



**Storm Water Board  
Public Meeting and Work Session Meeting  
Minutes  
June 30, 2020 at 6:30 pm**

In accordance with the Governor's Executive order relating to COVID-19, in person attendance of tonight's Storm Water Board meeting will be limited. We have arranged a live stream of the meeting so those interested can view it from home.

The meeting is slated to start at 6:30pm. You can view the meeting via our website at <https://cedarlakein.org/view-town-meetings/>, then click on "View Broadcast" under the Live Broadcast. You must join the meeting through the link to participate during public comment.

Due to the unique nature of this meeting, the Town of Cedar Lake will accept public comment submitted electronically. If you have a question or comment about an item on the agenda, please email that question or comment to [jill.murr@cedarlakein.org](mailto:jill.murr@cedarlakein.org). Ms. Murr will ensure that all submissions are shared with the Board Members and that the submission will also be entered into the minutes of the meeting. Please keep your comments civil and constructive to the policy issues on the agenda.

Call to Order: 6:30 p.m.

Pledge of Allegiance

Roll Call:

Present Thomas Frick  
Absent Daniel Enright  
Present Ryan Lisek

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 Ryan Lisek and seconded by Thomas Frick to approve the May 26, 2020 Minutes as presented.

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

**OLD BUSINESS:**

- A. Justin Lattz-7320 W. 140<sup>th</sup> Pl.-Don Oliphant stated he and Tim Kubiak met with Mr. Lattz a few weeks ago on site. The major issue with this property is the ditch line is basically flat. He asked if we could dredge it a bit. In order to do that would need to take out trees that are twenty-four to thirty-six inches (24-36"), would cost \$1,500 to \$2,000 per tree. There is little we can do right now. We know what we need, this will most likely be bumped into a larger project. Will clean up what we can.
- B. Daryl Dust-13225 Colfax St.-Don Oliphant stated we had a conference call with him to let him know the direction we were going. He is getting drainage from the north and the west

- coming across Colfax into his property. Proposed to construct storm sewers, one under his driveway and one across his north property line and run a swale out to 133<sup>rd</sup>. Mr. Dust stated this is not acceptable, this will destroy oak trees. The Town raised the road three inches (3") and caused the problem. This would help me, but not the rest of the neighbors. They already took six and half ft. (6 1/2') of my yard. Don Oliphant stated we discussed that on the phone and it is a right of way. Tom Stevens stated the road was just an overlay, it was not raised three inches (3") the gauge was set at two inches (2"). The neighbors were complaining about the ruts. That was being used as a gutter system. Mr. Dust stated that was a huge mistake it ruined three (3) properties, there has to be a better system. Discussion ensued on other options. This will be sent back to the Town Council.
- C. Gail Labella-14016 Sherman St.-tied into item D.
  - D. Pam & Mark Alltop-14022 Sherman St.-Don Oliphant stated there are two alternatives. One to drain it out to 141<sup>st</sup> and a system that goes under Woods of Cedar Creek entrance drive and then west down into the creek. Second is dig a swale line north and daylight it on to open land. This is included in the subdivision master plan that would be a full reconstruction of roads with curbs and a storm sewer system. This would give us the ability to tie this into a larger scale capital improvement plan. This plan should be completed by the end of summer. Should have more information by the September meeting.
  - E. Robin & Jesse Albano-12836 Hess St.-Don Oliphant stated this is a legal question at this point. This subdivision was before the current rear yard drainage standards. Still trying to figure out who is responsible for repairs, should be a relatively easy fix.
  - F. 137th/Lauerman-Don Oliphant stated this is also included in the subdivision master plan. Birch Street will be included in the Noble Oaks plan.
  - G. Robert Hopkins-13137 Polk St.-Don Oliphant stated Mr. Hopkins had concerns with a new garage being built in the neighborhood and with it causing more flooding issues. Tom Stevens stated will be pulling out an old culvert and basin. Will either replace or update the basin. Don Oliphant stated that the new systems in that area were put in very low and as the lake level rises that entire system is under water. Paul Wietbrock, 13129 Polk, lives next to Mr. Hopkins and he is getting water in his crawl space. Discussion ensued about lake levels and flooding even when the lake is low. Don Oliphant stated those pipes will always have water in them, that area is very low. Mr. Hopkins stated when he added onto the house, he invested in putting in two storm sewers. Don Oliphant stated he would meet with the property owners.

#### **NEW BUSINESS:**

- A. Jacob Viehman-9208 W. 142<sup>nd</sup> Pl.-Jill Murr stated we had a conversation with him last week right before the meeting had been cancelled. Don Oliphant stated this has come up to a larger policy discussion. It has been the recent standing of the Board in the old preplatted subdivisions where there are no easements, that is it the homeowner's responsibility to put pipe in to Town owned storm sewers. In this case there is a storm sewer in the southeast corner of his property. It has been the policy of the Board to core a hole and it is the homeowner that would run the pipe at their cost. There has been discussion about a possible cost sharing with this type of situation. Ryan Lisek stated he thought these should be evaluated on a case by case basis, Tom Frick agreed. Don Oliphant stated we would like to do these projects once a year, toward the end of the year. Would be more cost effective

- to do a group at a time. These subdivisions were platted before the Town was incorporated. Mr. Viehman came before the Town Council before coming to this Board. He was told by a council member we would fix this problem assuming it was caused by the building of a new house. Based on the data we reviewed it does not seem to be the case.
- B. Martin Ryan-8320 Raven Way-Don Oliphant stated this is in Havenwood. There is a big ravine next to Mr. Ryan's house and has been dealing with this for years. There is a cross culvert that runs under Raven Way. There is a structure here that has a convoluted rebar grate that gets clogged with debris and fills up pretty quick. There is a twelve inch (12") pipe coming into the structure and a twelve inch (12") pipe going under the road. Thinks it is more a capacity issue than clogging. Twelve inch (12") is a little small for this raven. Could cap it, but then would force everything to go through the twelve inch (12"). Tom Stevens stated it is flooding Mr. Ryan's basement. Mr. Oliphant suggested possibly replacing the pipe under the road. Jill Murr stated we are doing research on this and we did find some old files, this was built in the 90's. Will need more research and will keep working on it.

#### **WRITTEN COMMUNICATION:**

#### **UPDATE ITEMS:**

- A. Dana Wheeler-12805 Cline Avenue-Jill Murr stated she spoke with Ms. Wheeler and the Cline Avenue roundabout project has solved her drainage problem. The water is being held on a neighboring property, if they ever develop the property the building department will watch and are aware of the issue. At this time she has agreed we can take this off the agenda and will let us know if there is a further issue. Public works will maintain the system.
- B. Prough-15004 Carey St-Sue Prough stated she lives in Lynnsway and moved in in 2017 and were fine till 2018 now they have water coming in the lower level. The issues began after the build next door, which is higher. Have contacted Diamond Peak and they stated the drains will be buried as soon as the construction is complete. When fence was being repaired found a sink hole, put in dirt. Fence company stated it was caused by drainage from house next door. When it is raining have to rush home to see if there is water coming in the partially finished lower level. The insulation is getting wet and you can smell the odor. Need some help, brought information to show all the dates they have contacted them. Ms. Prough gave a description of where the water is effecting the house with a heavy rain. Water is damaging things. Don Oliphant stated Tom Stevens and I were up there last week and there is a low spot in between your houses next to your ingress/egress window. It is beneficial that your downspouts are turned away, this is likely more of a building department issue. I will call Todd Kleven and Diamond Peak and see why he is not responding to you. The low spots need to be cleaned up. Ms. Prough stated she has the texts stating that after the build they would do that and they said no we didn't send that, so I printed it out. All this time I have been trying to be nice and send letters and pictures and they said she just complains about everything. Don Oliphant stated there is an inlet in the backyard on the northwest corner of the fence, so that shouldn't be happening so close to the inlet. Will continue to look into this and give Ms. Prough a call.

Ryan Lisek asked for an update on a property on Carey St.; Don Oliphant stated he is still waiting on televising video from Public Works.

Don Oliphant also gave an update on The Woods of Cedar Creek project and that will be sent out to quote in approximately two (2) weeks. Ila Gallagher, 14133 Rocklin, stated the reason she came today is her neighbor refuses to leash his dog and it knocked me down. You said I might lose my crab tree and I said that was ok, but if I lose the crab tree it gives the dog more room to come into my yard. The police went to their house and they refuse to leash the dog, hired a lawyer. Ryan Lisek stated I'm sorry to interrupt, but this meeting is for storm water and this is not the appropriate time. Ila Gallagher stated the last time she came to the meeting it was stated we were the next in line to have the work done. Don Oliphant stated we were granted permission about a month ago, we are getting the legal documents together. You will be notified before someone starts. Ms. Gallagher stated this does not pertain to her lot, but she is concerned for Sharon. On the other hand if I was mad about it, I could say don't take my crab tree down.

**PUBLIC WORKS PROJECTS:**

A. Robins Nest-nothing to report.

**PUBLIC COMMENT:**

Mark Deenik-10813 W. 134<sup>th</sup> Pl-Mr. Deenik stated that he has talked to Tom Stevens about this and he has been out to his property. Mr. Deenik gave a description of how the drainage is supposed to work in his neighborhood and stated the neighbor has filled in the ditch and it is completely gone. The water pools in the backyards and does not make it to the inlet. Mr. Deenik brought pictures to show the Board. This is a direct violation of the ordinance, that states no fill can be placed on the drainage easement. Brought to the Town in April, Mr. Deenik continued telling the Board his opinion and how things should have been handled. He was told that Don Oliphant was going to come and see if the additional fill was going to cause any issues, I don't care if it was going to cause issues, the ordinance states that nothing can be placed in the drainage easement. Don Oliphant stated he has been out to the property and does not think it is causing an issue after visiting the site twice. Mr. Deenik continued quoting the ordinance and explaining this issue in the area. Ryan Lisek stated we will put this on the agenda for next month and we will have time to go look at it. Mr. Deenik thanked Tom Stevens for always taking the time to answer his questions.

Elaine Edwards, 10535 W. 129<sup>th</sup>-there are four homeowners in Glen Oaks. We were here several years ago for this issue. The neighbors are blocking the drainage. It flooded each rain last spring. Tom Stevens stated the home owner has a restrictor, but that is on private property. Did go out and look at it, but was confused with the issue. Don Oliphant stated it is considered a mutual drain, it is a drain that effects a larger area. No they are not allowed to block that. This might be a code enforcement issue. Jill Murr stated will pull out old minutes and see what issue was in the past. Can check with the Town Attorney also. Ryan Lisek stated he will go out and take a look at it.

**ADJOURNMENT:** 8:05 p.m.

**PRESS SESSION:**

Storm Water Board Public Meeting – July 28, 2020 at 6:30 p.m.

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Ryan Lisek – Chairman

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Thomas Frick - Vice-Chairman

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Daniel Enright - Member

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Tammy Bilgri, Recording Secretary



*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.*