



City of Broken Arrow
Meeting Minutes
Drainage Advisory Committee

Chair Lori Hendricks
Vice Chair Denise Mason
Member Amber Hamilton
Member Johnnie Parks
Member Donna Wallace
Member Donna Wiedower
Member Christi Gillespie

Monday, July 29, 2024

6:00 PM

Council Chambers
220 South 1st Street
Broken Arrow, OK

1. Call to Order

Chairperson Lori Hendricks called the meeting to order at approximately 6:00 p.m.

2. Roll Call

Present: 7 - Christi Gillespie, Amber Hamilton, Johnnie Parks, Donna Wallace, Donna Wiedower, Denise Mason, Lori Hendricks

3. Consideration of Consent Agenda

- A. 24-1003 Approval of Amended Drainage Advisory Committee meeting minutes of January 29, 2024**
- B. 24-998 Approval of Drainage Advisory Committee Meeting Minutes of April 29, 2024**
- C. 24-999 Approval of and recommendation of Final Acceptance of the Drainage Advisory Committee project Eagle Creek, original Agenda Item Number 20-1054**
- D. 24-1000 Approval of and recommendation of Final Acceptance of the Drainage Advisory Committee project Galveston and Cedar Storm Sewer Improvements, original Agenda Item Number 22-731**
- E. 24-1001 Approval of and recommendation of Final Acceptance of the Drainage Advisory Committee project Knights of Columbus Swale Grading, original Agenda Item Number 23-1121**
- F. 24-1002 Approval of and recommendation of Final Acceptance of the Drainage Advisory Committee project El Paso Ditch Clearing, original Agenda Item Number 23-872**

Chair Hendricks stated Item 3E should be removed for discussion.

MOTION: A motion was made by Christi Gillespie, seconded by Lori Hendricks.

Move to approve the Consent Agenda less Item 3E

The motion carried by the following vote:

Aye: 7 - Christi Gillespie, Amber Hamilton, Johnnie Parks, Donna Wallace, Donna Wiedower, Denise Mason, Lori Hendricks

4. Consideration of Items removed from the Consent Agenda

Chair Hendricks read Item 3E into the record: "Approval of and recommendation of Final Acceptance of the Drainage Advisory Committee project Knights of Columbus Swale Grading, original Agenda Item Number 23-1121."

Stormwater Division Manager Patrick Wilson reported this project was approved by the DAC and City Council. He explained this was a final acceptance and closeout of the project. He stated the City did the design in-house and contracted with a contractor to grade a swale on

Knights of Columbus property to get the water all the way to 91st (Washington Street) to mitigate the flow onto Ms. Osbourne's and the neighbor's property. He stated the swale would not handle 100 percent of the flow; it was designed to bring the property up to current stormwater criteria as best as possible. He stated this Item would close out the project and move the remaining funds back into the basin for others to use in the future.

Citizen Edna Osborne thanked City Staff and the Drainage Advisory Committee. She stated it had been 17 years of water coming across into her yard. She stated her husband had the house built for her 17 years ago and had since passed away. She indicated she was able to keep up with the payments to keep her home. She discussed her homeowner's association who embarrassed her at meetings by commenting about how she had not paid her dues. She discussed how she felt she should not pay her dues to the homeowner's association as there were no common areas for gathering, and she should not have to pay for the Knights of Columbus property as women were not even allowed in the building. She said she felt the Knights of Columbus were racist, but she did not hate the Knights of Columbus; she was Indian, Irish, and black, and had no hatred for any race. She stated the work done by the City alleviated some of the difficulty, but water was still flowing into her back yard. She discussed the damage done to her back porch by the flooding and the earthquake. She stated a proper drain should have been built as opposed to a ditch. She discussed her continued problems with the flooding water flowing off the Knights of Columbus property. She discussed how Mr. Schwab and Mr. Wilson were helpful. She displayed and discussed photos of her backyard. She asked the City to enforce a code and force the Knights of Columbus to cut the trees and bushes back to their property line so she could have room to work on her own property. She indicated the trees on the Knights of Columbus property was pushing her fence over.

Discussion ensued regarding the Knights of Columbus property line.

Committee Member Johnnie Parks asked if the water flowed forcefully onto Ms. Osborne's property.

Ms. Osborne responded the water did not flow as forcefully as it used to.

Committee Member Parks noted the swale should turn the water to the north. He stated one of the problems discussed was the builder put more dirt in the backyards than they were supposed to which made it difficult for the water to escape, and this swale was the best solution, and the Knights of Columbus were good enough to work with the City in this regard.

Assistant City Manager of Operations Kenny Schwab stated Broken Arrow stormwater drainage code indicated no more than four houses could be built before the water had to be directed to a public collection system. He stated there were four lots which drained to Ms. Osbourne's property, but the difficulty was the Knights of Columbus property was much larger than a typical home, and a vast majority of the Knights of Columbus property drained toward Ms. Osbourne's property. He explained as such, Ms. Osbourne was catching drainage from the four lots to the south and the Knights of Columbus property which was flooding her yard. He stated the swale was dug to collect the water from Knights of Columbus and take the water out to Washington. He stated when Washington was built, an inlet would be built to catch the water as well. He indicated this was an efficient and economical fix to the problem. He stated it took a little time to get the Knights of Columbus to work with the City, but eventually everyone worked together. He noted Ms. Osbourne was still catching the water from the four lots to the south, but this was per Ordinance.

Ms. Osbourne stated when it rained really hard the water came down so deep, she had to put her boots on to get to the mailbox, but this was slippery and dangerous, so she got a P.O. Box

to collect her mail so she would not have to go to her mailbox any longer. She asked the City to have the Knights of Columbus take proper care of their property. She said her neighbors' French drains caused increased waterflow onto her property and she could not afford a French drain of her own.

Mr. Schwab noted French drains would bring water out to the curb, into the gutter, to flow down to an inlet which was close to Ms. Osborne's property. He stated at this point, the City could double check the area and make sure it all met code, but he believed it did meet code.

Committee Member Christi Gillespie asked was there anything the City could do to improve the situation, perhaps the next time the City worked on the streets.

Mr. Schwab stated there was a fair amount of water and the City could look south and east of Ms. Osborne to see where the water might be catching. He discussed City code and policy and how it affected Ms. Osborne's property.

Ms. Osborne asked about the street widening project. She stated she heard it was delayed. She asked if the street widening project would improve the flooding onto her property.

Mr. Schwab responded the project was recently split into two parts, so the City could move forward. He stated the design was basically complete for Lynn Lane from Washington to Houston, but the railroad track near Houston was slowing down the process, and the City was in the process of acquiring right-of-way. He explained to move the project forward the Washington and Lynn Lane intersection was separated from the project due to the need for additional right-of-way. He stated as soon as the right-of-way was obtained and the utilities were moved, construction would begin. He said the City was still 9 months to one year away from construction of the intersection, but the intersection would be constructed first, then the road widening.

Committee Member asked about from Houston to the west.

Mr. Schwab responded the design was done from Houston west and he would confirm whether the right-of-way was obtained as well.

MOTION: A motion was made by Johnnie Parks, seconded by Donna Wallace.

Move to approve the Consent Agenda Item 3E

The motion carried by the following vote:

Aye: 7 - Christi Gillespie, Amber Hamilton, Johnnie Parks, Donna Wallace, Donna Wiedower, Denise Mason, Lori Hendricks

5. Presentations

There were no presentations.

6. General Committee Business

A. 24-1005 **Consideration, discussion, and possible action to recommend to City Council to reject expending funds to mitigate drainage concerns at 519 South Redwood Avenue (Case No. 24-009)**

Mr. Patrick Wilson reported this case was brought before the Drainage Advisory Committee on April 29, 2024, agenda item 24-565. He stated the Committee voted 6-0 to recommend rejection of expenditure of funds; however, the applicant was not able to attend the previous meeting and requested an opportunity to address the Committee. He indicated City Staff agreed and would present the case again to provide the applicant with an opportunity to speak on his behalf. He displayed and discussed a map showing where the project area was located. He stated the applicant was requesting assistance in repairing his retaining wall, and some sink holes in his backyard. He displayed and discussed photos of the retaining wall and the

sinkhole. He stated he and Mr. Schwab visited the property, saw the retaining wall and sinkholes firsthand. He stated there was a sanitary sewer line nearby; the City inspected this line several times and there was no leak or gap. He continued to discuss the retaining wall and the difficulties the applicant was having. He reported the area was a flood plain and it would get a lot of water. He stated looking at this, Staff still did not see a public benefit to repair or replace the existing retaining wall; therefore, Staff again recommended rejection of the project to City Council.

Committee Member Parks asked if there were any utility lines being harmed.

Mr. Wilson responded in the negative. He stated he did not see the applicant present. He indicated he was in contact with the applicant and reminded the applicant several times about the meeting this evening, but the applicant was not present.

Chair Hendricks stated without any additional information indicating there would be a public benefit she did not think the Board could take any action aside from allowing the denial to stand.

Mr. Wilson indicated the denial would move forward to City Council.

MOTION: A motion was made by Johnnie Parks, seconded by Denise Mason.

Move to deny Case No. 24-009 per Staff recommendations

The motion carried by the following vote:

Aye: 7 - Christi Gillespie, Amber Hamilton, Johnnie Parks, Donna Wallace, Donna Wiedower, Denise Mason, Lori Hendricks

B. 24-1006 Consideration, discussion, and possible action to recommend to City Council to expend funds to design drainage improvements from 3729 South 195th East Avenue to East 37th Court South (Case No. 24-011)

Mr. Wilson reported this was in Steeple Chase subdivision which was originally platted in 1984 in Wagoner County and was annexed into Broken Arrow in 2000. He stated this area flowed into Spunky Creek and was not in a named basin; therefore, the funds would be from the Unnamed Basin Fund which was a part of the bond. He stated the proposed project was north of 41st (Dearborn) and east of County Line Road. He displayed the location on a map. He stated this was a concrete ditch which connected 37th Court to 197th East Avenue, draining from 37th Court through the channel into an inlet which connected to the storm sewer system underneath the street. He noted there were no plans for this system, there was no information on the plat, and nothing could be found regarding the concrete ditch. He stated there was no clear delineation of private property and public property except for where right-of-way existed; however, this was a part of the drainage system of the City. He said originally the applicant requested help for storm debris. He stated Streets and Stormwater went and looked and decided there was a public benefit. He noted there were some sanitary lines present which were not impacted; there was no floodplain in the area; there were no blueline streams in the area; and this was a subdivision drainage concern. He displayed photos of the inlet and the concrete channel. He said the grate needed to be kept clear by the residents to keep the water flowing. He displayed other photos of the area including fences across the channel which did not seem to be impeding water flow in the channel. He showed pictures of the inlet, which was bulging, noting the structural integrity of the box was degrading. He stated funds were being requested for design of a new system, potentially to redo just the inlet, or perhaps installing a storm sewer to connect from 37th through the homeowner's property by obtaining a permanent easement, making it a public system. He stated the public benefit was to replace the deteriorating inlet, possibly improve the concrete channel to minimize future drainage and maintenance concerns, and Staff recommended the Committee recommend approval of \$35,000 dollars for design of drainage improvements to City Council.

Committee Member Parks asked if the storm sewer would go all the way through the concrete channel area.

Mr. Wilson responded in the affirmative; the City would work with the four homeowners in the location, and all four homeowners would have to agree.

Committee Member Parks agreed this would be of benefit to both the public and private sector.

Committee Member Gillespie asked who owned the fence.

Mr. Wilson pointed out the location of the fence on the map. He noted he was unsure why there was a fence installed in this location and some adjustments would need to be made to the fence.

Committee Member Parks asked if this became a public easement would the fence be permitted.

Mr. Wilson responded it depended upon whether it was an underground storm sewer system, and if it was, then it would be permitted with the understanding that the City had the right to remove the fence to work on the public system.

Committee Member Gillespie stated it was strange to see a fence so far forward on a front yard property line.

Committee Member Weidower asked if the land would become a public easement.

Mr. Wilson explained this was to design a solution and moving forward, going into construction, he would recommend making the land a public easement.

Chair Hendricks noted the approval could be contingent upon approval from all four homeowners allowing the land to become a public easement.

Mr. Wilson noted he was only requesting design funds.

Chair Hendricks noted if the City approved design without the easement contingency, and an easement was not granted then there would be an issue with construction and the City would lose the money it spent designing.

Committee Member Weidower agreed; if the homeowners wanted a solution, they should be willing to work with the City.

Mr. Wilson stated the design could be contingent upon the willingness of the homeowners to grant an easement.

Citizen Tammy Walker stated she lived on 36th Street and was present in support of her neighbor on 37th Court. She indicated her neighborhood was the farthest north subdivision in Broken Arrow aside from the new Whiskey Ridge subdivision which also flooded. She passed pictures around to the Drainage Advisory Committee. She discussed the drain which was a potential danger to the children in the neighborhood. She noted the fence across the channel was rotting and her neighbor was unable to bend and clean the fence or drain due to surgeries and age. She discussed the water damage to the roads from the flooding. She said she was surprised there were no records of her subdivision's underground utilities. She discussed the photos and noted she should have added pictures of the debris which collected. She discussed the flooding problems and the stormwater damage. She discussed who she had

been in contact with regarding these problems.

Discussion ensued regarding who the developer and builder were for this property; the subdivision being annexed into the City from Wagoner County; and whether there was a storm sewer system in the subdivision.

Mr. Wilson stated there was a storm sewer system in some of this area, there were some inlets in the street, so it looked like the pipe might be in the middle. He said he could work with Streets and Stormwater through the City Manager's Office to see what could be done or if there were any needed repairs by filming the line. He said some work could be done internally first and then the City could reach out to the residents about the City right-of-way.

Committee Member Parks said Mr. Wilson wanted this to be a public right-of-way, so the City would have the right-of-way over the ditch channel area.

Mr. Wilson responded in the affirmative.

Committee Member Parks asked Ms. Walker if the four homeowners would be willing to give the City the easement if the City was willing to look at making the improvements. He explained the City did not want to spend funds to design a solution if the homeowners were not willing to donate the easement so the City could make the improvements.

Ms. Walker noted Ms. Livers could answer this question.

Ms. Livers (applicant's wife) indicated she did not believe her neighbors would have any objections to donating the land for an easement. She discussed her efforts cleaning out the ditch. She discussed the dangers to the children in the area caused by the ditch.

Committee Member Parks stated it was important to obtain the right-of-way before moving forward with the design and construction.

Vice Chair Mason stated this project was strictly for the private property portion of land, but the other issues were something which would be considered separately.

Ms. _____48:54 continued to discuss the flooding difficulties in her subdivision.

Mr. Schwab stated these issues were all connected.

Committee Member Weidower asked if this was the main drain for the whole area.

Mr. Schwab stated this was one subdivision, but it was built in two phases, one with concrete streets and one with asphalt streets. He stated on the concrete street portion, which was the west end, there were some slotted manholes in the middle of the streets.

Mr. Wilson agreed there were manholes in the middle of the street on 195th, and there were some curb inlets along the street as well.

Mr. Schwab stated it looked like there was an underground stormwater system running down the middle of the concrete streets going around to the southwest corner where all the inlets met at the drive. He stated he assumed the outfall went out to Spunky Creek. He stated this was flowing over and he did not know if there was a storm sewer on the asphalt side. He stated if the City could put an inlet at the cul-de-sac on 37th and drop a 24 inch pipe and run it between the houses and tie it into the storm sewer in the street with a manhole, then the City would have taken the water running between the houses and directed it underground and tied it into the system which would be a win for everyone, but a utility easement would be

necessary. He said if the water was too much and not all of it could be directed into the storm sewer system, then an overland channel might still be needed, but ideally it would be best to get the water all underground. He explained to figure this out the whole subdivision needed to be reviewed, which was why Mr. Wilson was requesting \$35,000 to design a solution. He stated \$35,000 dollars was enough to look at the entire subdivision and design a solution.

Committee Member Parks agreed noting this was also why it was important to obtain the right-of-way from the necessary homeowners before spending the funds to design a solution as this would be a lot of work and money for the City.

Mr. Schwab stated typically the easements were tied to construction, but before construction the City always obtained the necessary right-of-way.

Chair Hendricks noted Ms. Walker mentioned beavers. She asked if there were still beavers in the area.

Ms. Walker discussed the water levels in the drain.

Chair Hendricks noted Wagoner County had a contract with the USDA to abate nuisance animals. She said if there were beavers in the creek Ms. Walker should see her after the meeting to obtain the necessary contact information.

Mr. Schwab stated the City of Broken Arrow also had a contract with the USDA to abate nuisance animals but had to be aware of the nuisance animals to enact the contract.

Committee Member Weidower stated if the drain was insufficient for the volume of water, then the City should not make any improvements without first understanding the big picture.

Mr. Schwab stated it was probably insufficient to carry the 100 year flow, but if it was connected there would still be a benefit. He noted the City had to go downstream west of the house to make sure the drain was cleared as well. He said it was not uncommon to go back as far as 1984 and not have all of the engineering plans.

Committee Member Weidower asked how well cameras in the existing system would be able to map the system.

Mr. Schwab stated the City would look at it and measure the size of the pipes at the manholes and this would give the City an idea of what the system was.

Committee Member Parks asked what type of pipe it was.

Mr. Schwab indicated he did not know but would be able to tell by looking in the manhole. He said he was assuming it was RCP (reinforced concrete pipe) due to the age.

Mr. Wilson stated he did not know either.

Mr. Schwab noted it would not be PVC and he hoped it was not a steel pipe.

Ms. Walker stated Rural Water District 4 indicated when the water lines were put in, the water lines were floating and something had to be placed on top of the pipes to keep the pipes from floating to the surface.

Mr. Schwab noted this area was Rural Water District 4 and Green Country Sewer, so this may explain why the storm sewers were in the middle of the street, which would cause challenges, but it might make it easier. He said if this were approved, the City would move

forward and get information to determine what needed to be done. He recommended approval.

Mr. Schwab stated a document could be obtained indicating the homeowners were willing to donate the land for the public easement subject to the final plans before moving forward with the design.

Committee Member Parks agreed this would be best.

Committee Member Gillespie agreed this would be best.

MOTION: A motion was made by Christi Gillespie, seconded by Johnnie Parks.

Move to approve Case No. 24-011 per Staff recommendations contingent upon the homeowners allowing the City to obtain a public easement

The motion carried by the following vote:

Aye: 7 - Christi Gillespie, Amber Hamilton, Johnnie Parks, Donna Wallace, Donna Wiedower, Denise Mason, Lori Hendricks

C. 24-1008 Consideration, discussion, and possible action to recommend to City Council to expend funds to construct a culvert at South 8th Street and East Natchez Street (Case No. 24-012)

Mr. Wilson reported this was located south of Jasper Street (131st Street) and east of 9th Street (Lynn Lane, 177th). He said the Lynn Lane wastewater treatment plant was less than a mile south of this location. He noted the big area was the Arkansas river. He stated on the left was Indian Springs Golf Course, and on the right was private residences. He stated there was a water line and a sanitary sewer line. He noted a few years ago the water line broke and caused a washout of the street; at the time, the waterline and the street were fixed. He noted since that time the City had a good look at the culverts. He stated the City started design work and the plans were almost ready to go. He displayed and discussed photos of the area and an 8 foot cavity underneath the street which the City filled for the safety of the travelling public, but the project needed to move to construction. He stated he was looking for construction funds for this project. He displayed and discussed photographs of the upstream side of the box which consisted of three corrugated metal pipes from the golf course coming down into the system, a concrete stilling basin which was broken. He stated the flooding was causing erosion of the City road. He displayed photos of the culverts which were corrugated metal and were about 44 years old and needed replacement. He indicated the whole system needed replacement. He stated the system on the right went into the private property onto the golf course, and the City would take a portion of the system out and connect into it; the rest would be on golf course. He stated two areas shaded on the design were private property which was why the City was requesting construction funds. He noted a lot of rip rap, concrete, concrete end sections, and some of the box which needed extension was still on private property and the City had to tie into the downstream channel as well. He explained the public benefit would be to replace the existing deteriorating culverts, repair the erosion under the road and mitigate future erosion potential. He stated Staff recommended the Drainage Advisory Committee recommend to City Council \$250,000 dollars for the construction of drainage improvements. He stated this flowed into Broken Arrow Creek, was not in the floodplain, and did not encounter any blue-line streams. He stated \$250,000 dollars was not the total fund, he was working with other departments to come up with a total of \$750,000 for construction of this project. He stated \$750,000 dollars was the Engineer's Estimate.

Committee Member Gillespie noted the flooding in this area was scary and went up waist high on occasion. She asked if the golf course had any plans for improvement for its stormwater system. She said there were other areas where there were major issues in this area.

Mr. Wilson stated he was unaware of any golf course plans. He stated this application was coming from the City of Broken Arrow; the residents had not made any requests. He noted the resident on the right, Mr. Forton (ph), who owned the private property portion of the project, was aware of this project.

Committee Member Hamilton asked, if approved, and if the City was unable to find the necessary funds to complete the project, what would happen to the \$250,000 dollars.

Committee Member Parks stated the City would find the funds.

Mr. Wilson stated the City Manager's Office was working on a couple of different funds from the Streets and Stormwater Department to come up with the rest of the money and there were a few options, and to the best of his knowledge the City was committed to this project.

Mr. Schwab asked if this project included replacement of the boxes.

Mr. Wilson stated the \$250,000 dollars would be for the work on private property and the remaining \$500,000 dollars would fund the rest of the project.

Committee Member Gillespie noted a little further south there was another drain on Natchez with issues.

Mr. Schwab stated the drain south on Natchez collected water from the south flow. He stated he understood the project area had the biggest problem.

Discussion ensued regarding water flow through the area, and other problem areas near this project area.

Committee Member Parks asked about a detention area on the golf course.

Mr. Schwab noted the golf course had a lake/pond just to the west and there might be a way to redirect some of the flow. He stated the City could discuss this with the golf course.

Committee Member Weidower asked if the design of the golf course's water management system aggravated the situation. She asked if the golf course was liable for any of the damage.

Mr. Schwab stated the City would have to look into the situation a lot deeper to determine if the golf course had any liability. He said typically at this part of any drainage basin, detention was not wanted; it was better to feed the water into the river. He noted the golf course was probably present first and the subdivision came in second which would obviate any liability to the golf course.

Committee Member Parks stated he was just wondering if the golf course would be willing to help the situation.

Committee Member Weidower agreed.

Mr. Schwab stated this was really at the end of the storm sewer collection system for the City of Broken Arrow, and this far down in the system detention was not ideal, it was significantly better to move the water out. He indicated this subdivision was built in the late 1970s which was a different code than today. He said the City was trying to go back in time and make an old system work under today's criteria.

MOTION: A motion was made by Johnnie Parks, seconded by Christi Gillespie.

Move to approve Case No. 24-012 per Staff recommendations

The motion carried by the following vote:

Aye: 7 - Christi Gillespie, Amber Hamilton, Johnnie Parks, Donna Wallace, Donna Wiedower, Denise Mason, Lori Hendricks

D. 24-1014 Consideration, discussion, and possible action to recommend to City Council to expend funds to design improvements to NEEDA Pond (Case No. 24-013)

Mr. Wilson reported NEEDA Pond was located north of Kenosha (71st Street) and east of Elm Place. He stated the water which flowed through the pond also came from Bass Pro. He stated the stream which flowed through the pond was called Park Grove Creek, a tributary of Haikey Creek; however, due to the lack of funding in the Haikey Creek Basin at the current moment this funding would come from the Unnamed Funds. He stated Park Grove Creek flowed through the western portion of the detention basin. He explained the idea of this detention basin was designed as a dry facility, and obviously it was not dry, the north end of the pond was supposed to be 6 feet deep draining to the south end, or top of berm to the bottom of the pond. He stated it was about 10 feet deep. He noted the pond silted in over time, the plants have come in, and he did not believe it was functioning as designed; therefore, the City wanted to determine how it best could function and whether modifications were necessary. He stated at the north end of the pond there was some discoloration, there was some erosion, and water was flowing through as opposed to the west as was originally intended. He stated this was a City owned regional detention pond with about 186 acres flowing into it and the flow at Park Grove Creek was about 900 cfs which was a lot of water flowing into the area. He stated there was no flood plain on the property; however, Park Grove Creek was a blueline stream and would be regulated. He noted depending on the work being done, the City might need to coordinate with the Corps. He stated the manhole was the sanitary sewer manhole which was designed and elevated and sealed watertight on purpose because the water raises and lowers. He stated currently the water was not flowing into the outlet structure due to some mud with twigs and sticks blocking the flow, and it was believed this might be due to a beaver; there was some evidence of beavers in the area.

Committee Member Gillespie asked if residents were complaining, if this was causing problems in the area, and was this something which needed to be addressed now.

Mr. Wilson explained an application was submitted to the City of Broken Arrow to do improvements on the pond. He stated a developer to the east of the pond wanted to build a development and all the stormwater from the developer's property flowed into NEEDA. He stated the developer would have issues because of the pond downstream and asked the City to look into the situation.

Committee Member Parks stated this was City owned land. He asked if the City was responsible for maintaining the property.

Mr. Wilson responded in the affirmative.

Committee Member Parks noted it looked like the property had not received any maintenance in quite a while. He asked what kind of pipe was in the sewer in this area.

Mr. Schwab stated it was an old sewer and he guessed it was a tile sewer.

Committee Member Parks stated if so, it could eventually leak whether it was a wet or dry detention area. He stated if this were a dry detention area it should be able to be mowed.

Mr. Wilson concurred; it should be dry, and everything should flow through.

Committee Member Parks stated if he lived nearby, he would be afraid of snakes, and maybe even beavers. He noted it was near a very populated area.

Committee Member Weidower asked if the detention area was clogged.

Mr. Schwab stated he suspected there were many problems with the detention area. He stated NEEDA stood for the North East Economic Development Area which was the Bass Pro and everything up that way. He stated when Broken Arrow wanted the Bass Pro in the late 1990s it built this detention pond around 2004, and he did not know whether it was ever really maintained. He stated regardless of the application the City of Broken Arrow had to do something about this. He said the detention area needed to be redesigned according to the new flows in the area, but Mr. Parker wanted to build a development to the east and he believed the City would do a fee in lieu of onsite detention requirement, meaning the stormwater would be required to flow to the NEEDA detention area. He stated it made sense for the City to work with Mr. Parker's (the developer's) engineer to make sure the flows were working together. He noted this was the private part of this project.

Committee Member Parks discussed how the water would flow and what the water level might be. He said he believed this needed to be reengineered, not just maintained.

Mr. Schwab agreed. He noted there was no real road to the detention area, it was just a dirt road. He agreed this needed to be redesigned, and the City needed to work with the adjoining property owner to ensure the water came into the property correctly.

Vice Chair Mason asked if the developer was just to the east.

Mr. Schwab displayed a map illustrating where the developer's property was located to the east, and noted there was another developer to the north. He stated the City would work together with both developers when the developer to the north submitted plans. He discussed which properties would flow into the detention area and explained it was basically a regional detention area.

Committee Member Parks asked if this was a regional detention area, would all the benefitting parties contribute.

Mr. Wilson stated the developers would be paying for a portion of it through the fee in lieu of program. He noted the fees collected in lieu of onsite detention would go into the stormwater capital fund.

Committee Member Weidower asked if the developers could develop without this being fixed.

Mr. Schwab responded in the affirmative, but noted it made more sense to build out the regional pond as it should be, taking in as much flow as possible, and then the developers would pay the fee in lieu of detention into the stormwater capital fund, and not put detention on the development site. He stated the regional collection and detention method was very common.

Committee Member Weidower stated she understood the funds in question were for projects involving private property for the public good.

Mr. Schwab explained when there were several detention ponds immediately upstream from a detention pond there would be problems, so the benefit was getting the water from the development into one location and controlling the water at one location as opposed to several locations. He noted when there were many detention ponds nearby there were problems with

peak flows impacting peak flows and it was significantly more efficient to control the water in one location. He stated this pond had been here for 20 years, and regardless of how it was maintained and its condition, it was existing and there was no higher or better use for the property than the detention pond. He stated the reason the application was present was the developer was ready to move forward with his development and this detention area needed to be done at the same time.

Committee Member Parks stated he felt the detention pond was functioning to some degree, as the water did not flood anywhere, it simply was not draining properly and was failing. He agreed the City needed to do its part.

Mr. Wilson agreed noting the request was for reengineering to obtain new hydrology and hydraulic models on the area to see what path the City needed to take moving forward.

Committee Member Parks noted the whole subdivision to the east would benefit from this as well.

Vice Chair Mason stated doing this now before the other areas were developed would give the City the opportunity to ensure it was designed properly as opposed to what the City had experienced with many other developers in other parts of the City, so maybe there would be no negative impact to City infrastructure down the road.

Mr. Schwab agreed.

MOTION: A motion was made by Christi Gillespie, seconded by Denise Mason.

Move to approve Case No. 24-013 per Staff recommendations

The motion carried by the following vote:

- Aye:** 6 - Christi Gillespie, Amber Hamilton, Donna Wallace, Donna Wiedower, Denise Mason, Lori Hendricks
- Abstain:** 1 - Johnnie Parks

7. Adjournment

The meeting was adjourned at approximately 7:30 p.m.

MOTION: A motion was made by Christi Gillespie, seconded by Johnnie Parks.

Move to adjourn

The motion carried by the following vote:

- Aye:** 7 - Christi Gillespie, Amber Hamilton, Johnnie Parks, Donna Wallace, Donna Wiedower, Denise Mason, Lori Hendricks

Lori Hendricks
Lori Hendricks, Chairperson

Lisa Blackford
Lisa Blackford, Deputy City Clerk