

## FLOOD PLAIN PERMIT COMMITTEE MEETING

*201 West Gray, Building A, South Conference Room*

*July 18, 2011*

*8:30 a.m.*

### Minutes

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PRESENT: Shawn O'Leary, Director of Public Works  
Susan Connors, Director of Planning/Community Development  
Bob Hanger, Storm Water Engineer  
Ken Danner, Development Manager  
Doug Kosciński, Current Planning Manager  
Sherri Stansel, Citizen Member  
Marion Hutchison, Citizen Member

OTHERS PRESENT: Todd McLellan, Development Engineer  
Julie Shelton, Staff  
J.W. Dansby, Consulting Engineer  
William Hansmeyer, property owner  
John Clink, Capital Projects Engineer,  
Keith Angier, MacArthur Associated Consultants  
Charlie Maxey, property owner

O'Leary began the meeting by asking the committee for approval of the minutes of the June 20, 2011 meeting. Motion for approval from Danner. Seconded by Kosciński. Approved 7-0.

#### Item No. 1, Flood Plain Permit Application No. 485:

O'Leary introduced the permit application from William Hansmeyer who is the property owner at 3927 12<sup>th</sup> Avenue NW to place fill in the Little River floodplain. O'Leary stated that this was a postponement from last meeting on a motion from Kosciński to allow more time for additional information to be submitted regarding leaving the existing 100 cubic yards of material on site at its current location. McLellan summarized the brief history of events as discussed in the previous meeting of June 20, 2011:

- On May 18, 2011, it was discovered that Sysco's contractor had been dumping material from their new construction project onto Hansmeyer's property.
- On May 18, 2011, City staff informed the Stellar Group, the contractor for the Sysco project, and confirmed that material from the project was being dumped on the Hansmeyer property without a floodplain permit. The contractor agreed to shut down the operation immediately.
- A violation notice was sent out on May 18, 2011 to the contractor and Hansmeyer notifying them of the flood plain violation that gave them 10 days to remove the material from the flood plain or to apply for a flood plain permit.
- On May 31, 2011, an inspection of the property was done, and it was observed that fill was still in the flood plain and it was confirmed that no flood plain applications had been submitted.

- On June 1, 2011, charges were filed against Hansmeyer for violating the Flood Plain Ordinance.
- After violation notice was received, Hansmeyer met with City staff on several occasions stating that he was only trying to correct an erosion control problem caused by the 12<sup>th</sup> Avenue NW Bridge ODOT project.
- On June 3, 2011, the property owner submitted a Flood Plain Permit Application to the City of Norman Public Works Department.

McLellan showed the committee the location of the fill area again including the flood plain currently in effect today and the contours of the Little River area. A map of the berm that was put in place on the new three span bridge on 12<sup>th</sup> Avenue NW constructed by ODOT was shown to the committee. McLellan continued by showing the location of fill that was placed in the area. Information received by Dansby was shown to the committee indicating the two eroded areas where the water flowed to the northeast prior to the berm being placed on the bridge. The applicant has requested to leave the 100 cubic yards of fill in place and spread dirt from other areas of his property to the two eroded areas. The engineer's calculations show that approximately 122 cubic yards are required to fill in the eroded areas. It was noted that staff inspected the area and confirmed that there are two eroded areas in the location noted by Dansby. McLellan stated that Staff's recommendation was for the permit application to be approved as submitted with the condition that the existing fill remain in place, with no additional fill allowed.

Dansby confirmed that the USGS map and the engineer's survey were used to look at the elevation differences and stated that this was a minimum calculation. It was noted that the fill would be left in its current location, but that other dirt from the property would be placed in the eroded areas. O'Leary asked for comments. Connors asked for clarification on the location of the existing fill and Hutchison made comments that there should be no harm in leaving the existing fill in the present location. Motion for approval from Koscinski with the condition that the existing fill of 100 cubic yards be allowed to remain in its current location. Seconded by Connors. Approved 7-0. Dansby asked for a request that Legal be asked that court costs be removed on the existing charges against Hansmeyer for his violation of the Flood Plain Ordinance. O'Leary indicated staff would check with the City Attorney.

Item No. 2, Flood Plain Permit Application No. 486:

O'Leary introduced the application submitted by the City of Norman, Department of Public Works and ODOT to widen 60<sup>th</sup> Avenue NW from Tecumseh Road north to Indian Hills Road. O'Leary gave a brief overview of the project. O'Leary introduced Keith Angier from ODOT. McLellan discussed details of the project with the committee which included information that utility relocation work would be done at the north end funded by the City of Oklahoma City. This project would widen 60<sup>th</sup> Avenue NW from 2 lanes to 4 lanes and several associated drainage structures would be constructed. The new road surface will be asphalt with the exception of the Indian Hills intersection which will be concrete with curb and gutter. Seven (7) existing 60 inch by 36 inch arch pipes will be replaced by a three cell reinforced concrete box culvert at the Ten Mile Flat Creek crossing, bar ditches will be constructed on each side of the roadway, and storm sewer will be installed at the Indian Hills intersection. An approximately 50 foot wide bar ditch will be constructed on the north side of Franklin Road from 60th Avenue NW, west approximately ½ mile to the entrance to Pecan Valley Farms to account for drainage from the north.

McLellan continued by noting that the existing force main on the north side of Indian Hills Road will be lowered at the intersection as part of the project. It was noted that the site is located in the City of Norman regulatory flood plain according the ordinance adopted by City Council in September, 2008. McLellan continued his overview by stating that MacArthur Associated Consultants performed a flood study in 2005 of the Ten Mile Flat Creek basin and one purpose of the study was to determine the effects of the proposed road project on the basin and develop an updated floodplain. The study was sent to FEMA for a Conditional Letter of Map Revision (CLOMR), and the CLOMR was issued by FEMA in 2007. McLellan gave information that after the roadway is constructed and the box culverts are in place, the project will be sent to FEMA for a LOMR. McLellan stated that the box culvert on 48<sup>th</sup> Avenue NW at Fountain View has been completed and the contractors are waiting for the concrete to cure before opening the road to through traffic. The existing location was shown to the committee where the new box would be placed. A location map of the 50 foot wide bar ditch on the north side of Franklin and several other location maps showing the location of the pipes was shown as well. Applicable ordinance sections were discussed including compensatory storage requirements. Angier made note that the project is currently scheduled for the October, 2011 ODOT bid letting. O'Leary asked if this would most likely result in construction around January or February, 2012 and Angier confirmed that weather permitting, the project may begin sooner with construction taking approximately one year. Charley Maxey, owner of Pecan Valley Farms, asked for MacArthur to give him a two week notification to allow him enough time to move his fences. Maxey also asked for clarification of the location of the culverts and drainage ditches. Brief discussion from committee. Motion for approval from Danner. Seconded by Koscinski. Approved 7-0.

Miscellaneous Discussion:

Miscellaneous discussion from committee concerning the buyout of five properties in the Bishop Creek basin.

Meeting adjourned at 9:02 a.m.