

Kuebler, David (CI-StPaul)

From: Kuebler, David (CI-StPaul)
Sent: Wednesday, July 16, 2014 3:18 PM
To: Kantner, Libby (CI-StPaul)
Cc: Saunders-Pearce, Wes (CI-StPaul)
Subject: RE: 1776 Yorkshire

Libby,

No time line was discussed. It would seem to me, based on how much the City impressed upon Mr. Lyubeznik the need to make the area safe and as well as Mr. Lyubeznik's desire to do the right thing, he would be moving forward expeditiously with determining a solution.

Thanks,
David

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From: Kantner, Libby (CI-StPaul)
Sent: Wednesday, July 16, 2014 2:46 PM
To: Kuebler, David (CI-StPaul)
Cc: Saunders-Pearce, Wes (CI-StPaul)
Subject: Re: 1776 Yorkshire

Thank you for the detailed update. Did you, Wes and the property owner talk about any sort of timeline? Wes- will you be my contact for updates going forward?

On Jul 16, 2014, at 2:36 PM, "Kuebler, David (CI-StPaul)" <david.kuebler@ci.stpaul.mn.us> wrote:

Libby,

Wes and I met with Mr. Lyubeznik and his wife this morning for an hour and a half. The conversation was respectful and it seemed the City's position, and his responsibility to finding a solution, was understood at the end of the meeting. Following is a brief summary.

Wes,

Let me know if I missed anything .

Site Conditions

- Barricades and caution tape have been installed at each end of the sidewalk area that is considered a "hazard". I have not determined who specifically ordered the installation but Mr. Lyubeznik stated it was the City.

- I tested the "hazard" area by walking on it and, even in what are commonly called deck shoes, found the sidewalk rather slippery. Slippery enough to agree with the installation of the barricades and caution tape.
- The discharge point for the sump pump is located on Mr. Lyubeznik's property, approximately 6 feet behind the sidewalk. The discharge pump is located next to the house approximately 25 feet from the discharge point.
- The discharge is a point discharge on private property. Once on the sidewalk the water becomes sheet flow, covering approximately the entire width of the walk.
- Almost the entire width of the sidewalk has a thin algae surface layer for approximately 20 feet linear to the sidewalk.
- According to Mr. Lyubeznik, the pipe from the pump to the discharge location is perforated.
- The amount of water coming from the discharge is significant when the pump is in operation.
- It appears that the rain gutters on one side of the house drain into the sump whereas the gutters from the other side of the house drain into an underground discharge pipe, possibly perforated, that is supposed to discharge via a "pop up" unit at grade. The device is not functioning.
- Grading in the back of the lot is such that if the discharge were located in the rear of the property the water would flow to a low "ponding" area between his property and that of his neighbor to the west.

Meeting summary:

- Mr. Lyubeznik wants to do what is right to make the sidewalk safe.
- Mr. Lyubeznik wants to do what is right by his neighbors by not draining water onto their property or creating ground water issues that makes their (the neighbors') ground water issues worse.
- The issue as referenced in bullets one and two above in the site conditions section has been ongoing since the house was built in 1995(?).
- The issue typically occurs only during the spring thaw. This year is exceptional due the volume of rain received in June.
- Mr. Lyubeznik was confused in that he believed the City would develop a solution for the situation. He now more fully understands his role and the City's role, with respect to ROW and the Department of Safety and Inspections, in the process of coming up with a solution. He is aware that DSI governs issues on private property whereas ROW governs issues outside of private property and that the City does not engineer solutions for issues on private property.
- Mr. Lyubeznik understands that the option of using the ROW to "daylight" the sump pump discharge piping is not possible since he has not exhausted the possibilities on his property for which he was seeking the encroachment permit. Note that the two requirements of Chapter 134.01 were communicated to him along with the interpretation of those requirements.
- Mr. Lyubeznik will be contacting City approved sewer contractors to determine possible solutions, given the site/ROW constraints and the need to not have water discharging onto the sidewalk such that the health, safety and welfare of the public is compromised.
- Mr. Lyubeznik will be in contact with DSI as he works toward a solution.
- Mr. Lyubeznik is aware that the issue, as it was left at the end of the meeting, is currently between him and DSI versus him and ROW.

If you have any questions please contact me or Wes.

Thanks,
David

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