

Newburgh Town Council Meeting  
September 27, 2006

CALL TO ORDER

President Kavanaugh called the Wednesday, September 27, 2006, meeting to order at 5:30p.m.

PLEDGE OF ALLEGIANCE

Mr. Kavanaugh led the Pledge of Allegiance.

A moment of silence was observed for Marie Osmond and the U.S. Troops.

ROLL CALL

Those present at the meeting were Bill Kavanaugh, Anne Rust Aurand, Ken Hughes, Alonzo Moore, Shari Sherman, Becky Gentry, Cynthia Burger, and Tom Bodkin.

APPROVAL OF MINUTES

MOTION by Ms. Sherman to approve the September 13, 2006, minutes.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION by Ms. Aurand to suspend the rules to deviate from the agenda to address storm water issues.

SECOND by Ms. Sherman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

Mr. Kavanaugh stated flooding issues would be addressed in the following three (3) phases:

- potential road break east of the old Lock & Dam
- Maple Lane/Windsor Pointe area
- any other flooding in the Newburgh area

Mr. Hynes reported the erosion control that was placed east of the old the Lock & Dam or French Island Trail is adequate to temporarily hold the sewer line; however, additional erosion has occurred since the rain earlier in the month. He stated he would be presenting a proposal at the next meeting to reflect exactly what permanent repairs are necessary. He stated a Regional General Permit will need to be completed and returned to the Corps of Engineers. The permit will then be forwarded to IDEM for a Water Quality Permit. Ms. Sherman questioned whether cleaning the drainage ditch on the north side would help. Mr. Hynes stated the ditch was silted and cleaning would definitely help.

Lance Brunck, 706 Maple Lane, stated the recent rain was a factor, but he believed erosion has been a problem in that particular area for a number of years. Mr. Kavanaugh stated the site was that of an abandoned coal mine. He added that the entire road fell into the river in 1976.

A power point presentation was made by Mr. Hynes showing pictures of recent flooding along with maps of the area (see attached). He stated an inlet control problem is evident at Windsor Pointe along with a drainage issue downstream. Mr. Hynes stated an overall hydrologic/hydraulic study needs to be completed to pinpoint flooding in this area. This Hac-Ras Study will take approximately two (2) months to complete. The study will identify the problem and look at options to correct it. The study will be presented to the Newburgh Storm Water Board for their recommendation and will be brought to the Council for action. Discussion was held regarding a retention pond. Mr. Kavanaugh encouraged input from residents at future Storm Water Management Board meetings.

John Mazzotti, a resident of 401 Maple Lane for thirty-three (33) years, stated flooding has increased since the development of Windsor Pointe. He added that at one time there was a drain at the corner of Maple Lane and Hwy. 662 which is now covered up. Elizabeth Coverdale, 712 Maple Lane, presented pictures of recent flooding. She voiced concern regarding property damage, property values, and children in the neighborhood being covered with mosquito bites. Karen Enright, 5699 Maple Lane, also voiced concern regarding on-going flooding and provided a binder with a narrative (see attached) and a number of photographs of flooding in the area. She added that, in her opinion, the culvert at Casey's was installed backwards and swales have been filled in at Windsor Pointe. Mr. Hynes stated the Hac-Ras study would be comprehensive. Richard \_\_\_\_\_, 5744 Maple Lane, stated the ditch was not clogged and that he has lost approximately three (3) feet of his yard due to the erosion. John Thornbury, 711 Maple Lane, stated during a "normal rain" he can only access ½ of his driveway as there are no working drains on either side of the road. Mr. Hynes stated a localized study was completed several years ago but funding wasn't available at that time to correct the problem. It was decided to invite the Warrick County Commissioners, Warrick County Council, Engineer and Surveyor to attend the meeting so they can see the results of the study and be part of the solution. Ms. Aurand requested police presence to control traffic on Maple Lane when flooding occurs. Additionally, she advised against any street paving without first milling the road. Ms. Aurand reported that the Storm Water Management Board recently approved private contractors to complete some of the smaller trenching projects. Mr. Kavanaugh assured the residents that the problem would be resolved.

Mr. Kavanaugh called for a five (5) minute recess at 6:55p.m. The meeting reconvened at 7:05p.m.

### COMMISSION/COMMITTEE REPORTS

UTILITY ~ Shari Sherman  
No report.

STREET ~ Ken Hughes  
Mr. Hughes thanked the street crew for their work in helping setup for the annual Fiddler Festival. He said the crew continues to remove vegetation around signage.

FIRE ~ Anne Rust Aurand

Charlie Marx reported the department participated in a county wide disaster drill on September 9, 2006. He said one (1) new diver is in training while others are being recertified. The grant for Engine 19 was recently denied. The department has also applied for a training grant.

PARK ~ Alonzo Moore

Mr. Moore stated that the boat ramp was designed to withstand the rising water. He reported a washout at the Lock Master houses approximately three (3) feet deep and twelve (12) to fifteen (15) feet long. Ms. Burger stated the crew was called out to clean up the portion on town owned property. Mr. Moore submitted Shirley Moore's name to serve on the Newburgh Park Board in the event Lou Dennis does not bring forth a replacement for Mr. Moore's position.

PLAN ~ Shari Sherman

The next meeting is scheduled for October 2, 2006.

POLICE ~ Bill Kavanaugh

No report.

AIR AUTHORITY ~ Alonzo Moore

No report.

PERSONNEL ~ Bill Kavanaugh

MOTION by Mr. Kavanaugh to hire Shawn Mundy for the position of Newburgh Sewer Office Manager at an annual salary of \$33,000.00 per year, with full employee benefits, starting date October 9, 2006, pending drug testing.

SECOND by Ms. Aurand.

DISCUSSION: Mrs. Mundy was interviewed by the Personnel Committee and references have been checked.

MOTION carried ayes 4, nays 1 (Hughes).

FINANCE ~ Anne Rust Aurand

No report.

HISTORIC PRESERVATION ~ Ken Hughes

Mr. Hijuelos stated a Certificate of Appropriateness was recently issued for the rebuilding of the retaining wall at 111 State Street.

Misti Fraser previously made a preliminary presentation for the Jefferson Street School but was not able to attend the September 14, 2006, meeting for a final presentation. A presentation and decision (by the HPC) is expected on October 12, 2006. After that date, Ms. Fraser has sixty (60) days to obtain the appropriate permits to begin construction.

STORM WATER ~ Anne Rust Aurand

Ms. Aurand stated the street crew completed the American Legion project and will begin the French Island Trail project on Thursday, September 28, 2006.

Dave Garrett addressed the Council regarding "raging flood waters" coming into his mother's house located at 328 Sycamore Street. He, too, provided photographs taken during the recent rain on September 13 and 14, 2006. Mr. Hynes stated he was not aware of this particular drainage problem but stated the board needed to look into it. Mr. Kavanaugh encouraged Mr. Garrett to make a presentation at the next Storm Water Management meeting.

BICENTENNIAL ~ Anne Rust Aurand  
No report.

RIVERTOWN TRAIL ~ Anne Rust Aurand  
Plans for the Rivertown Trail were submitted to INDOT today, September 27, 2006, and will be under review for approximately one (1) month. Will Lyon, the project manager and engineer, have requested to make a presentation to the committee and Council in order to review the final route design. A meeting will be held in November to publicly thank groups who have made contributions/donations for the trail. Ms. Aurand discussed repairing and building the area beginning at the Lock & Dam, moving east, the first phase of the project. Mr. Bodkin stated the Town can not wait until next August to repair the damage to the street/sewer infrastructure. It was decided Ms. Burger and Mr. Hynes to work with ACE regarding this project.

TOWN HALL ~ Anne Rust Aurand  
New Town Hall

Ms. Aurand stated the second walk through is scheduled for Thursday, September 28, 2006. Footings are in place for the exterior signage. All offices are currently operating out of the new Town Hall. The building will be dedicated on Sunday, October 8, 2006, at 1:00p.m. with an open house to follow.

Old Town Hall

The Community Focus Fund Grant was submitted on September 22, 2006, with the award to be announced in December 2006. If awarded, reconstruction work would begin in February 2007.

The next NBC meeting is scheduled for October 2, 2006.

The Town of Newburgh will be receiving a check in the amount of \$21,000.00 (from the Major Moves Fund) to be deposited in the Motor Vehicle Highway Fund.

ARTS PAVILION ~ Bill Kavanaugh  
No report.

VETERANS MONUMENT ~ Shari Sherman  
Ms. Sherman stated the park will be dedicated on November 11, 2006. The committee is currently working on the program with the American Legion.

KIWANIS FIELD ~ Anne Rust Aurand

Ms. Aurand encouraged the Council to reach a decision regarding this project. Mr. Kavanaugh stated four (4) options were being explored: move Kiwanis to Amax Field or choose one of the three (3) plans submitted by the Kiwanis group. It was decided that Ms. Burger will contact Mr. Himebaugh and the Warrick County School Board to schedule another meeting.

ZONING ADMINISTRATOR ~ Frank Hijuelos

Mr. Hijuelos attended an HPC workshop in New Harmony on August 25 and 26, 2006. David Wills also attended this workshop.

On September 13, 14, and 15, Mr. Hijuelos attended an Indiana Association of Flood Plain and Storm Water Management conference at Brown County State Park. He reported that FEMA maps are currently being updated. MS4 issues were also addressed during the conference.

CLERK-TREASURER ~ Becky Gentry

No report.

TOWN ATTORNEY ~ Tom Bodkin

No report.

TOWN ENGINEER ~ David Hynes

Powers Place force main replacement is approximately 80% complete.

The Master Lift Station dedication will be held on Friday, October 20, 2006, at 3:00p.m. The plaque is scheduled to arrive on October 9, 2006.

TOWN MANAGER ~ Cynthia Burger

Ms. Burger reported that due to the rapidly rising river, the dock has been under water.

ALCOA/Warrick Operations will be hosting their annual environmental open house on Wednesday, October 4, 2006, at 1:00p.m.

UNFINISHED BUSINESS

1. Fiddler Fest Equipment...from September 13, 2006  
Continued until October 11, 2006.

2. 2006 Paving Bids...from September 13, 2006

MOTION by Ms. Sherman to approve the Notice of Award to Metzger Construction in the amount of \$101,369.30.

SECOND by Mr. Moore.

DISCUSSION: Mr. Hynes stated the bid included milling on specific streets. He stated he would provide a dollar amount at the next meeting regarding the cost to mill all streets.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to approve the agreement between the Town of Newburgh and Metzger Construction.

SECOND by Mr. Hughes.

DISCUSSION: Mr. Hynes stated the agreement is a unit price bid that allows the contractor to do emergency repair, if needed.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to approve the Notice to Proceed for Metzger Construction.

SECOND by Mr. Hughes.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

3. Wm. Moore ~ Re: Sycamore Street Petition...cont. from September 13, 2006

Ms. Burger and Mr. Moore recently met with the pastor of the church on Sycamore Street to discuss parking along Sycamore Street. Parking has become an issue for the church and surrounding property owners due to a growing congregation. The church has increased parking and recently purchased a van in order for church members to be shuttled. A meeting will be held between members of the church, property owners, Ms. Burger, and Mr. Moore to further discuss resolution of the problem.

#### NEW BUSINESS

1. Contract Between the Town of Newburgh and American Consulting, Inc.

MOTION by Ms. Aurand to approve and re-execute the contract between the Town and ACE.

SECOND by Ms. Sherman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

#### MISCELLANEOUS BUSINESS

Ms. Sherman stated the recent IACT conference was both educational and informative.

#### PETITIONS AND COMMENTS FROM CITIZENS PRESENT

None

#### APPROVAL OF CLAIMS

MOTION by Ms. Sherman that all claims, including any sewer adjustments, be paid.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

#### ADJOURNMENT

MOTION by Ms. Sherman to adjourn.

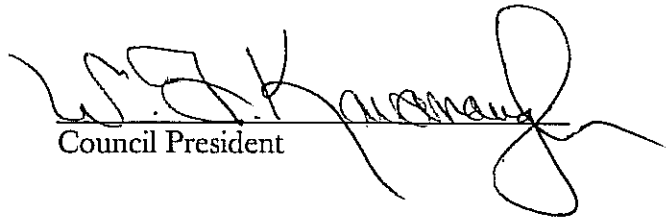
SECOND by Ms. Aurand.

DISCUSSION: None

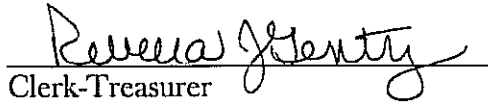
MOTION carried ayes 5, nays 0.

APPROVED this 11 day of October, 2006.

Newburgh Town Council

  
Council President

ATTEST:

  
Clerk-Treasurer

September 27, 2006

Maple Lane of Newburgh, Indiana is off of Hwy 662 just behind the business of Treasures and Pleasures. Our road is a dead end road which runs South to North and is approximately .25 miles in length. We have one main ditch that is located not quite in the middle of the length of the street. It is more towards the south end of the road. This ditch runs from east to west. The water from this ditch then goes into a not very large enclosed drain that runs the width of Windsor Pointe subdivision. And it does appear that there could be at least one garage and a house that were built over this enclosed drain. (THIS SHOULD NEVER HAVE BEEN AN **ENCLOSED DRAIN UNDER THIS SUBDIVISION** – IT SHOULD HAVE BEEN AN OPEN SWALE THAT WOULD HAVE EMPITED INTO THE ELLERBUSCH ROAD DITCH.) This drain then empties into a ditch running north to south along Ellerbusch Road. The water runs south down the ditch on the east side of Ellerbusch Road. The water runs through a metal culvert under a rock driveway (at this point the water appears to be running pretty well) before it reaches a second culvert at Casey's Gas Station. This culvert is under their driveway into the store's parking lot. The water is **very** backed up at this point. Then the water continues through a concrete culvert which runs under Hwy 662 to then empty into a very deep ditch still running south towards Mulzer Crushed Stone. This deep ditch on the south side of Hwy 662 could be taking on much more water and faster. But the bottleneck of water at Casey's seems to be an issue. And, while we know that this is not the only issue that we are dealing with, as we get rain run off from many locations to the east of Maple Lane, but it would seem that a fix here could help us.

Now, let's talk about Windsor Pointe Subdivision – remarkably most of their properties at the east of this subdivision have been built way higher than the properties behind them (These are the properties on the west side of Maple Lane.) Thus putting Windsor Pointe property owners watershed in our backyards which leads to more flooding issues. There is not a significant ditch at all running between the properties of Maple Lane and Windsor Pointe.

Maple Lane flooding tends to occur in driveways, front and back yards and garages from the South most point of the road to a little more than halfway down Maple Lane. 706 Maple Lane has had the floodings in their base-ment, 5755 Maple Lane and 5733 Maple Lane have had the floodings perilously close to coming in their homes, 5699 Maple Lane has had water from the floodings two times in their bottom level of their home (and this is not a basement level; it is just above ground level). 5677 Maple Lane has the south side of their yard at the ditch and the ditch is eroding away their yard. And, this is just to name a few of the flooding issues on our road.

Both the south end of the road and the north end of the road are built up high enough that they are not under flood waters. However, the middle parts of the street is where the water has been at least 18 – 24 inches deep or even possibly higher at times. So we have people who are determined to drive north on the street to reach their dry driveways and houses and most of the time at a high rate of speed to make sure that they get through the flood waters. This then sends waves that just aggravate the flooding for the homes that are already having issues even more. Or they live at the North end of the street and for some reason need to leave during this time and the same sending of waves happens again and in the very same way. PLEASE, PLEASE, PLEASE a 'Road Closed' sign would be wonderful!

# WEST SIDE OF NEWBURGH PRELIMINARY DRAINAGE INVESTIGATION

September 27, 2006

## I OVERVIEW

- A. OVERALL AERIAL MAPPING
- B. STREAMS
- C. DRAINAGE BASINS

## II PICTURES OF FLOODING

- A. ELLERBUSCH ROAD LOOKING NORTH AT CASEY'S CONVENIENCE STORE ENTRANCE
- B. ELLERBUSCH ROAD LOOKING SOUTH AT INTERSECTION WITH S.R. 662
- C. ELLERBUSCH ROAD LOOKING NORTH ALONG WEST SIDE OF WINDSOR POINTE SUBDIVISION
- D. ELLERBUSCH ROAD LOOKING NORTH AT INTSECTION OF WESTBRAIR DRIVE –
- E. MAPLE LANE SUBDIVISION
- F. CULVERT DISCHARGE AT INTERSECTION OF ELLERBUSCH ROAD AND S.R. 662
- G. DITCH AT CULVERT DISCHARGE SOUTH OF INTERSECTION OF ELLERBUSCH ROAD AND S.R. 662

## III COMPLETED DRAINAGE BASIN IMPROVEMENTS

- A. REMOVAL OF OVERGROWTH AND DEBRIS NEAR DISCHARGE INTO OHIO (2005)
- B. REMOVAL OF TREES AND BRUSH NEAR CASEY'S CONVENIENCE ENTRANCE (2005)
- C. STATE HIGHWAY IMPROVEMENTS (2004)
- D. REPLACEMENT OF PORTER CULVERT ALONG ELLERBUSCH ROAD (2002)
- E. KNOB HILL MOBILE HOME PARK RETENTION POND (1997)

## IV HYDROLOGIC/HYDRAULIC STUDY

- A. MODEL USED TO PREDICT FLOOD LEVELS
- B. IMPROVEMENTS CAN BE SIMULATED IN MODEL
- C. SELECTION OF OPTIONS, PLANS AND SPECIFICATIONS DEVELOPED
- D. LAND ACQUISITION