



**Storm Water Board
Public Meeting and Work Session Meeting
Minutes
August 25, 2020 at 6:30 pm**

In accordance with the Governor's Executive order relating to COVID-19, we have arranged a live stream of tonight's meeting at <https://cedarlakein.org/view-town-meetings/>. You must join the meeting through the link to participate during public comment. If you have a question or comment about an item on the agenda, please email jill.murr@cedarlakein.org by 4 pm. Mrs. Murr will ensure that all submissions are shared and submission entered into the minutes of the meeting. Please keep your comments civil and constructive to the public policy issues.

Call to Order: 6:32 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 July 28, 2020 Minutes as presented.

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

OLD BUSINESS:

- A. Jacob Viehman-9208 W. 142nd Pl.-Don Oliphant explained that this is on private property and relates to a potential policy change we discussed at the last two (2) meetings. Typically it has been the policy of this Board in cases like this where it is all rear yard drainage constructed in preplatted subdivisions prior to any storm water ordinances with no easements or infrastructure it would be a homeowner issue. If there is a feasible outlet in the vicinity, we would core a hole and it would be their responsibility to tie into that. We will talk about the potential policy change at the end of the meeting. The change would institute a cap for a homeowner for a cost share program. Essentially, these are only recommendations, a cost share of \$10,000, 50/50 anything above that would be totally on the Town. The resident fee would be capped at \$5,000. Ryan Lisek stated lets put this discussion at the end of the meeting, as far as the Viehman property, it has always been a low spot in the back yard, that is how it has been on historical documents before houses

were built. Don Oliphant stated all the property prior to the house construction drained to the rear portion of their lot even twenty (20) years ago. Based on the research we have done it is our understanding the low spot has always been there. No easements or stormwater infrastructure back there. There is a catch basin in the right of way on the south east corner, that under the current policy we would essentially create a stub to that and run it to the right of way. It would be Mr. Viehman's responsibility to tie into it. Depending on the policy change will determine how we will manage the concern. The house has been there since 1978. Would need a temporary easement to construct then it would become a privately maintained system, becoming the homeowner's responsibility. If we don't have an easement, we don't have a project. Would still evaluate all of these on a case by case basis. Do not want to set precedent, if we do it once will have to keep doing it and that can get very expensive. The current policy states it is the property owner's responsibility when on private property. Dan Enright stated if changing the policy is going to change how we have done things in the past; he is against it. Ryan Lisek stated he feels given the current policy he feels this should be on the homeowner.

- B. Martin Ryan-8320 Raven Way-Don Oliphant stated Mr. Ryan's concern is a giant ravine next to his property, this is controlled by a twelve in. (12") pipe that crosses under Raven Way and heads south. There is an open forty-eight in. (48") manhole that has a rebar grate on the top, a lot of debris clogs this grate. Cannot find Phase one (1) plans for this subdivision, trying to find out if this was used as detention. Downstream subdivisions from Havenwood have had historical problems with flooding, do not want to open up that culvert and push the problem downstream and make it worse. Thinks it is a capacity issue versus a clogging issue. What was suggest to staff was to cap that forty-eight in. (48") structure and put a large bee hive on it to prevent the debris from clogging. This will not be easy to get that big of a lid down there, very steep and dangerous. Public Works will take the camera truck out and check the twelve in. (12") pipe.

NEW BUSINESS:

- A. Chuck Becker-7513 W. 136th Ave.-Mr. Becker has been dealing with this flooding issue since 1992, has been to the Storm Water meeting numerous times, they have tried fixing. Have a drain across the street, which is about a foot higher than my property, runs directly under the house. Mr. Becker continued to discuss the history of the drainage on this property. Has had to replace his furnace three (3) times, have three (3) sump pumps and cannot keep up. The water backs up into the crawlspace. Have tried to fix numerous times, but has not worked. Don Oliphant stated the plans from the roadway project from 2006-07, has the system in 136th that heads west and then south and then west down to the lake access. This system is dead flat, the structure that is on the north side of 136th Pl. that invert is the same as the invert before it, it is an eighteen-inch (18') pipe. Whoever said that system could not take on any more water was right. There is no conveyance, it is actually back pitched. Discussion continued on how the water runs and the different pipe that was run into the clay tile. Possible solutions were discussed on how to increase the capacity. Will have Public Works try to televise, will look into it further and check for an easement. Can try to run a model to see how much water comes through and what the capacity actually is.

WRITTEN COMMUNICATION: None

UPDATE ITEMS:

- A. 137th/Lauerman-Don Oliphant stated this is part of the Storm Water Masterplan. This will be tied into a singular system along Birch St./137th. If we can get funding, they will be able to do that system separately. Plans should be ready for review this week.
- B. Robert Hopkins-13137 Polk St.-Don Oliphant stated there has been no communication, suggested meeting out there, but have not received any phone calls. Will keep an eye on this until we here anything or we have a big rain event.
- C. Gail Labella-14016 Sherman St.
Pam & Mark Alltop-14022 Sherman St.-Don Oliphant stated they have completed the field check on this subdivision. This along with Noble Oaks will be up to the twenty percent (20%) plans to get utility coordination. Walked the entire subdivision, this will be designed similar to 137th/Birch. This will likely outlet into the Woods of Cedar Creek right of way system along 141st. This will be a complete system rather than just one parcel, this will be more efficient. Plan should be completed by end of summer.
- D. Robin & Jesse Albano-12836 Hess St.-Don Oliphant stated this is Monastery North, Public Works is working on the next couple lots to the north and that is under construction right now. The Albano's property will be next, extending a lateral north and then extending a lateral south to help some of the rear yard drainage concerns.
- E. Elaine Edwards-10535 W. 129th Ave.-Don Oliphant stated we have issued an interim memo to the Town Attorney asking for his legal advice on considering the drain that is in question routing from the Edward's parcel west through a parcel that has a restrictor on a culvert. We find this to be a mutual drain even with no easements through there. We are still waiting for his answer. Elaine Edwards stated we are waiting for an answer, just concerned with if we have another big rain.
- F. Deenik-10813 W. 134th Pl.-Bob Carnahan stated that area has definitely been filled in and needs to be removed, was told Tim Kubiak would talk to Don about writing a letter. Don Oliphant stated the letter has been written. Over the last month the subject parcel has an open deck permit, the plan was for when they called in for their final inspection that Tim would address it then. Since he has not requested that inspection, the cease and assist letter was drafted and it was ruled it should go on Town letterhead. It is being issued right now. Mark Deenik asked if the letter stated the location the drainage is to be established or will the Town be surveying and placing stakes for the location of the grade. Once again Mr. Deenik quoted the 2015 Storm Water Ordinance regarding failure to comply, he also thanked Dan Enright and Bob Carnahan for coming out to look at the issue. Don Oliphant stated we have not gotten to that level of detail. There is a deadline on this letter for the work to be restored. Will ask for it to be restored to original grade. Dan Enright stated he also checked out the property in question and it is definitely in violation.

PUBLIC WORKS PROJECTS:

- A. Robins Nest-Don Oliphant stated that is on the Town staff to contact the homeowner. Need an easement to go through that before recommended approval can move forward. Chuck Becker stated he is the HOA President and if there is someone you need help contacting,

would be willing to help. This is regarding the swale that was filled in. Don Oliphant gave a brief description of the project.

PUBLIC COMMENT:

Don Oliphant gave an update on the Wood of Cedar Creek project, notice of award went out today. We received one bid from Redbud Landscape Services for \$47,000 almost double our estimate, but Town staff gave direction to proceed. This will go before Town Council at their next meeting.

Dave Novosel- 10805 W. 134th Pl.-Have had Mark coming to the meetings working on this, sounds like getting close to a finish on this drainage problem. Living in house for twenty (20) years, this is the first year have had to have the lawn mower towed out of my yard because it got stuck. Never had flooding before. Do appreciate you working on this, if need anything do have pictures of them putting this in.

Susan Prough- 15004 Carey St.-Have water on the inside of the lower level and the issue between the homes. On August 10 had water running down the walls and the insulation getting wet. Todd Kleven at Diamond Peak stated it was the back door, at one point it was the fence company, on another point it was the landscaper. Maybe it is the back door, but seems odd it started when they built the house next door. Ms. Prough gave a description of some pictures she brought and the issues. Don Oliphant stated with the way the water is going into the house, the only way it can do that is it has to be getting in above your top foundation. Your finished grades along your side yard are typically eight inches (8") below it. This means it is coming in from your siding or from the door, somewhere above that. This is not related to surface water. That is beyond the limits of this Board.

Mark Deenik-10813 W. 134th Pl.-follow up question, can he get a copy of the letter being sent out for his file.

Ryan Lisek stated in regards to the Costello property in Lynns way according to Jill Murr this will be part of a larger project. Don Oliphant stated this is the pipe that is collapsing, waiting for televising from Public Works.

Mr. Costello-14736 Carey St.

ADJOURNMENT: 7:52 p.m.

PRESS SESSION:

Ryan Lisek – Chairman

Thomas Frick - Vice-Chairman

Daniel Enright - Member

Tammy Bilgri, Recording Secretary

Storm Water Board Public Meeting – September 22, 2020 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.