



**Storm Water Board  
Public Meeting and Work Session Meeting  
Minutes  
September 22, 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](mailto: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  
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

\*Attended via ZOOM

**MINUTES:**

A motion was made by Thomas Frick and seconded by Ryan Lisek to approve the August 25, 2020 Minutes as presented.

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

**OLD BUSINESS:**

- A. Jacob Viehman-9208 W. 142<sup>nd</sup> Pl.-Don Oliphant stated we have been recommended by Town staff to move forward with correcting this issue. In the process of putting together a cost estimate and plan. Will have ready by next meeting.
- B. Martin Ryan-8320 Raven Way-Eric Bosma stated we have the lid, need to go over to make sure we can get the machine in there. Will need to cut down some trees and then switch out the covers. Public Works is going to camera to make sure the lines are clear.
- C. Chuck Becker-7513 W. 136<sup>th</sup> Ave.-Don Oliphant stated this is south of Cedar Point Park and west of the new Offshore Estates subdivision down in this low spot. Public Works went out there and televised as much as they could, the main line was pretty clean but as they got back to the rear yard they were not in the best shape and were about a ten-inch (10") line running from 136<sup>th</sup> Place to the common lines between all these houses. There was an eight

inch (8") running west and east. It is a clear capacity issue. To those low spots we have roughly ten (10) acres of run off heading to ten-inch (10") pipes. Does not do really well when we have more than a soaking. Have asked Public Works to smoke test this, are not entirely sure where those lines go. This is a large project, would have to redo the whole system. Don Oliphant gave a brief description of a potential solution. Will need to be part of a larger project, not an easy fix. Would need curb and gutter to capture everything, will be not only a storm water issue, but a minor roadway improvement also. This is an old subdivision and would need to obtain easements. We can run the analysis to figure out what that has to be and get an estimate, but it will need to be a part of something bigger. Ryan Lisek asked if there are any projects in the next five (5) years that would address this subdivision as a whole? Don Oliphant stated these are included in the Subdivision Master Plan that is being put together right now. This would be part of the Miscellaneous Morse Corridor. There are seven (7) sections in that plan and two (2) have already been marked a higher priority. Cannot give a timeline at this time.

Chuck Becker, 6100 W. 136<sup>th</sup> Pl., Cedar Lake. Concern with adding curbs, there is a drain across the street that is a foot higher than the property that goes into a four-inch (4") drain cuts over across the road into the other drain which is an eight-inch (8") tile runs under the driveway and under the house. Mr. Becker gave a history of what is out there and he has been dealing with this since 1992. Don Oliphant stated they would cut it off. That is why we want to do the smoke test to see what is out there. Discussion ensued on drains in the area and possible solutions. Will look into it further and see what the next steps will be.

#### **NEW BUSINESS:**

- A. Nick Tieri-14806 B Carey St.-tied together with Letter B.
- B. Ronald Costello-14736 B Carey St.-Don Oliphant stated we have known about these failing pipes for a while. When these got installed, they did not properly bed the pipes or have the proper cover before they started running heavy equipment over and they crushed them. We need camera data to determine the limits of the issue, so we can put something together. Ryan Lisek stated he knows the Town has been working on this to see what is salvageable. Don Oliphant stated this is flexible pipe that is not very deep, but it is a big pipe. This is quick to go in and we do have an easement. Could run into some issues with fences and sheds in the easement, will have to contact all homeowners that it will be their responsibility to move them and replace them. Should have an update at the next meeting.

**WRITTEN COMMUNICATION:** None

#### **UPDATE ITEMS:**

- A. 137th/Lauerman-Don Oliphant stated this is part of the Subdivision Plan we are working on. We have a plan together for this and can start utility work. This will be coordinated with the Birch Street system.
- B. Robert Hopkins-13137 Polk St.-Don Oliphant stated Public Works did some work out there cleaning out some existing storm sewers and it has not rained a lot since that was done. Have not hear from Mr. Hopkins, has my phone number.
- C. Gail Labella-14016 Sherman St.

- Pam & Mark Alltop-14022 Sherman St.-This is also part of the subdivision plan. We are doing the Shades right now, which is their subdivision. It will have its own storm sewer turning back to 141<sup>st</sup> and then to Woods of Cedar Creek and out that way. Once plan is complete will bring back to the Board.
- D. Robin & Jesse Albano-12836 Hess St.-Don Oliphant stated went out to the subdivision last week, Public Works has installed a lateral north of the Albano's in Monastery Woods North to an existing inlet behind Hess St. Looked at the parcel and it has good fall across the rear part of the property. Did not see an issue out there, it was dry and the grass looked great. The parcel to the north with the inlet, they have actually installed a French drain type system. It is essentially a stone ditch line that runs all the way to the storm sewer that has a decent pitch on it as well. Do not see the issue. There is another house going in and they do have a sump pump coming out midpoint of their lot, will have to keep an eye on that to see if that will go north. Will watch this when we get more rain.
- E. Elaine Edwards-10535 W. 129<sup>th</sup> Ave-Don Oliphant stated we received a legal opinion based on the memo we wrote considering this drain/waterway on 129<sup>th</sup>. It is considered a mutual drain; we do have jurisdictional access to maintain it. We will notify Code Enforcement to have it removed, if they do not remove it, we will do it for them. This should progress over the next few weeks.
- F. Mark Deenik-10813 W. 134<sup>th</sup> Pl.-Don Oliphant stated we met with the homeowner, the Knotts out there a couple of weeks ago. Public Works is going to restore that ditch line. It is on their schedule, cannot give a timeline, will be this fall. It is on their schedule to restore that ditch line heading to the south and to the existing drain under 135<sup>th</sup> Pl. The owner of the property has been notified of that and we will reestablish that ditch line.

Mark Deenik, 10813 W. 134<sup>th</sup> Pl.-just wanted to ask and make sure that this will be restored in the back-yard easement on the homeowner's property in its historic location in line with the storm water inlet. Don Oliphant stated yes. Mr. Deenik stated this should only take six to eight hours (6-8) and we should look into contracting it out. Don Oliphant stated Public Works is very busy and it will be done sometime this year, we cannot give an exact timeframe. Ryan Lisek stated Public Works will get this taken care of.

#### **PUBLIC WORKS PROJECTS:**

- A. Robins Nest-Tom Stevens stated there are easement problems. This is a large project with no easy access. We have not heard from the property owner in about six (6) months.

#### **PUBLIC COMMENT:**

Mark Deenik, 10813 W. 134<sup>th</sup> Pl.-Regarding shed and fences in the easements, don't we have these ordinances in the book to keep these things from happening. Doesn't Code Enforcement drive around they can see those things and it would make our Public Works Department be able to operate more efficiently if they didn't have to deal with things like that. Don Oliphant stated fences are not necessarily allowed in easements, it is up to the homeowner to have them removed. Sheds are not allowed. Mr. Deenik stated throughout this process he realized his shed was thirty inches (30") in his easement, so he moved it. Don Oliphant stated Code Enforcement does not look for a problem, they go to places they

are notified of.

Dave Novosel, 10805 W. 134<sup>th</sup> Pl.-This is in regards to the Mark Deenik property. It was never answered why the Town cannot hire someone to do this project. Back yard is still flooding and keep getting stuck every time I cut the grass. Why are tax payers paying for this? I do not want to pay to dig his ditch that he filled in. Bob Carnahan stated he thought we were going to tell him he had to restore the ditch. Don Oliphant stated that is the agreement that Jill Murr, the Town Administrator and Tim Kubiak, the Director of Operations made when we were out there. This is a policy discussion.

Mark Deenik, 10813 W. 134<sup>th</sup> Pl.-They have been out there to meet with the homeowner for the restoration plan, why was I not included in this. I should be involved in the resolution. Mr. Deenik once again quoted the Storm Water Ordinance, If the owner fails to correct the deficiencies within the allotted time period the Cedar Lake Public Works Department may undertake the work and collect from the owner using lien rights. Discussion ensued on who would be responsible for costs. I believe Public Works will do the best job, would like it done timely. Don Oliphant stated he will take this concern back to Jill Murr, this is a policy decision.

Susan Prough, 15004 Carey St.-Have been told the water coming in is supposedly through the back door. The issue with the drain water from the neighbor that sunk our gate post, is still happening. There is an unbelievable amount of water during a normal rain. Still taking the drain water from the neighbor. Don Oliphant stated my contact Todd Kleven no longer works for Diamond Peak. My next contact is the President who is not as responsive as Todd was. We have been told from a development perspective to go through another developer to handle Diamond Peak issues now, which really complicates the issue. In terms of the fence, still working on this, but with Todd gone this will slow it down tremendously. Schilling Development and Diamond Peak are connected through family, so we have been told to go through Schilling now for our development stuff. Will keep working on it. We cannot help with the back-door problem. The goal would be to tie in your neighbor's and your down spot to a drain tile and run it to your rear yard, it would be a pop-up drain, but would keep the water away. There should be the fall for it, I hope they are willing to do that and it should dry up.

**ADJOURNMENT:** 7:29 p.m.

**PRESS SESSION:**

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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

Storm Water Board Public Meeting – October 27, 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.*