

**TOWN OF ROCKY RIPPLE  
TOWN COUNCIL MEETING  
MINUTES OF 10-MAR-2015**

Town Council Members/Support personnel in attendance were:

Carla Gaff-Clark  
Robert Tomey  
Mandy Redmond  
Mike Kiefer  
Joe Tasanovich (interim secretary/treasurer)

Carla called the meeting to order at 7:30 p.m. The first order of business was to recognize new Town Councilor Mandy Redmond, who was appointed to complete the term of former Councilor Brad Barcom on 27-Feb-2015. It was then announced that the focus of this meeting would be a question and answer session regarding the Westbank Alignment flood control project with DPW project coordinator Mike Massonne and Butler University representative Ben Hunter.

**Note:** A pre-town board meeting question and answer session was held from 6:30 to 7:30 pm for town council members to share with residents and other interested parties information regarding what is currently known about the Westbank alignment and the past history of proposed flood control projects in Rocky Ripple. An informational letter about boring that will be performed along the canal to support the feasibility study for the Westbank alignment had been prepared by Mandy Redmond and distributed in hard copy and electronic copy to residents prior to the meeting. (See attached copy.)

Carla introduced Mike Massonne. Mike stated that he last visited Rocky Ripple in the fall and he did not have much more to report than he did at that time. Let me talk about the feasibility analysis that was done, which some of you received a letter about. We are awaiting permit from DNR for the clearing of trees along the Warfleigh levee to certify that area. Then will go to FEMA and representative Brooks to solicit their assistance. The Midtown report that Tom Healy put out contains a map with all affected areas. FEMA might listen to us if we suggest map changes. We are proposing to do that while we still work on the south end and determine where that will tie in and finish up. City believes there are two levee projects – one federal and one local. The federal project is the Westbank alignment. Feds will not participate in repairing of levee along the river. It is a local project and city has accepted that.

**Feasibility study:** The environmental study most recently completed by the Army Corps of Engineers (ACE) was for an east wall along the canal, know as the Westfield alignment. On December 8, 2013, the city asked the ACE not to pursue this because city groups had asked DPW to look at the west bank alternative. The Indianapolis Department of Public Works (DPW) does not think the ACE plan was complete. This is similar to what was done for Rocky Ripple in 1996 – a line drawn on paper but not the actual engineering feasibility of constructing a levee. There is no report that documents feasibility for the river or for the Westfield Blvd alignment. ACE agreed they would do that, but it has not happened yet. ACE has approached headquarters to get authority to work with the city for completing the Westbank feasibility study. However, approval has not been received. The City will proceed either way. The city will complete soil borings and will delineate repair areas for wetlands and look at property and impacts.

The city is not asking for construction at this point – just let us look at west bank and canal and properties that may be impacted. Mitigation is possible. This may displace people. We realize this greatly affects the community – you have had to live with this much longer than I have. We believed the feasibility could be done by July, but due to weather conditions, this is delayed to at least August. As stated, letters were sent to impacted residents to give them opportunity to agree, but city will proceed whether or not agreement is received. The contractor hired to complete the borings/survey has been instructed not to close the entire length of towpath and to isolate machinery on side of towpath so that it is still usable. They can bore 60 feet a day. Most borings will be 25 to 30 feet deep. They are looking to see what the soil looks like; how it is stratified and what kind of weight will it support; will also see what the sub-surface water flow looks like (water that flows through the ground).

### ***Questions and Responses:***

#### **What would make the Westbank area not feasible to use (Carla)?**

Mike does not know what the feasibility study will tell us; he wants to wait for data before determining an answer to this question. It will be a collective decision by technical people at DPW. Feasibility analysis will be a decision making tool for the city and for the ACE. It is not Mike's personal decision. Until analysis is done, we will not know.

#### **City previously said they would design it, even though the ACE said it was economically non-viable and would make it work on West side of canal – correct? (Robert)**

Westbank would be considered by ACE if agreement with city is approved. ACE has to be authorized. Then a contract between ACE and city would be developed. City is paying for the services now. ACE looks at it as a locally preferred option that meets a cost ratio of 1 or better. City picks up cost of design and feasibility. City would pay for construction over and above what ACE would pay for Westfield alignment if ACE agrees to participate in Westbank Alignment project. That occurs if ACE is authorized to participate.

#### **Locally Preferred – who prefers – the city? (Carla)**

(Not by Rocky Ripple per Carla.) “Locally Preferred” are technical words per ACE. Locally preferred is ACE terminology to refer to moving the allocated \$14M to something other than the

east side/Westfield Blvd alignment. \$14M to Westbank would be referred to a “locally preferred” alignment.

### **What is the Citizens Energy preference (Robert)?**

*Per Mike Massonne, Citizens Energy is concerned about water supply. Robert explained that the canal has \$0 value in the previous assessment by ACE. Per Robert, this needs to be challenged. Canal has value and so does Rocky Ripple. The money is allocated to city of Indianapolis so Robert does not understand how city is doing this project in Rocky Ripple. Per Robert, Mayor Ballard said he would not spend money on protection for Rocky Ripple and if this project does not benefit Rocky Ripple, we should take up a town council resolution to oppose this and get a ruling from the state. We need a state decision on how this project can proceed in Rocky Ripple without assisting Rocky Ripple.*

Mike stated we need to finish feasibility study and see what it says before making any further decisions. One item in scope of work is to look at the cost/benefit. The study won't be in the detail that the ACE did in theirs, but it may bring up new things not considered like the fact that the canal provides 60% of Indy's drinking water. The City is looking to push back if something was missed. This could be a game changer.

This could be done in a number of ways... if the City builds a federal levee, the City would ask for federal dollars to assist (for 75% of the cost). Another way that it can be done is for a local community to do a levee project as a local entity. Local entities that own the ground to manage their levee can hire engineers and design levee repairs to federal code (100 year flood plain). City could do this in conjunction with Rocky Ripple, but needs the federal money and the access to the land to do anything.

**Per Robert, the Westbank Alignment was the preferred project for the ACE, but it seems to be the city's job in pushing to move this to the west side of the canal. Is Citizens Energy willing to fund this section? Are Arts to Arts/Eli Lilly contributing to combine trail efforts with Westbank alignment? Is it true that the City will do this regardless of whether the ACE participates? (Robert)**

Again, we are proceeding with feasibility and working toward obtaining federal funds – a federally funded project is what the city is currently working on. We are trying to meet ACE requirements with borings and the study. This will be able to be handed over to ACE, if they agree to join with the City on this project. This will be a joint effort between DPW/ACE as of now.

**Appears we have two projects – the Westbank alignment and repair of the existing levee. Please speak to why 2<sup>nd</sup> project not being done concurrently with Westbank alignment?**

Last project for the Rocky Ripple levee was to look at the existing levee and identify affected properties. The city did this for the town because land has to be held in full by town in order to do any work.

**People own property on the river. Why would town have to acquire property on river, but not on the canal since adjacent property is held by private landowners? (Mandy)**

It does hold true on the canal as well.

**So then eminent domain could be performed along the river to have Rocky Ripple and all protected, just as is being suggested for the canal? (Mandy)**

The town could since it is under their jurisdiction. Town would have to acquire the property; then could proceed with repairs if there is funding to purchase the land and then to make the repairs. *(Per Robert, this would result in a large amount of taxes to be put on RR property owners.) Per Carla, city has never agreed to do a 300 year flood plain for RR. Per ACE, it would be 300 year code to meet federal requirement. It would be a 100 year elevation per local requirements.*

**A resident does not understand Westbank alignment vs. Westfield Blvd. – please explain.**

The Westfield Blvd. Alignment would cross the canal and would close with flood gates and close at high ground by Holcomb gardens. There would be no flood gates with the Westbank alignment. It would look like a flood wall terminating by Hampton drive on the south end of the tow path. The portion across Rivera is permitted and the City is waiting to determine funding levels before moving forward.

**How high would it have to go on the canal?**

Feasibility analysis will tell (between one and 10 feet).

**The Ohio River is much more powerful than the White River and homes directly on the river are protected; why can't something be done in Rocky Ripple without taking homes? It appears that all canal homes will be taken as part of the Westbank Alignment.**

The 2013 property survey identified 44 homes/properties that would be affected by the rehabilitation of the existing levee on the river. We can't surcharge upriver for downriver. The existing alignment was looked at. Either a structure would be affected or a septic tank would not be able to be kept on the property.

**ACE recommends east; city says west. Why not leave it on the other side?**

Same study said that 20 or fewer homes would be affected on the canal; this is less than half of those on the river.

**All of the proposals presented so far are detrimental to Rocky Ripple; why not going a different way?**

City asked ACE not to pursue Westfield Alignment because of the operation of gates and the requirement for continued water supply.

**What kind of gates or whatever would be used with the Westbank alignment? How would Rocky Ripple people get out in case of flooding? The City is protecting the canal but not Rocky Ripple.**

Mike stated he cannot address the City not caring about people being rescued in Rocky Ripple.

*Per Robert, if Rocky Ripple residents had to be rescued (with a FEMA certified wall above us) and the levee blew out we would be inundated and the City could consider us a danger to first responders at that point. They may condemn all of our houses. Further discussion in this direction was halted, as it was off track from the feasibility study.*

Mike Massonne stated that if it is a federal project, it would allow for road closures as needed during flooding conditions. Gates that are allowed for temporary closures include sand bags or bags filled with dirt. The river comes up slowly so there will be time to respond. These are tough questions.

**Resident Mike Mooney stated he wants honest human response to the following questions: What happens to our lives and homes based on these decisions? What do you see as the vision for this project as project manager for it? Say it is feasible, what happens to Rocky Ripple safety and homes? What happens if the City determines nothing can be built on the canal westside?**

Mike Massonne stated he will start with second question first: We can't make decisions until we have data. When we have it, we will review it and determine next steps. For question 1, in my November meeting with Rocky Ripple residents, we discussed why should Rocky Ripple support the Westbank Alignment. If we don't do it, there is no high ground anywhere to connect to if we don't do it on the west bank. We can build a certified levee on the west bank of the canal that will give you a low point north and high point south that Rocky Ripple can tie into for levee repair. This needs to be further discussed between Rocky Ripple and the City.

**Does it matter that RR is an incorporated town in terms of city's decisions on this initiative?**

Being incorporated allows the town to make some governing decisions- such as that of properties and land takings. Town can take measures to move it along. Town has been provided with guidelines of what they can do by the City. City wants to stay engaged to bring federal money to project.

**Can city look at things holistically and pay attention to residents' concerns and work together to come up with a plan that works for all?**

I got involved in 2011; I know there is lots of history prior to then. This is a very rich and beautiful area. There are opposing views on what area residents want – some don't want anything done; others want 300-year protection without disturbing one home or touching a tree. We cannot meet all these requirements. Land/trees will be affected if there is any levee improvement project.

**Initial problem to me seems to be the overall assessed value of Rocky Ripple. Was this done separately by ACE or by the City? (Joe Tasanovich)**

It is a separate ACE number.

**We are included in Unigov and city has certain responsibilities. It is questionable what Rocky Ripple responsibilities are. Joe T. questioned whether city has obligation.**

Rocky Ripple land is not city controlled. Rocky Ripple levee is not overseen by city.

*Mandy suggested this topic be tabled for a future discussion so that we have time for Butler University to answer questions.*

**Who are respected stake holders in this mentioned at last meeting with Rocky Ripple? Was told it was Butler Tarkington, Butler University, Citizens Energy. Please clarify.**

*Carla restated the concern and asked whether the idea of a wall on the east side of the canal is being abandoned because these “respected stakeholders” are valued more highly than Rocky Ripple houses.*

M. Massonne stated he did not mean any disrespect by his statements. There were folks clamoring around one another writing documents and sending to the ACE in opposition to this, including those stakeholders as well as Rocky Ripple.

Mandy stated that the Westbank project was not on the table as an option when the Westfield Alignment was suggested. Had it been, the Westfield Alignment may have been preferable.

Robert suggested that residents write their concerns to the director of DPW.

Greg Goodrich stated that City always makes promises and never follows through.

Carla suggested that Butler would now answer questions on where Butler stands with this project.

Ben Hunter, chief of staff for president. To your point our board of trustees the wetbank was not one of the considerations. Last time, the university commented they wanted option in yellow, not the yellow from the three. Resolution stated they wanted option to save Rocky Ripple that option still stands. Trustees will get an update in May and may issue a new resolution. To date, Trustees have not rescinded this resolution. We encourage the City to find a holistic solution. We have talked to our CFO about contributing to an Engineering study along the river alignment, which the university could invest in as a solution. We are willing to help on the local option because we have 75 acres of land in play. Development is another topic with regard to the flood plain, but that is a different discussion. We will be getting a quote to see about moving this option forward.

**Carla said we heard discussions that Butler was for a Westbank alignment – to confirm this is not true, correct?**

Yes, per Ben. We want a holistic solution that saves Rocky Ripple. If Town Council did not receive it, will forward this. We are open to local options, as well. How can we chip in if bonded out is an option.

**Is Holcomb Gardens being preserved as a historic site?**

Ben doesn't know.

**If local option were taken to fix river levee, would Westbank alignment be needed?**

No.

**Canal resident asked about her home and what she should do/plan for.**

Mike Massone reiterated that feasibility study needs to be completed, then we will be able to tell what is affected.

Rocky Ripple resident Dan Axler thanked Mike Massone and Ben Hunter for attending and suggested that we find a solution that does not take down any houses.

Ben has two additional non-flood related updates to report to town: 1) walking trails and lot hopefully are a benefit for Rocky Ripple. Took care of snow plowing in Rocky Ripple this winter. There are less cars parking there than last year. Butler is also building a garage to reduce parking in the lot and will be telling freshmen that cars are no longer allowed on campus. Parking garage and new campus housing was private equity funded. There will be mass transit options on Butler campus with Indy Go shifting purple line back on campus. Will have several bus shelters; this will occur in next six months. Ben agreed to share Engineering quotes for local feasibility option with Mike Massonne and the City, as well as the Rocky Ripple town council.

Carla thanked everyone for being at the meeting at 8:45 pm. Motion made by Robert to end meeting; seconded by Mandy.

Respectfully submitted by

---

Mandy Redmond