

Town of Cedar Lake

Unsafe Building Department

March 16, 2011 Minutes

The Cedar Lake Unsafe Building Department held their regular public meeting on March 16, 2011. It was called to order at approximately 6:00 p.m. followed by the Pledge to the Flag. Those in attendance were: Tom Cutsinger, Citizen Appointee; Diane Cusack, Plan Commission Appointee; Tim Kuiper, Town Attorney; Ian Nicolini, Town Administrator; and Laurie Wyrick, Recording Secretary. Greg Parker, Town Council Appointee; was not present at tonight's meeting.

Minutes: Diane Cusack moved to approve the minutes from the January 31, 2011 Public Meeting. Tom Cutsinger seconded. After a voice vote, the motion carried unanimously.

- 1. Board Discussion:** Ian Nicolini stated that at the previous meeting, the duties and responsibilities of the Unsafe Building Department were outlined. A list of properties has been compiled that have been of concern to the Town since 2007. At least one property on the list has been slated for demolition/rehabilitation. There has been an increase in compliance of some properties in recent years and persons are working with the Town to improve their properties. Approximately three (3) weeks ago a meeting with the Town Council President, Town Administrator and Lake County Commissioners took place discussing the property located at 13513 Dewey Street. The property addressed 13513 Dewey is two separate parcels, the Commissioners were willing to follow procedures to remove the vacant lot from the Commissioner's sale list and grant the property to the Town; however, the structure's lot is remaining on the Commissioner's sale list. The Commissioners did forward information concerning the ownership of the structure's lot to the Town. This information will be helpful in the process of indentifying unsafe structures to begin the structure's disposal process. Tim Kuiper suggested getting a quote on the property as a ballpark figure to plan with budgeting.

Ian Nicolini stated that Attorney Tim Kuiper has been instrumental in formalizing the rank vegetation process, which has a correlation to unsafe properties as many of the unsafe properties have weed violations.

Ian Nicolini stated that the property located at 8611 W. 132nd Place has received a variance to be rehabilitated and will be improved in the near future.

Diane Cusack questioned the process of dealing with unsafe structures when the property is owned by a mortgage company versus individuals. Tim Kuiper stated that the process is the same in that you deal with the owner(s) of record to attain compliance. Tim Kuiper stated that notice requirements vary for repair properties versus properties where demolition is necessary to abate a nuisance. Ian Nicolini stated that in some instances compliance is only achieved by using force of law. Tim Kuiper stated that orders for demolition are valid for a period of two (2) years and recommended that the Unsafe Building Department hold a meeting with the public hearings for more than one (1) property as an efficient means of processing the properties of concern as the hearing process takes thirty (30) to ninety (90) days. Diane Cusack questioned the board-up properties remediation process. Tim Kuiper stated that any hearings conducted by the Unsafe Building Department should have all three (3) members present.

Community Development Block Grant (CDBG) is a biannual grant system with additional regulations as the program is federally funded. The grant can be a way to fund some of the unsafe projects in the Town. The current budget before the President will have an impact to the amount of financing available for this program. A concern of the federal program is displacement of individuals that could be residing in the structures and that the vacant status of a property needs to be established for approximately twelve (12) months in many instances.

When the cost of demolition is less than ten thousand dollars (\$10,000.00), the demolition can be completed with Town resources; any demolitions that cost more than ten thousand

dollars (\$10,000.00) must follow a bidding process. When municipal employees are used for demolition(s), it becomes a scheduling issue as the equipment is in place. Discussion ensued concerning an advisory contractor for bidding purposes.

Ian Nicolini suggested that 6801 W. 134th Court, fire damaged and excess amount of junk accumulation on site, be added to the list of properties. The first responders to the scene when the fire occurred were injured on site. Tom Cutsinger moved to direct the Town Administrator to investigate and secure the property located at 6801 W. 134th Court in Cedar Lake, Lake County, Indiana. Diane Cusack seconded. After a voice vote, the motion carried unanimously. Tim Kuiper stated that the fire department may have some contact information for the property's insurance company to assist in remediation.

Tim Kuiper stated that emergency action to remove an immediate danger and secure the property can be completed according to Indiana Code. Ian Nicolini stated that the Public Works Department to mitigate situations. Tom Cutsinger stated concerns about electrical safety. Ian Nicolini explained that NIPSCO requires an inspection prior to reconnecting electricity to homes after service has been disconnected for a certain amount of time.

Tom Cutsinger submitted a list of companies with contact persons in the event the Town needs to contact one of the companies in the future.

Ian Nicolini suggested that 13513 Dewey Street be a starting point for the Unsafe Building Department. Ian Nicolini stated that a list of properties to be secured for voluntary compliance and properties that are blighted in need of demolition be compiled, addressed and prioritized in order by level of concern. Ian Nicolini stressed the importance of site visits and assessments of properties and that progress of the Unsafe Building Department is an investment in improving the Town.

2. Public Comment:

A. Yvonne Taves, Dewey Street, requested a time frame concerning the homes located on Dewey Street. Ian Nicolini responded that the time frames will be according to unsafe processes in place and that homes such as these are the reason that the Unsafe Building Department is beginning to have meetings. Yvonne Taves stated concerns about the property located at 13511 Lee Street and 7600 W. 134th Court.

3. Adjournment: 6:55 p.m. Diane Cusack adjourned the meeting.

4. Press Session: LolaJean Brink, Pilcher Publishing, requested the number of properties currently on the unsafe list; the meaning of CDBG and clarification of which empty lot the town is planning to acquire from the County Commissioner. Ian Nicolini responded that approximately eight (8) buildings are on the list and that one of the homes is planned to be refurbished; CDBG is the Community Development Block Grant and that the lot is addressed 13513 Dewey Street in Cedar Lake.

Diane Cusack

Tom Cutsinger

Greg Parker

Attest: _____
Laurie Wyrick, Recording Secretary