



**Storm Water Board
Public Meeting and Work Session Minutes
April 23, 2019 at 6:30 pm**

Call to Order: 6:32 p.m.

Pledge of Allegiance

Roll Call:

Absent Thomas Frick

Present Ryan Lisek

Present Daniel Enright

Absent Donald Oliphant, Town Engineer – CBEL

Present Tom Stevens, Public Works

Absent Robert Carnahan, Town Council Liaison

Present Tammy Bilgri, Recording Secretary

Others Present: Jill Murr, Town Administrator

MINUTES:

A motion was made by Ryan Lisek and seconded by Daniel Enright to accept the March 26, 2019 minutes as presented.

Thomas Frick	Ryan Lisek	Daniel Enright	Vote
Absent	Yes	Yes	2-0

NEW BUSINESS:

- A. Melissa Donaldson-6540 W 129th Ave.-It was recommended by the Town Council that Ms. Donaldson attend the meeting. Daniel Enright stated the Town Engineer and staff are currently working on this item. Ms. Donaldson stated she borders Krystal Oaks and has lived there almost five (5) years. The back of the property is constantly flooded with the water from Krystal Oaks. Krystal Oaks is built up so the water has no other place to go, but down to them. There is standing water year round. Daniel Enright has stated they have been out to look at this before and are aware of this problem and looking into a solution. Larry Goff, 6500 W. 129th Ave., neighbors with Melissa Donaldson, the back half hundred ft. (100') of the lot cannot use because it is so wet. Had trouble with basement flooding. Tom Stevens stated he has been out there to look at this. The water could possibly be diverted to a basin. Jill Murr stated Ms. Donaldson stated there were issues with neighboring properties as well. This is just a timing thing at this point trying to get the communications caught up. Kyle Wasserott, 6600 W. 129th Ave. They get it pretty bad all year round. Go through a lot of sump pumps because it is constantly running. Krystal Oaks was built up fifteen ft. (15') from when it was a corn field.

OLD BUSINESS:

- A. Barbara Peter-13437 Bluebird Ln.-Ms. Peter stated she was here two (2) months ago for the meeting and I left thinking something would be done. Two (2) months later still has a flooded back yard, nothing has been done but flags in the back yard. The first guy that came to my door asked if I was aware I had sewage in back yard. Ms. Peter discussed various

issues in the neighborhood, including neighbors flushing their swimming pool. She stated this was her fourth (4th) summer dealing with this issue. Ms. Peter looked through the Town Ordinance and did not understand, so she contacted an attorney. He went through them and stated basically it is the Town's responsibility to take care of it. She stated there is a clause, that says the cost toward the Town, a part of the Ordinance protects the Town from this, the Town could have served legal paperwork to the man north of me that has dammed up the yard, telling them that they have so much time to fix it and if they do not comply the Town can sue the person. She listed different agencies that would have been involved with the natural storm drain. There are laws that protect her from the toxic waste her neighbor has dumped in her back yard. She stated the Town should have come and taken water samples, she has pages and pages she can keep going through. The neighbor has built up the ground and put a garden in and it is causing the water to sit in her yard. She also brought up questions about neighbor's property lines. Before she obtains somebody legal, Ms. Peter is expecting for the Town to serve papers and give so many days to fix the issue. It is the owner's responsibility to maintain the easement. She is refusing to mow the lawn and maintain the property line until the problem is corrected, not legally her responsibility, she can get around it. Concerns with what is being flushed down the hillside when there is standing water and no rain. Jill Murr stated she will check with the Director of Operations as to the status of this project. Ms. Peter asked why no action has been taken and if she has to she will rip down the fence. She stated she has the legal right to protect her property, if the Town does not take care of it, and if that means she will dam up her yard on the south and east end to stop the water flow, that is what she will do. Daniel Enright stated two wrongs never make a right. Understand this was brought to our attention and we will not be out there tomorrow. If this is not corrected Ms. Peter will hire a lawyer. Tom Stevens stated he has been out there twice as well as Rich. Mr. Stevens stated he has seen water on the ground, but nothing being discharged. Daniel Enright stated he will work on this issue. Ms. Peters stated her privacy fence is all mud and she cannot walk back there.

UPDATE ITEMS:

- A. Jennifer Wilson-8337 W. 128th-Jill Murr stated the Engineer is putting together a couple of estimates for this project. No action has been taken, still looking at options. The driveway placement just east of the forty-two (42") pipe, the engineer is still working on. They are currently going through all the old easement files.
- B. Eric Johnson-12517 Marsh Landing Pkwy.-Jill Murr stated she and the Director of Operations met with four (4) property owners on sight a week ago. Have secured two (2) of the easements, working on the other two (2). All the neighbors are in favor of the project, and possibly making this a permanent easement.

PUBLIC WORKS PROJECTS:

Tom Stevens stated they have an ongoing project behind Zip Foods.
Jill Murr stated on Lake Shore Drive they rebuilt a manhole.

PUBLIC COMMENT:

Steve Zaluckyj, 14141 Rocklin, Woods of Cedar Creek. Last year they did a survey of the property that is being considered as a project to be conducted before July 1, 2019. Resident of Lot 5 and lady south of me here, we did sign proper paperwork for easements and have not heard what the decisions is. Want

an update. Jill Murr stated this was an all or nothing project, we could not get participation from all property owners. That information was shared with the Home Owners Association. Mr. Zaluckyj stated very disappointed did not hear anything. The problem is there are homes that have a basement and some have a slab, with flooding the homes with basements can sustain more damage. There has been some work done on the south side and some drainage was installed and that took care of that problem. Dan Enright stated that was between Lots 7, 8 and 13. Mr. Zaluckyj is on Lot 5 and only one with a basement, the storm sewer is between Lot 4 and 5. His property sits in a bowl. Dan Enright stated this became a moot point because of the fact that one homeowner would not sign on to having this work done on the lot next to the park. Mr. Zaluckyj stated those did not sign is probably six people, because they didn't want their yards torn up, they don't have a problem and we are talking about only one hundred feet (100'). We have the most to lose because of the basement. Mr. Enright stated he has been out there personally and agrees it is a problem, but what was brought before this Board was all the home owners had to sign for us to do this project. We cannot force someone to do something they do not want to do. Ila Gallagher, 14133 Rocklin, brought up they would have to pay for anything on private property. Ms. Gallagher talked about previous work done to her property. Mr. Zaluckyj does not understand why the other property owners had to sign. Mr. Enright answered this is all to be done on private property and we cannot do work without the easement. Sharon Fitzsimmons, 14143 Rocklin, stated she has five (5) houses draining her way and the water runs through her basement windows. Jill Murr stated without having the documents in front of her and with Don Oliphant not here, would recommend that staff reach out to Don and look at the project from the lots that are here present and see if there is a project we can still do. I remember the Board approved a project as a whole that was all inclusive project, that was the recommendation staff followed. Now that all parcel owners have not participated, we need to get a new recommendation from the engineer. We will need to review the files. The project was killed when we did not get all the signatures needed. Daniel Enright stated we even had a meeting in your subdivision and it was stated very matter of fact that everyone needed to sign this for this project to go through for recommendation to the Town Council. We were all shocked when we found out not everyone signed on. We worked this out to the best of our ability and now have hit a wall. We put a lot of work in front of any proposal we send. What else can we do, we are stuck. We will look into another plan. Discussion ensued on the neighbors that would not sign the documents.

Richard Thiel, Jr., 13513 Industrial Dr., Cedar Lake, IN. Has concerns with storm water and the amount of water that is still left on 133rd by Caseys. This can be two (2) inches deep at times, and stays icy in the winter. Concerned with storm water and new subdivisions. How involved is this Board in what is being approved with the new subdivisions. Daniel Enright stated that the Building Department handles this issue and makes sure the developer follows the Storm Water Ordinances. Some of these problems happened before the new ordinance. Mr. Thiel states he sees issues in the future with Summer Winds and now with Beacon Pointe West coming in. Both of those subdivisions are low. Jill Murr stated over the past couple years we updated the Storm Water Ordinance and all plans are reviewed by our Town Engineer, Don Oliphant. He is aware of the past issues. Ms. Murr suggested that the Board pass on concerns to the Plan Commission.

Irene Rokaitis, 13418 Cedar St., her house has a slope going towards her house. All the water from the street pours down and then it goes to a grate that goes under the garage and out some place. The water starts to pile up against the garage door and then starts going into the garage. This year we had trouble with the pipes freezing. The main problem is the water from the street comes down the driveway into the garage door. The grate that the water goes into by her house cannot hold the water. Tom Stevens

stated you have such a wide driveway and would almost need a berm. Daniel Enright stated we will take a look at this from a Public Works standpoint and possible engineering. This is private property, so not sure what we can do. It is up to the owner to make sure the property is draining properly.

Debra Howe, 13124 Wicker Avenue, having problems with drainage. The unit to the south was sold and there was an issue with the mail lady had come and said there was a problem. So the Town went out and filled it with stone. It is the culvert that goes into the road. Have been told this is public roadway, they were going to check into. The person that bought the property was before the Plan Commission last week, but has decided to drop the project. My problem is they were going to take care of the water issue, Bob Carnahan told her to come with her concerns. The drainage to the south is not draining, then on 131st that culvert is not draining and my front yard the water just sits there. The property to the north where the water is supposed to be going, all those culverts are either blocked or collapsed, so all the water is sitting on her property. Her sump pump runs all the time, the water has no place to go. Daniel Enright stated Wicker is Route 41 and that is a State Road, we will discuss this with Jill Murr and consult with the State. Ms. Howe asked what it would take to get a storm sewer there, but if the water has nowhere to go it sits on her property and is causing them problems.

Jennifer Wilson, stated is glad about the new ordinances but they need to be stronger, her property is perfect example with the road caving in now. She has a question when you notice something changing around you in the neighborhoods and the water is changing, the flow of the water, before it becomes an issue, what do you do? Do you approach the neighbor or home owners association? Daniel Enright stated if water drainage involves private property, this Board cannot do anything. If it is a public issue then we look at it. Discussion ensued about different areas and water issues.

ADJOURNMENT: 7:50 p.m.

PRESS SESSION: None

Daniel Enright - Chairman

Thomas Frick - Vice-Chairman

Ryan Lisek - Member

Tammy Bilgri, Recording Secretary

Storm Water Board Public Meeting – May 28, 2019 at 6:30 p.m.

The Town of Cedar Lake is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, please contact the Town Hall at (219) 374-7400.