



**Storm Water Board
Public Meeting and Work Session
Minutes
May 28, 2019 at 6:30 pm**

Call to Order: 6:31 p.m.

Pledge of Allegiance

Roll Call:

Present Thomas Frick
Absent Ryan Lisek
Present Daniel Enright

Present Donald Oliphant, Town Engineer – CBBEL
Present Tom Stevens, Public Works
Present Robert Carnahan, Town Council Liaison
Present Tammy Bilgri, Recording Secretary

MINUTES:

A motion was made by Daniel Enright and seconded by Thomas Frick to approve the minutes from the April 23, 2019 meeting as presented.

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

NEW BUSINESS:

None

OLD BUSINESS:

- A. Barbara Peter-13437 Bluebird Ln.-Tom Stevens stated the fence needs to be removed in order for us to do anything back there. Do not have access anywhere. Don Oliphant stated Jill Murr is working with the Town Attorney to see what can be done with the items currently in the easement. Don stated there originally was a rear yard swale. Not sure if we can reestablish grades.
- B. Melissa Donaldson-6540 W 129th Ave.-Don Oliphant stated this is the northern part of Lemon Lake Estates and bounds up against Krystal Oaks. There are two (2) large digressional storage areas that exist on some of these larger lots from Lemon Lake Estates, that definitely hold water. Believes a lot of these areas were there before Krystal Oaks. Krystal Oaks does have rear yard drainage inlets for the subdivision that are tied into the storm water sewer system that runs northwest into the pond and then west. There are easements on the rear yards as well and certain side yards have pipes, the closest one is a parcel and half down from the Donaldson property. There is an opportunity to drain these areas if the Board finds it necessary. Do not believe these areas cannot release into the existing storm sewer without some extension. To drain these parcels is to stick inlets in and connect to the Krystal Oaks system. Don Oliphant stated we would need easements to get into the low lying areas. Bob Carnahan stated that before Krystal Oaks was built the people in Lemon Lake Estates never had these problems. Some drainage work was done in the past. Don Oliphant stated there has always been an issue in this area. Discussion ensued on if there are drainage easements in that area. There is a fifteen (15') ft. easement in the rear yards of Krystal Oaks, there is an easement running up the side of Lot 30. There is a way we can do it, need easements from the property that doesn't have them. Some parcels in

Lemon Lake Estates are deeper, didn't know when that subdivision was platted that the developer bought parcels that extended that far. Obviously he didn't buy the parcels that Bob was talking about. Some are separate parcels, some are extended. Bob Carnahan stated there are storm drains in the road on 129th, could they possibly run it into the storm sewers. Don Oliphant stated the issue with that is we do not have plans for Lemon Lake Estates because it is an older subdivision. You need to make a grade where you are running a lot of pipe there is no rear yard structures, would need a larger easement down the side lots. Krystal Oaks inlets are relatively close to it, can get access at the property line. The older inlets tend to get clogged faster than the new ones. Can pursue cost estimates and options. The Board discussed possible solutions. This could become a Public Works project and would be contingent all legals.

A motion was made by Thomas Frick and seconded by Daniel Enright to get a cost estimate to extend the existing infrastructure.

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

Kyle Wasserott, 6600 W. 129th Ave., brought up concerns with the drainage ditch in the area. Don Oliphant stated he would look into it.

UPDATE ITEMS:

- A. Jennifer Wilson-8337 W. 128th- Don Oliphant asked Ms. Wilson to explain a new issue regarding the driveway. Ms. Wilson stated they didn't put any type of flare or curb, so everything comes down through her driveway and yard then to the ditch. The neighbor states the driveway is not her sons and he no longer has access to the road. Don Oliphant stated that is incorrect. Don Oliphant explained the previous drainage project and the driveway did not change more than a foot or two. Has been out there to look. Ms. Wilson stated Jill was going to pull the old chart. Ms. Wilson stated she does not have a curb and it is so flat that all the water comes down the hill through the driveway, through the yard to the ditch behind that comes from Havenwood. Don Oliphant stated there is a curb around the radius of the road and an inlet. Ms. Wilson states the inlet boils over and sends all the water through her property. She will send pictures to Mr. Oliphant of the inlet sending water through her property. Don Oliphant stated he would take a look at it and see what they can do. Ms. Wilson also asked for an update for the ditch that is caved in. The Board has three cost estimates. Don Oliphant recommended option 3 and gave a brief explanation of the materials and project.

A recommendation was made by Daniel Enright and seconded by Thomas Frick to send this item to the Town Council for cost review on Option 3, to be fixed in the near future.

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

- B. Eric Johnson-12517 Marsh Landing Pkwy.-Don Oliphant stated this item is moving along. Tim Kubiak met with the residents of the affected parcels. They were given all the temporary easement documents. Everyone was favorable to the project. There will likely be an extension to the pipe we installed two (2) years ago to collect sump pump drainage. With

that will need a permanent easement as well, so we were directed to put together those documents as well. There would be a swale cut on top of that pipe to catch some of the overland flow from the northeast that comes down the hill. Once everything is signed will come up with an option. Will likely be a Public Works project. This would be a pipe extension and one (1) catch basin located up to the north.

- C. Woods of Cedar Creek-Steve Zaluckyi, 14141 Rocklin. At the last meeting brought up the situation on Lot 5 drainage, discussed problems we had. The problems have existed on the lot I purchased since the construction took place. Attended a few meetings and didn't know what was done and now am familiar with it to speak about it and what can be done to resolve the problem. Mr. Zaluckyi stated his concern is greater than the neighbor because only unit with a basement. Last year got a letter for consent for temporary easement. A month ago I talked to Ken Sink, president of the association and brought up time is almost up to get something done. Mr. Sink stated they are not going to do anything because no one south signed the documents. This is not the answer was hoping for. We have a new lawn service and grass cutting is really a challenge. They cut the grass the best they could. Talked to Jerry Reiling and he is the vice president of the association and we spent time looking at the situation. Mr. Zaluckyj stated the neighbors that did not sign do not have a problem, the problem is just lot 5 grading and he continued to discuss possible solutions to the issue. Don Oliphant stated he spoke to Jill Murr and she asked him to look into a grading option versus a piping option and that is what I distributed to Board members. There is a way we can do it, that is only cutting maybe ten inches (10") max. Ila's foundation is lower than Mr. Zaluckyj according to the spot elevation. Sharon Fitzsimmons stated the water runs through her basement window. Don Oliphant stated the issue with grading is we would need a bigger easement, wider to be able to grade in the back. Before we requested a twenty ft. (20') easement and when we are done there would be no easement. The only reason we didn't do that before is that every lot as you head south is essentially the same elevation. You can only keep depressing so far to make that work. If only doing one lot we can make grading work. Don Oliphant stated the last project stated that if anyone said no the project could not proceed. If want to change, can make this work with grading, no piping. Discussion ensued on sump pump usage.

A motion was made by Thomas Frick and seconded by Daniel Enright to proceed with work on Lots 4 & 5

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

Wilbur Cox, 14230 Sherman-does not have an issue with this problem, but would like discuss the retention pond. Are all the ponds maintained by the Town, Don Oliphant stated no. Mr. Cox asked if the retention ponds are part of the underground storm water management system of Cedar Lake, in respect if we owned it and closed it off, then nothing would work. Don Oliphant stated it would harm the subdivision more than the overall system. Mr. Cox stated the developer has deeded the pond to the Homeowners Association, where it is not supposed to go. If we are being charged fees for the maintenance of storm water management and that is part of the system then it should go over to the people that require the improvements. Under their contract with the landscaper we are mowing it, we don't want the Town to have to mow it. The Home Owners Association does not want it to become overgrown. Want some direction on who to deed this too. Don Oliphant stated that over the last fifteen years (15) in most municipalities across the state, most detention basins are deeded to an HOA or POA.

Mr. Cox stated that if it is deeded to the HOA and they do not want it they are not going to pay the taxes for it and then it goes back to the county and the county will try to find someone to take it over and it will come back to the Town. Don Oliphant stated he agrees this is not a perfect system. There has been instances in Town where older detention basins in older platted subdivisions, such as Parrish Fields where it had lapsed into a tax sale and was bought by adjacent homeowners and they want to fill it in or do what they want with it. Over the last fifteen (15) years it has been precedent by the Town that new subdivisions that HOA are formed to maintain that. The Town will maintain public infrastructure in public right of ways, but they do not necessarily maintain detention basins. Mr. Cox continued to discuss ownership and maintenance of the pond. He asked the Board to consider making a recommendation to the Town Council for a solution. Daniel Enright responded he appreciates his concern for the property. Judging from how well public maintenance of private property is, I think you would have more complaints from you neighbors if the Town became responsible for the drainage ditch and mowed it twice a year. You are asking for me, not living in your neighborhood to mow your property. That would be the same as me saying I can't mow the grass in the back of my property, and code enforcement would tell me I have to do it. You are asking me to take care of a part of your property and maintain it for you. My recommendation is to do nothing that it stay with the homeowners association. Mr. Cox responded with every person in this Town pays \$10 a month toward storm water maintenance, mine is done, but now I'm paying for yours. New subdivisions don't need any new infrastructure, we are all paying for other people's problems in the Town. Discussion ensued on new subdivision versus old subdivisions and the new laws that are in place. Mr. Cox gave brief summary of how the platting process was created in the state. Don Oliphant stated that the storm water fee ordinance as it was written and increased over the last year and it does allow the benefit for having that basin is that it does allow for a reduction in your fee. A quantity reduction credit that your subdivision needs to apply for. This credit would apply to every home in the subdivision. Jerry Reiling stated they do not want ownership of the pond, they will continue maintenance. Discussion ensued on if the pond is catching water from other subdivisions. Daniel Enright stated before the development that property drained, the best recommendation was to add the pond to the plat.

PUBLIC WORKS PROJECTS:

Tom Stevens stated they have no big projects coming up. Catching up on current projects and clean up.

PUBLIC COMMENT:

Josh Strominski at 137th and Lauerman, the corner lot floods, unable to take care of property. Thought drain was being put in after sidewalks, but nothing has been done yet. Holds water all the time. Can't utilize the side yard. Was under the impression this was approved. Don Oliphant stated we have a plan together just trying to find funds to do, this was put out to bid and was very expensive. Mr. Strominski also expressed concern with an abandoned property at 8819 W. 137th. Don Oliphant suggested we send that to Code Enforcement. A brief review of the issue and plan was given. Don Oliphant stated he will try to get together with Town Staff to get an update. May help to rebid this. Mr. Strominski stated he had issues with trees dying and he thought they were supposed to be replaced. Don Oliphant stated he will review the plans.

Adam Minick, 13930 Hobart St., This all started because of our road, Public Works will not answer our calls anymore, so Ralph Miller suggested he come to this Board. We are trying to get answers on how to get our road repaired. The pot holes are so bad, and are being caused by a water issue. Bob Carnahan stated this was discussed at the last Town Council meeting, we borrowed money to do the roads so far.

Once we get some of that paid off, we will start other streets. Bob stated that Rich Kubiak stated they are going to fill it in with total patch and then chip seal the roads until we can get the money. Tom Stevens stated this road was worked on a couple years ago. Discussion ensued on sump pump drainage being run into the road and pipes were moved. Don Oliphant stated this is a bigger project, not just one house, would make it difficult to fix house by house. Some of the stuff we are doing now is a band aid and will not fix the problem in a long term scale. Don Oliphant suggested the Board send this to the Town Council to be added to the Capital Improvement Fund.

Roger Almaguer, Jr., 11033 W. 133rd Ln., having issue with drainage at the south end of the property line that runs through the culvert. The neighbor has a five inch (5") corrugated pipe that stubs out at the end of my property. Water just trickles through and doesn't have a chance to get to the sewer. This water floods half way into the property. There has always been a water issue. The Town has come out and tried to clean it. Tom Stevens said he will go take a look at it.

Pam Diaz, 9911 W. 136th Ln., concerns with the proposed Schilling Development. Next to the Army Corps Ditch. Since that project was done actually get more water in the basement then before. Concerned with water displacement that will take place when they put new homes in there. Don Oliphant stated this is probably more directed toward the Plan Commission, will not hurt anything. Ms. Diaz is concerned with the proposed detention ponds and they are at a higher elevation then their home. Tom Stevens stated during that last rain event, there were corn stalks in front of the grate and that did cause some of the problems. Are looking into options to make it better. Discussion ensued on flood zones.

Bob Carnahan, have given you four (4) copies, one is Bartlett Wahlberg Park, across the street need to excavate the dirt so the water can get off the road and into a catch basin. Then 142nd and Morse, has a brim and have asked them to grade that, so water gets off the road. Also Washington Street near the American Legion, needs to be graded to get the water to that ditch, talked to Tom about this and will be a unique problem. Then Cedar Point Park, on Morse across the street when it rains that water can't get to the culvert. So need it graded to run on the side of the road.

ADJOURNMENT: 9:03 PM

PRESS SESSION:

Daniel Enright - Chairman

Thomas Frick - Vice-Chairman

Ryan Lisek - Member

Tammy Bilgri, Recording Secretary

Storm Water Board Public Meeting – June 25, 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.