



**Town of Cedar Lake
Unsafe Building Department
June 21, 2017 6:30 pm**

Call to Order (Time): 6:30 pm

Pledge to Flag:

Roll Call:

Present Chuck Kouder

Present Richard Sharpe

Present Greg Parker

Present Todd Wilkening, Fire Chief

Present David Austgen, Town Attorney

Present Tim Kubiak, Director of Operations

Present Michelle Bakker, Building Administrator

Present Jessica Chick, Recording Secretary

Minutes:

Motion made by Chuck Kouder and seconded by Richard Sharpe to accept the meeting minutes from the April 19, 2017 Public Meeting as presented.

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

Old Business:

1. 9303 W. 133rd Avenue – Owner Meyer

No Petitioner present; Tim Kubiak stated, the gas line has been disconnected and locates have been done. A building permit was picked up which is valid for 1 (one) year.

2. 8913 W. 142nd Place – Owner: Bryan Oparka-*status updates April, June & August Meetings*

Letter sent on April 28, 2017 to attend the May 17, 2017 Public Meeting

Letter sent on May 22, 2017 to attend the June 21, 2017 Public Meeting

No Petitioner or representatives present; Tim Kubiak stated, he had received a phone call from Mr. Oparka stating that the house is going into Sheriff's Sale and he is walking away from the house due to the inability to get the title. David Austgen stated, unannounced and without appointment, Mr. Oparka reported to his office and disclosed the same information to his staff. There will be a demolition order issued tonight due to negligence from the owner.

Motion made by Chuck Kouder and seconded by Richard Sharpe to issue a demolition order to the property known as 8913 W. 142nd Place.

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

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3. 8510 Lake Shore Drive – Owner: Fred & Gloria Oparka (Eller Brady Funeral Home)
New Owner: Nebraska Alliance Realty Company

Deferred to June 21, 2017 Meeting

David Braatz, an Attorney representing Nebraska Alliance Realty Company, is present on behalf of the new owner. He stated, quiet title had been filed and is still pending. There is a Federal Tax Lien on the property. Chuck Kouder stated, the garage door is currently open at the property and the roof is also coming off. David Braatz stated, he would notify the owner of the concerns regarding the garage door, the roof, and the basement window. Todd Wilkening stated that there have been other abandoned buildings where the structure has failed, and he wants to make sure it is secured so nobody can enter. Tim Kubiak stated, the basement window is broken and there is water in the basement. David Braatz stated, there had been a request for the Oparka family to remove something from the property. Tim Kubiak questioned if someone can contact NIPSCO to terminate the gas service.

Motion made by Chuck Kouder and seconded by Richard Sharpe to defer this agenda item till the next meeting on July 19, 2017.

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

1. 12920 Knight St – Owner: US Bank National Association TR/S for Stanwich Mtg.
New Owner: Oleg Fedosov

No Petitioner present; Tim Kubiak stated, the petitioner is attempting to get a permit from the Building Department. He turned in a permit of with unlicensed contractors doing work on the house. Michelle Bakker stated, the workers are currently in the process of getting licensed. The owner is making headway on obtaining a permit. David Austgen stated, he had prepared a demolition order that is due to expire July 18, 2017 the day prior to the next Unsafe Building meeting. Tim Kubiak stated, he is making a good effort to try and get the permit in order. There is no possible way that he will have this house done by the next meeting. He will be asked to attend the next meeting and report on the progress. Greg Parker stated, as long as he can obtain a permit and a list of licensed contractors by next meeting he will be on the correct path.

Motion made by Richard Sharpe and seconded by Chuck Kouder to defer this agenda item to the July 19, 2017 meeting.

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

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2. 13040 Polk St. – Gurgel, John A. Sr., John A. Gurgel, Jr. & Dale A. Gurgel J/TR/S
New Owner: James Despersia

No Petitioner present; Tim Kubiak stated, he was told that the new owner would obtain a permit for demolition that was never obtained. Todd Wilkening stated, this property is extremely unsafe and it needs to come down. There has been a report done on this property. He will be sent a notice to appear for the next meeting.

Motion made by Richard Sharpe and seconded by Chuck Kouder to send a notice to the Petitioner to appear at the next Unsafe Building Department meeting on July 19, 2017 at 6:30 pm.

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

Deferred from April 19th Meeting

No Petitioner present; Todd Wilkening stated, he had made many attempts to contact him and has left many messages with no reply. David Austgen stated, his office had been contacted by his attorney inquiring about citations that had been issued by the Town. Todd Wilkening also stated, he was supposed to put a box on the fence which was never completed. He will be sent a notice to appear for the next meeting.

Motion made by Chuck Kouder and seconded by Richard Sharpe to send a notice to the Petitioner to appear at the next Unsafe Building Department meeting on July 19, 2017 at 6:30 pm.

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

7. 8511 W. 131st Pl. - Owner: Loudermilk Living Trust dtd

No Petitioner present; Todd Wilkening completed a report on this property. David Austgen has a demolition order in hand to issue at the property. Todd Wilkening stated, he had spoken with the Loudermilk family regarding their properties. They stated that they are planning to clean up their properties, and the grandson will be considered the new property manager of them. Todd informed them that the Town is actively going through the process of unsafe buildings in Town with a heavy focus is Meyer Manor subdivision.

Motion made by Richard Sharpe and seconded by Chuck Kouder to issue the order for demolition to the property known as 8511 W. 131st Place.

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

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New Business:

1. 13301 Lincoln Plaza - JNT Enterprizes Inc.

No Petitioner present; No contact has been made with this owner. No report has been completed for this property. Todd Wilkening stated, he will conduct a report for this property before next meeting. *No motion was made. This item will be reexamined at the next Unsafe Building Department meeting.

2. 9710 W. 133rd – Rosario Levy J & Josephine Del

No Petitioner present; Todd Wilkening stated, he had spoken with the owner of this property months back, and stated he was in the process of selling the property. Todd reached out to him again and he had made the same claim. Todd stated to him that the roof needed to be secured as well as other measures to make the property more safe and the owner stated he is not doing anything further to the property. Todd Wilkening stated he will conduct a report on this property before the next meeting. *No motion was made. This item will be re-examined at the next Unsafe Building Department meeting.

3. 14524 Bryan Street –Federal National Mortgage Association (Fannie Mae)

No Petitioner present; David Austgen stated there needs to be title work and a report conducted on the property. Todd Wilkening stated he will perform the report prior to the next meeting.

Motion was made by Chuck Kouder and seconded by Richard Sharpe to order title work and perform a report on the property known as 14524 Bryan Street.

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

4. 14325 Lake Shore Drive –Johann Clark

No Petitioner present; no report was conducted or title work ran on this property.

Motion was made by Richard Sharpe and seconded by Chuck Kouder to order title work and perform a report on this property known as 14325 Lake Shore Drive.

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

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5. 8601 W. 131st Lane - Owner: Loudermilk Living Trust dtd

No Petitioner present; Greg Parker stated, this property had caught fire and is in complete despair. The Board is taking emergency activity regarding this property. Todd Wilkening stated, he had given the property owner one week to clean the remains up and nothing has been completed as of today. David Austgen stated, a formal legal notice describing the unsafe condition and the nuisance conditions of the property should be given via certified mail as well as hand delivered.

Motion made by Chuck Kouder and seconded by Richard Sharpe to give legal notice to property owner to abate the nuisance, owner has 5 days of receipt of notice sent by certified mail as well as in person.

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

Public Comment:

Marilyn Hopkins; 13137 Polk Street: She stated, thank you to the Board for taking care of these homes that need the utmost attention. There are 2 more homes on the same street as the home that was burned down in the fire; 8514 W 131st Lane and 8518 W 131st Lane. These 2 other homes are owned by the Loudermilk Living Trust and still have gas and electric on; they may not be as high of priority but I would like to see the gas and electric turned off at these properties for safety reasons. 8512 W 131st Lane and 8511 W 131st Lane were also mentioned to be in bad shape. Tim Kubiak stated, he had contacted NIPSCO to try and get the electric and gas disconnected and unless they are not paying the bill they will not turn them off. Marilyn Hopkins stated, 8512 W 131st Lane is occupied and has someone working on it late at night. Greg Parker stated, reports are needed on all these properties mentioned; 8511 W 131st Lane, 8512 W 131st Lane, 8514 W 131st Lane, and 8518 W 131st Lane. Todd Wilkening stated, he will conduct reports on all these properties.

Motion made by Chuck Kouder and seconded Richard Sharpe by to conduct an unsafe premise report on 8511 W 131st Lane, 8512 W 131st Lane, 8514 W 131st Lane, and 8518 W 131st Lane.

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

Mary Lanham; 9605 W 136th Lane: She stated, there is a home in Meyer Manor that she is concerned for, she is unsure of the address. She questioned what deems a house unsafe. David Austgen replied, there needs to be evidence and proof from the Building Department or Fire Department to be deemed unsafe. There are many different factors that go into an unsafe premise, the main being falling below the minimum standards of the Building codes of Indiana which have been adopted by the Town. This Commission can ask the Building Department and/or Fire Department to go to the properties and conduct an unsafe premise report. It typically takes roughly 60 (sixty) days to conduct due process. At the end, the decision is done by the Unsafe Building Board to either demolish the building or they may obtain a building permit and carry through with that. Todd Wilkening stated, just because the house may be an eye sore that doesn't necessarily deem it unsafe. In order for a house to be placed on the unsafe building list it needs to actually be deemed unsafe. We cannot go into your home unless we were to conduct a legal inspection regarding a building permit, other than that we cannot enter your home besides for emergency purposes. We have inspected a home in the Manor and the person

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living their told us to get off of his property. Greg Parker stated, there are many homes that are in more inhabitable shape then some of these properties spoken of.

Nick Werley; 7000 W 127th Place Apartment A: He stated there is a house by his home with high grass and windows boarded up. He is not aware of the address. Chuck Kouder advised him to report the address to the Building Department and someone will look into it.

Adjournment: 7:45 pm

Press Session: Unsafe Building Department – July 19, 2017 at 6:30 p.m.

Chuck Kouder

Richard Sharpe

Greg Parker

Jessica Chick, 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.