



Town of Cedar Lake
Unsafe Building Department
Minutes
February 15, 2017 6:30 p.m.

Call to Order (Time): 6:30 p.m.

Pledge to Flag:

Roll Call:

Present Chuck Kouder
Present Richard Sharpe
Present Greg Parker

Present David Austgen, Town Attorney
Present Tim Kubiak, Director of Operations
Present Michelle Bakker, Building Administrator
Present Todd Wilkening, Fire Chief
Present Jessica Chick, Recording Secretary

1. Nomination and Appointment of Officers:

A motion was made by Richard Sharpe and seconded by Chuck Kouder to appoint Greg Parker as President.

Chuck Kouder	Richard Sharpe	Greg Parker	Vote
Yes	Yes	Yes	3-0

A motion was made by Chuck Kouder and seconded by Greg Parker to appoint Richard Sharpe as Vice President.

Chuck Kouder	Richard Sharpe	Greg Parker	Vote
Yes	Yes	Yes	3-0

A motion was made by Richard Sharpe and seconded by Chuck Kouder to retain Austgen Kuiper & Jasaitis Legal Services.

Chuck Kouder	Richard Sharpe	Greg Parker	Vote
Yes	Yes	Yes	3-0

Minutes:

A motion was made by Richard Sharpe and seconded by Chuck Kouder to approve the Minutes of the December 21, 2016 Public Meeting as presented.

Chuck Kouder	Richard Sharpe	Greg Parker	Vote
Yes	Yes	Yes	3-0

Old Business:

- 1. 13917 Soper Street – Owner: Kenneth Capps**-Tim Kubiak stated this is demolished, just need to plant grass. Holes are filled in and sewers are capped. The bill of expenses is being worked on.
- 2. 13324 Bell Street – Owner: Richard Loudermilk**-Tim Kubiak stated this is demolished. Sewer has been capped. Needs final grade and grass seed, working on getting bill together.
- 3. 9303 W. 133rd Avenue – Owner Meyer**-Tim Kubiak stated the permit has been picked up by McAllister and paid for. Previously they were waiting for personal items to be removed and believes this has taken place.
- 4. 8913 W. 142nd Place – Owner: Bryan Oparka**-Mr. Oparka stated at the last meeting Mr. Austgen said he would give him a week and give him an answer to what we are going to do. Called the town 16 times and he could not get an answer, so seven weeks later still no permit or license.

David Austgen stated this board issued an order for demolition last fall, there was a request that this gentlemen come back here on a monthly basis for the last three (3)

months and your record will reflect that he did not do that. So the building stood in the same condition as it was. As a consequence of reviewing these matters in the persistent interest of this man to work on this property. We reviewed the files of the town, the records at Lake County, reviewed record of the property here and it appears to us you have the option to stay the order of demolition, pending another attempt for this gentleman to comply with reasonable requirements to handle this property. The background of this property is that it sat empty without work on it for several years. It only showed up here because it was determined by inspection that it was in a condition that needed to be addressed and hadn't been. So we are here approximately three (3) years after all of that began. Took that into account as we assessed the entirety of the record, based on upon that record review, we recommend you consider staying your order of demolition pending the following: First, this gentlemen come to the Town Hall and apply for a contractor registration. Has to fill it out completely and with the appropriate documents. When he has completed that, then it is the recommendation that an inspection be made of the property, there will be a base line of what the minimum level of improvement to the property will be that will remove it from the order you have issued for it to be demolished. Third, that upon completion of that report being made a conditional building permit be issued, with the condition that the inspection report be utilized in the base line of recovery of property if possible. Finally this all be on a time period that is reportable here on either a monthly or bimonthly basis for the next three (3) or four (4) months, whatever you deem appropriate.

Mr. Oparka stated he has already turned in his contractor's license and building permit twice, Michelle currently has everything and has for the last several weeks.

A motion was made by Richard Sharpe and seconded by Chuck Kouder for Mr. Oparka to apply for a contractor's license, filled out completely with the appropriate documents, with an inspection made of the property with a base line of what the minimum level of improvement will be on the property to remove it from the order issued for demolition, and upon completion of that report being made a conditional building permit be issued.

Chuck Kouder	Richard Sharpe	Greg Parker	Vote
Yes	Yes	Yes	3-0

The Board determined Mr. Oparka should provide an update bi-monthly at the April, June and August Meetings, with the building permit good for 6 months. Ninety days to get the outside complete for it to be taken off the unsafe building list.

5. 8510 Lake Shore Drive – Owner: Fred & Gloria Oparka (Eller Brady Funeral Home)- David Braatz an attorney representing Nebraska Alliance Realty, they purchased this property at a Lake County Tax Sale. Order for issuance of tax deed was issued on December 9th. It is at the tax sale department, in the process of being issued. Typically takes 4-6 weeks. The new owners are aware of the concerns of the town about the property. They will maintain it and keep it up once they take title to it. They have made inquiries for getting a permit for demolition. They will take care of the unresolved issues, this may take a few months. Are asking for additional time.

Tim Kubiak stated we do have permit application from B & D Sewer to demolish the property, everything is applied for.

Bryan Oparka stated his mother is willing to work with Nebraska Alliance to do whatever you need to do.

A motion was made by Chuck Kouder and seconded by Richard Sharpe to defer this item for 60 days to the April 19, 2017 Public Meeting.

Chuck Kouder	Richard Sharpe	Greg Parker	Vote
Yes	Yes	Yes	3-0

6. 12611 Cline Avenue – Owner: Sergio H. Urquiza, Daniel A. Urquiza and John Paul Urquiza
J/T R/S-Todd Wilkening stated someone went in there and breached some of the secured

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areas. The Police Department had a call over there and reported this. Mr. Urquiza was suppose to put a knox box in, and we have not seen it yet.

Greg Parker asked Chief Wilkening if he and Chief Smith can reach out to the Urquiza Family to see if they can get them to comply with our requests.

Motion _____		1 st	2nd
Chuck Kouder	Richard Sharpe	Greg Parker	Vote

New Business:
1. 12920 Knight St – Owner: US Bank National Association Trs for Stanwich Mtg.-Todd
 Wilkening stated it is in deplorable condition. A lot of mold inside house and rodents on property. Not secure, door is open and broken window.

A motion was made by Richard Sharpe and seconded by Chuck Kouder to issue a notice on this property.

Chuck Kouder	Richard Sharpe	Greg Parker	Vote
Yes	Yes	Yes	3-0

2. 8511 W. 131st Pl. - Owner: Loudermilk Living Trust dtd-Todd
 Wilkening stated this is in very bad shape, no interior pictures.

A motion was made by Chuck Kouder and seconded by Richard Sharpe to serve notice on this property.

Chuck Kouder	Richard Sharpe	Greg Parker	Vote
Yes	Yes	Yes	3-0

3. 13043 Polk St. – Gurgel, John A. Sr., John A. Gurgel, Jr. & Dale A. Gurgel J/T R/S-Todd
 Wilkening stated the report was just sent to the Town Hall. This is a garage that is ready to fall down.

A motion was made by Chuck Kouder and seconded by Richard Sharpe to serve notice on this property.

Chuck Kouder	Richard Sharpe	Greg Parker	Vote
Yes	Yes	Yes	3-0

Public Comment: None

Adjournment: 7:04 p.m.

Press Session: Unsafe Building Department – March 15, 2017 at 6:30 p.m.

Chuck Kouder

Richard Sharpe

Greg Parker

Jessica Chick, Recording Secretary

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