

FLOOD PLAIN PERMIT COMMITTEE MEETING
201 West Gray, Building A, Conference Room D

*Tuesday, January 20, 2015
3:30 p.m.*

Minutes

PRESENT: Shawn O'Leary, Director of Public Works
Scott Sturtz, City Engineer
Susan Connors, Director of Planning/Community Development
Ken Danner, Subdivision Development Manager
Jane Hudson, Principle Planner
Neil Suneson, Citizen Member
Sherri Stansel, Citizen Member

OTHERS PRESENT: Todd McLellan, Development Engineer
Cydney Karstens, Staff
Joe Lester, Resident
Jim Speck, Utilities Engineer, Applicant

The meeting was called to order by O'Leary at 3:30.

Item No. 1, Approval of Minutes:

O'Leary called for a motion to approve the minutes from the meeting of December 15, 2014. Motion to approve minutes by Scott Sturtz. Seconded by Sherri Stansel. Approved 7-0. Suneson abstained. It was noted that all seven members of the committee were present and a quorum was established.

Item No. 2, Flood Plain Permit Application No. 555:

O'Leary stated that the application was submitted by Norman Utilities Authority (NUA) and is a request to install a new water line along Lindsey Street across the Imhoff Creek floodplain. O'Leary introduced Todd McLellan, Development Engineer, who would be going over the Staff Report. McLellan introduced the applicant Jim Speck, a representative of the NUA. The consultant for the project is Poe & Associates, Inc. They did not have a representative present.

McLellan explained that this project involves construction of a new 16 inch water line along the east side of South Berry Road from Lindale Avenue south to West Lindsey Street and a new 24 inch water line along the south side of West Lindsey Street from South Berry Road to Chautauqua Avenue. The purpose of the project is to replace waterlines that have deteriorated over time and they will be abandoned in place. In addition, there is a parallel project being done by the University of Oklahoma that will involve installing a 16 inch water line adjacent to the planned City water line along South Berry Road and West Lindsey Street. The OU project will run concurrently and have the same contractor as the NUA project. The idea is to do it concurrently to cause as little disruption to traffic and residents as possible.

A portion of the new water lines will cross the floodway and floodplain of Imhoff Creek. The new City and OU water lines will be bored and cased with steel approximately 8 feet below the deepest part of the channel. The new water lines will also be below the existing 36 inch sanitary sewer main and the planned reinforced concrete box (RCB) and new 36 inch sanitary sewer main. On the floodplain fringes the new water lines will be installed using the open cut trenching method. Any excess excavated materials will be removed from the floodplain.

McLellan explained that this project is in the Imhoff Creek floodplain and is not in the Little River Basin. The construction plans were included in the committee's packet. McLellan displayed the plans on screen and outlined the locations of the City waterlines as well as the OU waterline. McLellan also pointed out where the water lines will cross the Imhoff Creek floodplain and noted that the lines will go below the new RCB and sewer lines that will be installed as part of the Lindsey Street project and that there will be plenty of clearance below the utility. McLellan displayed images of what the area looks like now and explained where the lines will go once the project is completed.

Applicable ordinance sections were noted to include: 4(b)(1)(a) fill restrictions in the floodplain, 4(b)(10) Utilities constructed to minimize flood damage, 4(b)(11) In/exfiltration of flood waters in utility systems, and 5(a)(viii) No rise considerations. McLellan explained how each ordinance section would be met and satisfied by the applicant. No fill will be brought into the floodplain therefore 4(b)(1) has been met. On both 4(b)(10) and 4(b)(11) ordinance sections it was noted that the new waterlines have gaskets making the lines water tight and they are pressure tested before going into service. Staff has a certification letter on file from Jim Speck (applicant) stating that this project will not cause a rise in the BFE which satisfies section 5(a)(viii) of the ordinance. Based upon the information provided, staff recommended that this project be approved.

O'Leary asked for comments from Speck. Speck stated that NUA bid this project together with OU hoping to save some money on replacement of sod and pavement costs. OU will be overseeing their project and NUA will oversee their portion of the project. Connors asked why OU has waterlines. Speck explained that OU has waterlines that run from North Base to the campus. More of this waterline will be replaced in the future, but this portion is being done first to better coincide with the Lindsey project.

O'Leary added that for many years the University of Oklahoma had its own domestic water system. The OU waterlines are now used to transport the University's non-potable water and are used mostly for irrigation purposes. The tower at Robinson and Flood still belongs to the University. The University buys all of their potable water from the city but all of their infrastructure is still in place from when they had their own water service. It was noted that there have been several major breaks along Berry Road and it's usually the University's line, but the assumption by citizens is that the city lines are breaking.

Hudson asked for clarification if the University will eventually be replacing the whole line. Speck answered that the next phase will be the two mile stretch from Robinson down to Lindsey.

Suneson asked if the University was taking the water from the high arsenic wells and using that water to irrigate. Speck answered that he thought it may be high in arsenic but stated that he does not know that for a fact, but that most of the wells in that area are. Suneson also asked if OU buys their drinking water from the City. It was confirmed that all of the University's potable water was purchased from the City of Norman and the water the University runs in their waterlines is non-potable from the University's own sources and this water is used mostly for irrigation of the University's green spaces. O'Leary noted that the University uses wastewater effluent to irrigate the golf course.

Stansel asked if the bridge on Lindsey would be widened. Sturtz clarified that the plans provided in the packet shows the proposed footprint for the bridge. It will still be a two lane bridge, but will have pedestrian walk ways on both sides and bike lanes. Sturtz confirmed that staff double checked the drawings before including them in the committee packets and they were correct.

O'Leary noted that the Lindsey Street project floodplain permit application will be coming to the committee in the coming months; the design process is currently about 65% complete. Stansel asked if the street was going from four lanes and a turn lane to two lanes. O'Leary confirmed and explained that the University and others didn't want to continue the four lane configuration east of the bridge. The opening of the bridge underneath will be enlarged and the stream will not be overtopping the structure as it does today. It will be designed in a manner where the water will run underneath where the roadway and floodplain will not be impacted.

Joe Lester was in attendance as a citizen who received a notification letter and was curious if the new waterline would go further into his right-of-way. Lester asked if the waterline would still be in the easement. Speck confirmed that the waterline would be within the right-of-way. The lines will be 4 ft. apart and the University's line will be the north line and the one closest to the right of way. Lester asked if the area of the right of way would be increasing in this area. Sturtz commented that he would need to verify but he didn't think the easement would be increasing in this area. Lester asked if his irrigation system would be affected by the project. Speck commented that they make the best effort they can to replace those types of items. It was noted that Lester's water meter would also probably be relocated and updated with a new, more efficient one.

Lester stated that he had heard through informal channels that the City is planning to deepen and concrete the sides of the creek on the south side of Lindsey St. O'Leary stated that was not the case, but the final design has not yet been finalized. McLellan stated that when the final design comes through for the Lindsey Street project, Lester would get a notification letter just like he did for the current meeting.

O'Leary asked if NUA would be removing the current waterline once the new one was installed. Speck responded that the old line would be abandoned, but the NUA did not have plans to remove it. It was assumed that it would be removed as part of the bridge replacement project.

O'Leary called for any further questions, comments, or motion on the application. Strutz made a motion to approve the application. Motion was seconded by Suneson. O'Leary asked if there was any further discussion on that motion. There was none.

Motion for application 555 was approved 7-0.

Item No. 3, Miscellaneous Discussion:

1. There were no applications for the 2/2/15 Floodplain Permit Committee Meeting.
2. The filing deadline for the 2/16/15 meeting is 1/28/15. Currently there are no pending applications. O'Leary stated he thought there may be one coming in though.
3. O'Leary gave an overview of the 2014 Floodplain Permit Committee yearly summary. He stated that the committee had applications and met approximately 2/3 of the scheduled times, which is about average compared to the last two years. O'Leary commented that the committee saw some interesting cases in the last year and also did good work in the CRS program. Suneson noted that Danner and Sturtz had 100% committee meeting attendance over the past year. O'Leary noted that this report gets submitted to the City Council along with yearly summaries from all of the City's boards and commissions.
4. O'Leary stated that a meeting will be held on Thursday night, January 22nd at the request of Mayor Rosenthal and Councilmember Miller who chairs the Council Oversight Committee. The Floodplain Permit Committee was provided with a copy of a memo written by O'Leary and the City Attorney's office for the meeting on the 22nd. The memo and meeting were regarding the Bishop's Landing/University House case that was approved by the floodplain committee on December 1, 2014. O'Leary explained that citizen feedback from Marion Hutchison and others had supplied input suggesting an update to the City's Floodplain Ordinance is necessary. O'Leary stated staff thought it was an outstanding suggestion. This item was not on the original agenda for today's floodplain meeting so the committee can't discuss it in depth but staff wanted to make everyone aware of the meeting on 1/22/15.

O'Leary stated he thought the Council Oversight Committee would receive the suggestions well. He noted that anyone is welcome to attend and encouraged any floodplain permit committee interested in the meeting to attend. It was reiterated that the meeting is on Thursday, January 22 at 4:30 pm in the council study session room. Essentially there are special case floodplain reclamation redevelopment projects that might warrant a different look or different language in the ordinance than what is currently stated. O'Leary stated that Staff would be presenting this information to the Oversight Committee at the meeting Thursday. Staff will be providing background on the NFIP and the City's Floodplain Ordinance. The unique characteristics of the Bishop's Landing/University House case will also be discussed in regards to why going forward, these characteristics may warrant an ordinance update. Once everything is discussed the Council Oversight Committee could eventually make a recommendation to the full council if the committee deems that action necessary.

O'Leary described what the process would be like if the Oversight Committee decided to make an ordinance update recommendation to council. He stated that the first step in the process would be with the Floodplain Permit Committee, followed by the Planning Commission, followed by City Council for full adoption of any proposed changes. O'Leary explained that this is just preliminary information at this point; he wanted the Floodplain Permit Committee to be aware of what was going on. O'Leary noted that any changes would be prospective and anything discussed wouldn't affect the Bishop's Landing/University House case as it had already been approved at the Floodplain Committee level and is currently proceeding through the rest of the City's development process requirements.

O'Leary also noted that tonight, (January 20th) the full council will be discussing amendments to the City's Oil & Gas ordinances in a study session. It has been in development for several months. If the council were to advance the revised, proposed ordinance, it would restrict oil and gas drilling in the Stream Planning Corridor. O'Leary stated that this is an ambitious change and not at all what the current Oil & Gas Ordinance and Floodplain Ordinances do. The current Floodplain Ordinance recognizes drilling in the floodplain under certain circumstances. The meeting tonight, (January 20th) will be discussing the prohibition of drilling in the Stream Planning Corridor not just the adopted floodplain.

Sturtz added that if the update to the Oil & Gas Ordinance were to advance and ultimately pass a council vote, it would require an update to the current Floodplain Ordinance to accept the new changes being proposed.

Stansel asked if the City's Oil & Gas Ordinance is posted online. O'Leary stated that it is online. Hudson commented that the Oil & Gas Ordinance is Chapter 13. O'Leary added that generally speaking the changes start in section, 13.15.02.

Suneson asked if the City has received push back from property owners, mineral rights owners, or oil companies on the proposed ordinance changes. O'Leary answered that all of these groups have been active throughout the process and that a full room was expected for this evening's (January, 20th) meeting. He explained that the portion of the ordinance regarding drilling in the Stream Planning Corridor, is just one of several items being discussed in the proposed update to the Oil & Gas Ordinance. O'Leary state in his view he had seen pushback on several items, but that the pushback is in both directions both positive and negative.

Stansel commented that there are some other items in the Floodplain Ordinance that are outdated and also need updating if an update were to occur. Sturtz confirmed that there is some "housekeeping" that needs addressed if an update happens.

O'Leary called for a motion to adjourn. Connors motioned to adjourn, seconded by Sturtz. Motion was approved 7-0. Meeting adjourned at 4:04 p.m.