



**Town of Cedar Lake**  
**Unsafe Building Department**  
**Minutes**  
**July 20, 2016 6:30 p.m.**

Call to Order (Time): 6:35 p.m.

Pledge to Flag:

Roll Call:

Present\* Diane Cusack

Present Richard Sharpe

Present Greg Parker

Present David Austgen, Town Attorney

Present Tim Kubiak, Director of Operations

Present Brooke Faber, Recording Secretary

Others present: Todd Wilkening, Fire Chief, Michelle Bakker, Building Administrator and Robert Carnahan, Town Council.

**Minutes:**

A motion was made by Richard Sharpe and seconded by Greg Parker to approve the minutes of the June 15, 2016 Public Meeting as presented.

Diane Cusack	Richard Sharpe	Greg Parker	Vote
Absent	Yes	Yes	2-0

**Old Business:**

**1. 13917 Soper Street – Owner: Kenneth Capps** – Tim Kubiak stated we actually tore down the fence and some brush and should be getting torn down this week. Have a question while we are here, there is a detached garage with two (2) cars in side of it. What should I do with the cars. David Austgen stated they need to be towed away. Impound them or to the junk yard. Greg Parker stated they are Corvettes. David Austgen stated to store them and give them notice, be like an impound. Store at Stan’s or Emerald Towing. Tim Kubiak stated the garage is about falling down on the cars. Greg Parker stated all of it has value. We have had zero communication and zero response from this man. We actually did the order to demolish last year. We had trouble with NIPSCO getting the gas and electric disconnected. So over grown cannot even see the house. David Austgen stated we need to safe guard the property. Need to re-notify the owner as to where the property is at and what happen to the demolition event.

**2. 14705 Blaine Street – Owner: Charles Bonick** – Tim Kubiak stated that is gone. Still have to do the sewer tap disconnect at the street and finish clean up of the lot. A bunch of fallen trees and a bunch of things we need to get out of there. David Austgen asked when they will have the schedule of costs. Tim Kubiak stated will get the project finished up next week and then get that together. David Austgen stated then we will prepare and issue the notice to the property owner of the events, costs and what will happen next.

**3. 13324 Bell Street – Owner: Richard Loudermilk** – Todd Wilkening stated as you can see the report says deplorable. The building is surrounded by saplings and decent size trees. There has been some less than desirable activity going on in and out of the garage. Garage and house are falling down; it is an eyesore and also a danger. Greg Parker stated he doesn’t think this is the right address. He is not living there. David Austgen stated there is on file by your staff and as alluded to by Chief Wilkening an unsafe premises report. The unsafe premises report should be referenced specifically in the minutes of the meeting tonight and identified as the substantive inspection report that was made for purposes of the recommendation that is contained. At your direction appended to the minutes of the meeting tonight. Greg Parker stated for the record we are talking about the dwelling and garage and any other out building on this property. David Austgen stated that based upon this report being made you can direct that notice be given to the property owner, of the actions intended. Thinks we have a good enough address based upon our review and preparation for noticing the property owner for the next Public Meeting, August

17. Tim Kubiak asked if this notice will go to the PO Box 121. David Austgen stated it will go to the mailing address we have, post it also, going to send regular mail, certified mail and personally post. Michelle Bakker asked if a title search would be done. David Austgen stated that is in process, we don't have it yet. Then it is sent to everyone on the title. To the extent that there is any other substantial interest in property ownership identified in that title work. A bank someone with a lien. Preparation can happen before title.

A motion was made by Richard Sharpe and seconded by Greg Parker to acknowledgement of the unsafe premises report from the Fire Chief and the Building Department for the inspection made July 18, 2016 and direct that the next actions of notifications be made to the property owner based upon that report.

Diane Cusack	Richard Sharpe	Greg Parker	Vote
Absent	Yes	Yes	2-0

4. **8913 W. 142<sup>nd</sup> Place – Owner: Bryan Oparka** – Greg Parker stated we have an unsafe premises report on this property as well. David Austgen stated our notes and references from review of this show that the unsafe premises report was read and acknowledged at the June meeting. Tim Kubiak stated we read it, but Todd wasn't here, we never did do a report or anything, we didn't get that far. Todd Wilkening stated that this house is in a little better shape than a lot of the houses we are looking at. The way it sits it is a prime target for undesirables to start using it as well as the possibility of fire. The neighbors are very concerned with the status of this house. Plus the fact that there are rodents in and out of this facility as well. This building is very unsafe and recommend it be put on this list. Tim Kubiak stated the problem with this house is it was a brand new house started 10 years ago. A lot of the house has osb sheeting exposed to the weather, a lot of the wood is rotted and deteriorating almost to the point of no return. So the target is to inspire Mr. Oparka to do something or eliminate it. We have tried and he has made several attempts to do something and never coming through with anything. Greg Parker stated 10 years is a long time. Building permits expires in a year, don't know how many times it has been renewed, but something needs to be done with it. David Austgen stated you have an inspection report that took place on June 13, 2016 your Chief has made a solid report and recommendation consistent with the unsafe premises report. Acknowledgement and receipt of unsafe premises report and direction to the staff to take the next actions for notification to the property owner would be appropriate. Diane Cusack arrived at 6:49 p.m.

A motion was made by Richard Sharpe and seconded by Diane Cusack as to acknowledgement and receipt of unsafe premises report and direction to the staff to take the next actions for notification to the property owner.

Diane Cusack	Richard Sharpe	Greg Parker	Vote
Yes	Yes	Yes	3-0

5. **9303 W. 133<sup>rd</sup> Avenue – Owner Meyer** – Greg Parker stated we have an unsafe premises report on that property as well. Todd Wilkening stated he did the inspection on this one. Have aerial footage of this house. This property also has an inground swimming pool that is somewhat hidden by brush. Some grown up saplings and large trees grown up around it. Which is a hazard for someone falling into the swimming pool. The roof is about ready to cave in on the building, the garage as well. It is in as bad a shape as any house looked at. Needs to be on the list, should be put on the top of the list. Greg Parker asked about the garage roof being gone. Todd Wilkening stated the garage roof is already caved in. There was an attempt at one time, that a little work was done. There are also rodents living in this one. Tim Kubiak stated everyone drives by it all the time and can see the condition, needs to move forward one way or another. David Austgen stated last is never least and this property has the greatest tale to tell. As we were assessing the title work that was needed, we learned that the title work we had was for the sidewalk, safe routes to school project only. So we developed the legal description for the portion of the parcel in which the house, pool and garage are located. This is an eight (8) plus

acre parcel in total and it is comprised of some incredibly irregular parcels within that total puzzle of ownership. Tonight would be appropriate based upon the report of your Chief and the inspection, the unsafe premises report to acknowledge that report and direct that the next actions be taken by staff. This is the parcel I alluded to earlier that probably won’t be ready for the August meeting. We think the property owners are still same as on the sidewalk project. However it is not quite clear and the title work is on order at Chicago Title. We also know of the Meyer, alluded to Meyer being the owner, well it is the members of the Meyer family about eight or nine and they hold 2/16 interest in the property. Fractional portion of 2/16 that is what the denominator became. It is the greatest problem; it’s going to have the biggest hurdles. Greg Parker stated there will be a lot of people to notice. David Austgen stated and we want to do this correctly. It is in process and will send over tomorrow the page and half meets and bounds legal we have developed and the order that is awaiting return from the title company.

A motion was made by Diane Cusack and seconded by Richard Sharpe to act upon David Austgen’s recommendation.

Diane Cusack	Richard Sharpe	Greg Parker	Vote
Yes	Yes	Yes	3-0

**Public Comment:** None

**Adjournment:** 6:57 p.m.

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**Diane Cusack**

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**Richard Sharpe**

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**Greg Parker**

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**Brooke Faber, 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 Cedar Lake Town Hall at (219) 374-7400.*

\*Arrived at 6:49 p.m.