wakefield project. The motion passed unanimously upon second by Ms. Rober.

Master Plan Update Discussion

Review of Ordinance

Ms. Lamitola provided a redline version of the Ordinance. Mr. Palans suggested a special November meeting to consider the Ordinance, score sheet, and small grant program to allow the members to carefully read the proposed modifications.

Review of Small Project Storm Water Grant Program

Denny Welker, who replaced Mark Koester who retired in August 2023, is now overseeing the small grant program. The term of the maintenance agreement, which is in perpetuity, may need to be limited. Many applicants do not follow through, as this may impact a future sale of the property.

Cheryl Orlet, 5 Buckhammon Place, was a recipient of the program and spoke in favor of the process. The maintenance agreement did not deter her family from moving forward.

Mr. Palans stated if the program is updated, previous recipients' maintenance agreements may need to be modified.

Review of "Ladue Score Sheet" Project Multipliers

Josiah Holst and Samantha Keeven reported on the Ladue Score Sheet multipliers. Multipliers can be updated in the spreadsheet by modifying multipliers, changing the priority of projects. Multipliers include number of easements, cost of easements, and projects that impact the public such as flooding roads.

Ms. Keeven demonstrated the multipliers on the scoresheet and the process of testing and updating the spreadsheet.

Mr. Palans broke down the four modifications under consideration as:

- Increased weight for public roadway flooding
- Number of easements required for completion
- Easement acquisition cost
- Project size or scope

Discussion included considering two additional factors; public safety impacts as part of the criteria and giving additional weight to subdivisions that have trustees with authority to execute and grant easements.

Score sheets historically focused on private property. This consideration regards public safety. The special meeting will be held on November 16. Staff will send the documents to the members to review prior to the meeting.

Ms. Lamitola reported that in the budget, there are stormwater components of city projects funded from stormwater fund, such as city adopted projects requiring stormwater pipes, inlets, sewers, etc.

Old Warson Road Drainage

Old Warson 9650 project has been added to the Master Plan spread sheet. The cost is shown as the City solely funding the project, which places the score as low. When formal commitments from Rock Hill Quarry and the City of Rock Hill are made, this will bring the score up.

George Stock, Stock and Associates representing Rock Hill Quarries spoke regarding the burden the quarry has been carrying. Stormwater is managed by the quarry. The quarry is excited about the proposed project and will participate financially. Additionally, Mr. Stock stated that a three-way split seems equitable to all.

Public Forum

Bill Huffman has lived at 22 Overbrook for 42 years. He recently was notified by the City about a Letter of Map Revision (LOMR) submitted by Rock Hill Quarry to FEMA. He shared his concerns

about impacts that Rock Hill Quarry (RHQ) has had on the floodplain. He requested that the City of Ladue study the RHQ property with regard to how it has and will impact stormwater management and the floodplain. .

Other Matters Deemed Appropriate

Mr. Palans updated the Committee on the proposed Metropolitan St. Louis Sewer District (MSD) Stormwater Rate Change.

Schedule next meeting

The next meeting date will be November 16th.

Adjournment

The meeting adjourned at 9:47 a.m. upon motion by Mr. Solsvig and second by Ms. Rober.



Mr. Lloyd Palans, Chairman