

SPECIAL BOARD MEETING OF May 13, 2009

Present: Mayor Don Mullen, Vice Mayor Amy Patterson, Commissioners John Dotson, Hank Ross, Larry Rogers and Dennis DeWolf.

Staff Present: Town Manager, Jim Fatland, Town Engineer/Public Services Administrator Lamar Nix, Zoning Administrator Joe Cooley, Recreation Director Selwyn Chalker, and Planning/Development Code Enforcement Official Josh Ward.

1. Call to Order

Mayor Mullen called the meeting to order at 7:00 P.M.

2. Stormwater Improvements at Kelsey Hutchinson Park

This agenda item has been reviewed by the following:

- Public Works committee on April 27, 2009;
- Joint Meeting of the Recreation and Kelsey Hutchinson park committees on April 28, 2009;
- JP Johns, P.E., McGill Associates on April 20, 2009;
- Joe Cooley, Planning and Zoning Director (review on parking impact);
- Matt Shuler, GIS/Engineer Technician (preparation of proposed park design);
- Selwyn Chalker, Parks and Recreation Director.

The Town of Highlands was notified by the Clean Water Management Trust Fund (CWMTF) that it was awarded a grant for stormwater improvements for Kelsey Hutchinson Park but the CWMTF subsequently notified grant recipients that the funds were withdrawn due to state budget problems. Grant recipients were then notified that they could resubmit an application for Federal Stimulus Funds under the American Recovery and Reinvestment Act of 2009 (ARRA). In addition, if unsuccessful under the ARRA, high priority would be given in the next grant application round of the CWMTF. The Town Board approved the design contract with McGill Associates, P.A. at their regular scheduled meeting on April 15, 2009 for an amount not to exceed \$28,000.00.

Serious flood problems have been an ongoing in the Pine and Fifth Street areas. To address this problem, closing of Pine Street will provide the necessary surface area to expand stormwater detention (double the capacity) and at the same time provide an additional area for the development of a downtown park.

Subsequent to the Town Board action, McGill Associates Engineer, JP Johns met with the Town staff and discussed alternatives to address the stormwater issues in the Pine Street area. Three (3) options were presented for consideration. Based upon that analysis, the staff recommends the following:

1. Expand the stormwater detention area by closing Pine Street; providing one way street access from U.S. 64; expand the area for the development of a much improved Kelsey Hutchinson Park for the downtown;
2. Approve a resolution authorizing the application for Federal Stimulus Funds for stormwater retention at Kelsey Hutchinson Park; and
3. Approve a \$5,000.00 increase from \$28,000.00 to \$33,000.00 to McGill Associates, P.A. design contract for larger stormwater detention at Kelsey Hutchinson Park. It should be noted that the design contract includes the preparation of the grant application.

Mayor Mullen advised that JP Johns of McGill Associates, P.A. would give a presentation and at its conclusion the public would be invited to speak. Mayor Mullen also requested that the public keep their comments to two (2) minutes.

JP Johns presented the Town Board and the public with his presentation and provided a comparison on the available area to install an underground stormwater detention system at the site of the Kelsey-Hutchinson Park. To meet the requirements of the CWMTF Innovative Stormwater grant, the proposed underground detention systems called the Rain Tank Stormwater Management System was explained. This system could maximize the available area for underground detention due to its modular construction, cube geometry and low clearance. It was explained to the Town Board and the public that the Rain Tank system is not designed to support traffic loading from vehicular traffic, heavy loads, etc., thus the reasoning for closing Pine Street in addition to expanding the stormwater detention area.

McGill Associates prepared the proposal for designing, implementing and monitoring innovative stormwater best management practices for the proposed stormwater system for the proposed Kelsey Hutchinson Park at Fifth Street and Pine Street. The innovative practices include a hydrodynamic separator box which would trap pollutants and an underground detention system. JP Johns further stated that the proposed system would help improve the water quality in Mill Creek as the state has identified it as an impaired water body.

Where it is currently situated, Pine Street and the current grassy area is available for stormwater management. Based upon existing conditions, the available area for the underground detention system is approximately 8,740 square feet. If Pine Street were to be closed to traffic (not relocated), the asphalt removed and utilized for a park, the area available for underground detention would be approximately

17,820 square feet. This would more than double the existing available area for stormwater management. If Pine Street were to be relocated the area available for underground detention would be approximately 7,035 square feet.

JP Johns further explained that the Rain Tank system provided up to 95% void area for storage volume and is also an innovative alternative to the traditional pipe systems. The Rain Tank system has light weight panels and can be shipped assembled or unassembled for additional savings. The system can be built around utilities and other obstructions.

The original plan presented to the Board was to move Pine Street but that would have little effect on stormwater retention. The revised plan which would be more costly would involve the closing of Pine Street but would allow the doubling the stormwater retention to what is called a 20 year six hour storm which could produce up to 5.5 inches of rain.

With regards to closing Pine Street, a parking study was conducted however the public did question its accuracy as it did not take into account church activities and the study did not include when church services were being held.

The public portion of the meeting was opened and numerous residents spoke against the closing of Pine Street. The following members of the public addressed the Town Board: Barbara Cusacks, Cynthia Strain, Debbie Grossman, Father Dean Cesa, Pastor, David Wilks, John Schiffli, Ashley Harllee, Gail Knorr, Ralph Stevens, Ashley Walker, Hillrie Quinn, Hue Dillingham, Mark Pittman, Katherine Willoby, John Cleveland, Charles Cooper, King Young, Winn Cleveland, Lloyd Wagner, Arthur Paoletti, Sharon Anderson and Sabrina Hawkins. The majority spoke in opposition of closing Pine Street but understood for the need for additional green space, understood the necessity for something to be done regarding the flooding and improving the water quality but stated that there were possibly alternatives in lieu of closing Pine Street.

The Town Board was advised that Pine Street is a much used street within the Town of Highlands and that the closure/loss of that street would affect business, traffic patterns and parking. Cynthia Strain inquired why none of the local business owners were contacted and stated that the "locals were being ignored". Several speakers stated that instead of closing Pine Street, that moving it could be a viable solution. It was also suggested that the detention system could be used in the area as is and not close Pine Street. It was also asked of the Town Board if the grid system could be used somewhere else and as the Town Board to look at other options.

The public portion of the meeting was closed.

After questions from the Town Board and additional comments from the public, JP Johns stated that the park could stay as is and still be used for water detention.

Commission Ross moved to table the issue presently before the Town Board, to keep Pine Street open and to look at the capacity of storm water detention, seconded by Commission DeWolf, and the Town Board unanimously voted in favor of tabling the issue.

Vice Mayor Amy Patterson acknowledged that the Town would not meet the June 3, 2009 deadline, acknowledged that there is a flooding issue, that Pine Street is used but there are other ways to deal with Pine Street and there is a need to look at every viable alternative. Vice Mayor Patterson further stated that it is necessary to increase water quality.

Town Manager Jim Fatland suggested to keep Pine Street as is and do the system in the grassy area presently there.

Mayor Mullen thanked the public for their interest and comments.

3. Adjourn

As no additional action was taken, the Town Board moved to adjourn at 8:55 m.

James R. Fatland
Town Manager

Jane J. Capman
Recording Secretary

Don Mullen Mayor