



**Storm Water Board  
Public Meeting and Work Session Meeting  
Minutes  
July 28, 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

Present 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

*\*Indicates member present electronically*

**MINUTES:**

A motion was made by Thomas Frick and seconded by Daniel Enright to approve the June 30, 2020 Minutes as presented.

Daniel Enright	Thomas Frick	Ryan Lisek	Vote
Yes	Yes	Yes	3-0

**OLD BUSINESS:**

- A. 137th/Lauerman-Don Oliphant stated this will be included in our Master Plan for the Birch Street system. Has informed the resident about this.
- B. Robert Hopkins-13137 Polk St.-Don Oliphant stated this is in Meyer Manor public works has done some cleaning of structures out there. Did give the resident my card to meet with them on site, but have not heard from him.
- C. Jacob Viehman-9208 W. 142<sup>nd</sup> Pl.-Don Oliphant stated we have discussed this being our potential kickoff for the 50/50 program of when we have these replatted subdivisions that

do not have any rear yard drainage. There has been some discussion to help alleviate the cost to the home owner and splitting the cost with them. Recommends a cap to the cost share and possibly notifying adjoining property owners to see if they are having a similar issue and we can tie them in at the same time to make this a more cost-effective project. Try to do these once a year. Daniel Enright asked if this issue is a Town related problem. Does not think these problems on private property should be our fix. Would like the Town Council to update the ordinance to include older properties. Don Oliphant stated no, this has always been a low area and believes this should be determined on a case by case basis with stipulations to the policy.

Bob Carnahan was experiencing technical difficulties and was finally able to join the meeting and had a few questions regarding the minutes, questioned the verbiage daylight. Don Oliphant stated that is correct.

Dan Enright stated he would make a motion for this Board to recommend that the Town Council amend their Ordinance to include old properties. No second motion dies.

Don Oliphant stated that would be difficult to enforce, you cannot force them to upgrade anything until they are doing an improvement to their home. Certainly, as new homes build on preplatted lots we have started looking at installing systems where feasible. This would need some discussion; we can try to work on this policy and bring it back to you. Ryan Lisek stated he would like to see what else is out there and what other neighboring towns have adopted. Would suggest we research and talk about it at the next meeting.

- D. Martin Ryan-8320 Raven Way-Don Oliphant stated this is in Havenwood. Mr. Ryan came to the Board concerned with the ravine west of his house and with clogging of the grate on the manhole, it is close to a ten ft. (10') drop from his house down to where a pipe crosses under Ravenway. Right now, it is a twelve inch (12") storm sewer that goes into a large forty-eight inch, sixty inch (60") manhole with an open rebar top then goes into another twelve inch (12") that ultimately goes under Ravenway and comes out to the ravine south. Believe the issue is the system is undersized, not really a clogging problem. This subdivision notoriously uses these ravines for detention. Upsizing this will create issues down the line. Havenwood was platted in the mid 90's and we do not have plans. Potentially we can cap that manhole and put a beehive on it to prevent some of the larger debris catching in it. Still researching this issue.
- E. Deenik-10813 W. 134<sup>th</sup> Pl.-Mr. Deenik stated the last phone call he received he feels this should be resolved. Don Oliphant stated this decision will be made by Tim Kubiak as to reestablishing the swale. The fill occurred on Lot 6, Mr. Knott's parcel, he has an outstanding deck permit with the Building Department, so Mr. Kubiak will talk to Mr. Knott the next time he calls in for an inspection. They will request it to be restored. Mr. Deenik requested the homeowner be notified in writing per the ordinance and would like to know the time frame the homeowner is being given. Don Oliphant stated he is unsure of the time frame. Jill Murr stated Mr. Kubiak will be reaching out to the homeowner, a letter has not been drafted. We are going to try to have verbal communication with the homeowner first. Mr. Deenik thanked Ryan for coming out to look at things and thanked Don for also coming to look. Mr. Deenik continued quoting the ordinance and discussing the issue to have it restored to its historic location. Don Oliphant stated we have not argued the fact that the neighbor did fill it in, and we do not agree with what was done. We have just tried to provide other solutions to restore the function. Ryan Lisek reiterated the first course of action is for Mr. Kubiak to personally contact the homeowner and if that does not yield results a letter will be written.

Mr. Deenik asked to be copied on all correspondence. Mr. Lisek stated he will reach out to Mr. Deenik when events occur. This will be moved to an update item.

**NEW BUSINESS:** None

**WRITTEN COMMUNICATION:** None

**UPDATE ITEMS:**

- A. Gail Labella-14016 Sherman St.  
Pam & Mark Alltop-14022 Sherman St.-Don Oliphant stated these will be part of the subdivision master plan for the Shades Subdivision. These are being looked at right now, we actually have the survey of the entire neighborhood, should be completed late summer.
- B. Robin & Jesse Albano-12836 Hess St.-Don Oliphant stated have provided information to the Town about the nearest inlet two (2) parcels up, this is Monastery Woods North. This was a time period prior to our current ordinance that requires additional inlets be in the rear yard. We are still waiting a solid legal opinion if we can have them do it or do it ourselves. Jill Murr stated she spoke to Tim Kubiak today and we will be doing that project.
- C. Prough-15004 Carey St-Sue Prough wanted to thank Ryan for coming out after the meeting to look at the situation. Ms. Prough referenced a picture showing the issue between two (2) other homes just like hers. Don Oliphant stated he met Diamond Peak out there and have several emails back and forth, looked at situation closer and discovered there are definite bellies in that line, low spots next to the ingress/egress window and another closer to the fence line. We communicated the problems and requested they be fixed. There are a lot of sprinklers that is not helping the situation. Todd Kleven from Diamond Peak stated he would get us an answer soon. Don stated Mr. Kleven did not recall any discussions with the homeowner regarding the basement flooding. Ms. Prough stated she has sent all the pictures to Diamond Peak in the mail. She stated she has had communication with Scott at Diamond Peak as well regarding the leak inside her home. They have stated they will be out and they never show. Will stay in contact with Diamond Peak and try to get a resolution.
- D. Elaine Edwards-10535 W. 129<sup>th</sup> Ave-Don Oliphant stated the waterway which we will call a mutual drain, there is likely not an easement over it, but it does service multiple parcels. We have sent a confidential memo to the Town Attorney to see if he agrees with the recommended solution to removing it. This is on private property. We tried to pull the subdivision plat for the properties west of Glen Oaks and it is showing as an unknown subdivision. Lake County did not have a subdivision plat for it and the legal descriptions are metes and bounds parcels, which means there is not an easement across the waterway. Because it is a mutual drain gives us a little more recourse for correcting something that can be impacting parcels along its limits. We are looking into if we have the legal authority to make the property owner remove the restrictor. Barbara Neeley spoke regarding a neighboring property between and they were required to put in a huge culvert to access the back part of their property where that drain goes through because that is what the Town required of them.

**PUBLIC WORKS PROJECTS:**

A. Robins Nest-No update

**PUBLIC COMMENT:**

Don Oliphant spoke regarding a property for Chuck Becker at 7513 W. 136<sup>th</sup> Avenue. This is a recurring problem; it is drained by a series of drain tiles in the rear yard that outlet to 136<sup>th</sup> Place. They wind their way to a concrete trough area. 136<sup>th</sup> Place was redone in the second round of capital improvement projects in 2009, but there was no storm sewer built in to that project. The existing storm sewer runs west and jogs down this public/private ingress/egress to the lake and dumps out, it is super flat and has to get back uphill in order to get back to the lake. The max size is fifteen (15) or eighteen (18) inch pipe and he has two (2) single four (4) inch or a single eight (8) inch drain tile that actually goes under his foundation. This has gotten a little better with the creation of Offshore Subdivision. This is a very bad low spot, do not know if there are any easements. The system is undersized. Will keep looking at this and will meet with Mr. Becker. Bob Carnahan stated there was some work done in that area. Possibly have Public Works camera the lines.

**ADJOURNMENT:** 7:21 p.m.

**PRESS SESSION:**

Storm Water Board Public Meeting – August 25, 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.*