



**Town of Cedar Lake
Unsafe Building Department
Minutes
November 16, 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: Michelle Bakker, Building Administrator, Daniel Ford, Town Attorney

Minutes:

A motion was made by Diane Cusack and seconded by Richard Sharpe to approve the Minutes from the October 19, 2015 Public Meeting as presented.

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

Old Business:

1. 13917 Soper Street – Owner: Kenneth Capps-Tim Kubiak stated have the rest of the fence down and the trees and are ready to tear it down.

2. 13324 Bell Street – Owner: Richard Loudermilk-David Austgen stated this has been advertised and is ready to go.

Daniel Ford stated we published notice of demolition, no confirmation Mr. Loudermilk got the certified mailing.

A motion was made by Diane Cusack and seconded by Richard Sharpe to issue a demolition order and to direct staff to proceed accordingly.

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

3. 8913 W. 142nd Place – Owner: Bryan Oparka-Michelle Bakker stated he will not be here, he is in Florida. Mr. Oparka spoke to his attorney and stated he is protected by a stay and that his attorney would be sending a letter to Austgen regarding this.

David Austgen stated they have not heard from any lawyers. Have not heard from Mr. Oparka. The next step is the issuance of a demolition order. He also stated that the three (3) month period of time given to this property owner has lapsed. That he failed to comply with the requirement request condition to meet here monthly to report his progress and he has made no progress as is evident from the drive by inspections of both staff and members of this commission. No compliance has been met at all with the conditions set at the August meeting when this matter was addressed with the property owner present.

Diane Cusack stated we gave him three (3) months.

Tim Kubiak stated he was to report back each month on progress and he also applied for a permit and contractor’s license neither of which he has obtained.

Daniel Ford stated the board will be initialing an order affirming an order of demolition and we will move forward with sending out notices in the same way we did with the original order of demolition.

A motion by Richard Sharpe and seconded by Diane Cusack to issue a demolition order and direct staff to execute that order.

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

4. 9303 W. 133rd Avenue – Owner Meyer-Michelle Bakker stated she has spoken to Drew a few times who is helping Roberta Meyer with the process. She has decided today to go ahead with McAllister, she has accepted his proposal and should be sending check out today.

David Austgen stated will review this with Tim Kubiak, probably some personal property and property preservation items we need to consider.

Discussion on amount of time of expiration for permit to demolition. Suggestion was made to make the permit good for ninety (90) days.

New Business:

1. 8510 Lake Shore Drive – Owner: Fred & Gloria Oparka (Eller Brady Funeral Home)- David Austgen stated this has some bankruptcy filtration. There is a bankruptcy of these folks and an order in July. An update of the title work on this will verify whether there is a buyer , whether that buyer has an interest and if a mortgage company involved. We have to give notice to any interested persons, who have some connection to the parcel.

Daniel Ford stated the order that was issued allowed the sale of the property free and clear of liens. That sale has not occurred yet or if it has there has not been a buyer, at least not reflected on the docket.

A motion was made by Diane Cusack and seconded by Richard Sharpe to update the title work.

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

2. 12611 Cline Avenue – Owner: Sergio H. Urquiza, Daniel A. Urquiza and John Paul Urquiza J/T R/S-Michelle Bakker stated she met with Sergio Urquiza and he showed pictures of steel plates he was putting up on the elevator shafts. He agreed to get a knox box to put on the gate, for the Police and Fire Department. There have been twenty-five (25) incident reports filed at the Police Department on this property in the last year. Mr. Urquiza does want to put a fence around the entire property. Also put a steel plate to block off the roof. Discussion on future plans for this property ensued.

Todd Wilkening stated over the past ten (10) years have had numerous conversations with Sergio in reference to that property. We have gotten him to clean parts of it up. Now we have a fire hazard just in the property itself, if someone lights the grass on fire. He has never made a strong effort to do it properly. Putting steel plates over these elevator shafts is not the only problem, it is a nuisance. This building is the most dangerous in this town. The Police cannot monitor it because it is so far off the road. Have had fire and medical calls, this has been going on for years. It is time to do something about this building, he needs to come up with a plan for this or it needs to come down. Recommendation to take some hard action on eliminating this property for good.

Greg Parker asked if we took down this building and we took on the expense we would not be able to take down any other buildings for about five (5) years. If we were going to do a demolition on this would need to speak to every council member. There may be a way to

recover funds. Need to keep this on the agenda, take it under review and have some more discussion on it. Will have a discussion with council members for their opinions.

David Austgen stated he would appreciate a direction from this commission and the Town Council to identify all the ways in the statute we can pursue the nuisance that property has become for abatement of the conditions that Todd has identified. There are statutory methods for pursuing nuisance relief.

Tim Kubiak stated realistically the ultimate thing would be to repurpose that building. The way it is built has obviously stood there like it is. Something does need to be done with it for safety. It would be very expensive.

Motion		1 st	2nd	
Diane Cusack	Richard Sharpe	Greg Parker	Vote	

Public Comment:

Adjournment: 6:04 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 Cedar Lake Town Hall at (219) 374-7400.