



CEDAR LAKE UNSAFE BUILDING DEPARTMENT MEETING MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
September 21, 2022, at 6:00 PM

CALL TO ORDER:

Mr. Sharpe called the Unsafe Building Department meeting to Order at 6:00 PM on Wednesday, September 21, 2022, with its members attending on-site. The Pledge of Allegiance was recited by all.

ROLL CALL:

Members Present: Colleen Schieben (here at 6:01 pm); Dennis Wilkening, Vice Chairman; and Richard Sharpe, Chairman. A quorum was attained.

Also Present: Ryan Deutmeyer, Town Attorney; David Austgen, Town Attorney; Chris Salatas, Town Manager; Tony Gatto, Building Inspector; and Ashley Abernathy, Recording Secretary.

Absent: None.

MINUTES:

Mr. Sharpe entertained a motion to approve the Minutes of August 17, 2022, Meeting. A motion was made by Mr. Wilkening and seconded by Mr. Sharpe to approve the same. The motion passed unanimously by roll call vote:

Mr. Wilkening Aye

Mr. Sharpe Aye

New Business:

1. 7120 W 132nd Place – Kubal

Mr. Sharpe stated the next order of business was for the property located in the vicinity of 7120 West 132nd Place.

OMs. Schieben arrived.)

Mr. Diego Rincon stated he has purchased the property with the knowledge that the property needs repairs. He intends to conduct a majority of the work himself.

Mr. Sharpe asked Mr. Gatto if the property could be repaired. Mr. Gatto responded in the affirmative.

Mr. Rincon commented he was waiting on the Unsafe Meeting to begin the process of obtaining a Building Permit to begin work.

Mr. Deutmeyer advised the Board to make a recommendation on the duration of the Building Permit. Mr. Sharpe concurred with Mr. Deutmeyer statement and advised Mr. Rincon to report back to the Unsafe Board in 30 days with the permits.

Mr. Deutmeyer asked what would be the time limit for the Building Permit issued. Mr. Gatto stated they would need to look at the house prior to issuing a Building Permit, as they need to conduct an interior inspection to know what work needs to be done.

Mr. Gatto advised Mr. Rincon to contact the Building Department to set up an appointment for the following week. After the inspection of the property, an update can be provided at the next Unsafe Meeting.

A motion was made by Mr. Wilkening and seconded by Ms. Schieben for the Owner to pull a permit for the property and defer this item to the October Meeting. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye

Mr. Wilkening Aye

Mr. Sharpe Aye

2. 8120 Lake Shore Drive –Schane’s Bar & Grill

Mr. Sharpe stated the next order of business was for the property located in the vicinity of 8120 Lake Shore Drive.

Mr. Joseph Bianchi, Ashford Law Group, representing Mr. Bobby Schane, and Mr. Thorn, the public adjuster for the insurance claim and coordinator for the demolition of the building.

Mr. Thorn advised they are currently waiting for specific milestones to be met within the suit in order to complete the demolition. While they are waiting for those milestones, they can begin the process of pulling the permits.

Mr. Sharpe asked if the intent was to demolish the property. Mr. Thorn responded in the affirmative and advised he would be going to the property to review it to ensure they will be demolishing it. By his review of photographs, it appears the property needs to be demolished.

Mr. Gatto stated the Demolition Permit will need to be applied for and ensure the contractor for the demolition is licensed with the Town.

Ms. Schieben asked how long they anticipated before they were able to proceed with the demolition. Mr. Thorn responded he anticipates 30 days. However, the timeline will be determined by specific milestones that they need to reach and litigation, as there is litigation forthcoming.

Mr. Salatas requested the property site be cleaned up as there is a lot of debris on the site. Mr. Thorn asked how quickly they would like the site cleaned up. Ms. Schieben responded as soon as possible.

Mr. Deutmeyer advised he has had conversations with Mr. Bianchi about the ongoing and forthcoming litigation. It is his understanding they anticipate conducting the demolition, and he does not recommend incurring further Town expenses if their goal is to demolish the building.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to defer this item to the October Meeting and for clean-up to occur around the property. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye
Mr. Wilkening Aye
Mr. Sharpe Aye

3. 13716 Birch Street - Blanton

Mr. Sharpe stated the next order of business was for the property located in the vicinity of 13716 Birch Street which had been deferred from the July 20, 2022 Unsafe Meeting.

Mr. Roger Blanton stated he has applied for an interior demolition permit and has begun cleaning up the property.

Mr. Sharpe asked if he has received his permit at this time. Mr. Blanton responded in the negative. Mr. Gatto advised he has submitted a permit and discussed what steps should be taken with the property. The interior demo permit is to allow him to get the property cleaned up. Once complete, they will set up an appointment to evaluate the property to determine the next steps.

Mr. Gatto asked how long would the Board like for the interior demo permit to be issued. Mr. Sharpe asked Mr. Gatto if he felt 60 days was reasonable. Mr. Gatto responded in the affirmative. Mr. Blanton requested 90 days for the permit. Ms. Schieben advised Mr. Blanton to report back in 60 days to determine his progress.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to defer this item to the November 16, 2022 Meeting and for the Owner to provide an update at that meeting. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye
Mr. Wilkening Aye
Mr. Sharpe Aye

4. 14407 Fairbanks – Prairie Oak Holdings LLC

Mr. Sharpe stated the next order of business was for the property located in the vicinity of 14007 Fairbanks which had been deferred from their previous meeting and the Demolition Order had been re-ordered.

Ms. Abernathy advised she had sent the owner Certified Mail notifying them to appear at the Unsafe Board Meeting. The green card has been received, indicating they the notice was delivered.

Ms. Schieben asked Mr. Deutmeyer what steps can they take towards demolishing the property. Mr. Deutmeyer advised they sent the Certified Mail for the re-issued Demolition Order and Mr. Gatto

posted the re-issued Demolition Order. The green card back from the registered agent for the property for the Demolition Order has been received back indicating they received the Demolition Order. As no one is present and the Demolition Order has been issued, the Board can issue the Order Affirming the Demolition Order.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to issue the Order Affirming the Demolition Order. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye

Mr. Wilkening Aye

Mr. Sharpe Aye

Mr. Deutmeyer advised Mr. Gatto he will provide him the Affidavit to be signed and posted. Afterwards, the Certified Mail will be sent. After 30 days the utilities are able to be disconnected and the property can be demolished.

5. 7020 W 139th Place – INACQ LLC (formerly Crum)

Mr. Sharpe stated the next order of business was for the property located in the vicinity of 7020 W 139th Place.

Ms. Abernathy advised the Board the new owners for the property have submitted a Demolition Permit to the Building Department. Their intent is to go through the platting process and build a new house.

Mr. Deutmeyer recommended any motion made have a length of time for the Building Permit for 60 or 90 days.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to allow for a 60-day Demolition Permit. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye

Mr. Wilkening Aye

Mr. Sharpe Aye

Mr. Deutmeyer advised if the Demolition Permit is issued, this matter can be moved to an Update Item and have an update provided in November.

6. 9320 W 142nd Avenue – Midland Trust Company as Custodian fbo Pamela Broadway Account #1716575

Mr. Sharpe stated the next order of business was for the property located in the vicinity of 9320 West 142nd Avenue.

Ms. Pamela Broadway advised she e-mailed the Demolition Permit application for the garage to the Building Department at the beginning of September. At this time, she has not received a call back from the Building Department. They are ready to demolish the garage as soon as they obtain the permit.

Mr. Gatto agreed a Demolition Permit application has been submitted. They are looking to have a term set for the length of the permit for the garage. Afterwards, there will need to be discussion on the plans for the house.

Mr. Sharpe asked Ms. Broadway if a 30-day permit was acceptable for the demolition of the garage. Ms. Broadway asked for clarification. Ms. Schieben clarified that they will be issuing a 30-day Demolition Permit to remove the garage. Ms. Broadway stated at the previous Unsafe Meeting they allowed for a 60-day Demolition Permit. Discussion ensued.

Mr. Sharpe advised they will allow for 60 days to demolish the garage upon issuance of the Building Permit.

Mr. Sharpe asked Ms. Broadway if they had any plans for repairing the rest of the property. Ms. Broadway responded after they finish demolishing the garage, they intend on beginning interior remodel of the house.

Mr. Gatto advised they would need to conduct a site inspection prior to issuance of the interior Building Permit.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to issue a 60-day demolition permit for the garage, to defer this item to the November 16, 2022 Meeting, and for the Owner to appear at the November meeting to provide their plans for repairing the house. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye

Mr. Wilkening Aye

Mr. Sharpe Aye

7. 8816 W 141st Avenue – Bird

Mr. Sharpe stated the next order of business was for the property located in the vicinity of 8816 West 141st Avenue.

Ms. Megan Bird advised her father was unable to be present due to being released from the hospital earlier in the week. Her brother and herself have had discussions with realtors and posted a “For Sale by Owner” sign for the property. She has removed vehicles and scrap from the property and is currently working on removing items from the house. Alternative housing has been found that they will be closing on at the end of October. Their goal is to sell the property. Currently, her brother is handling the financials.

Mr. Sharpe asked if the new housing was for herself and her father. Ms. Bird responded in the affirmative and discussed the volume of phone calls received when they posted the “For Sale” sign. The house will need work as her parents have been unable to maintain the property due to health issues.

Mr. Deutmeyer asked if a realtor has been obtained for the selling of the property. Ms. Bird responded in the negative and stated her brother is working to determine the amount that is still owed for the property. She can provide the Board the information for the housing they will be moving into. Her brother has talked with Carrington and Wells Fargo to determine the mortgage left on the property.

Ms. Schieben asked Mr. Deutmeyer if he had any suggestions. Mr. Deutmeyer advised they have not received Title Work back for the property, and recommended a deferral.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to defer this item to the October 19, 2022 Meeting for an update to be provided at that time. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye
Mr. Wilkening Aye
Mr. Sharpe Aye

8. 7109 W 128th Avenue – Luigi Cagnina

Mr. Sharpe stated the next order of business was for the property located in the vicinity of 7109 West 128th Avenue.

Mr. Luigi Cagnina, **16120 Forest Avenue, Oak Forest, IL**, stated he has been working on cleaning up the property on the outside. During the clean-up he noticed some animal nuisances within the property, and he is working on remedying that situation.

Mr. Cagnina asked if a tree that is encroaching on the property is in the ravine, is he allowed to go beyond his property line to cut more of the tree. Mr. Salatas responded if the tree is located in the Public Right of Way, he will need to contact Public Works to examine the tree. Discussion ensued.

Mr. Wilkening commented it did not appear that the property has a foundation, and expressed that it would be better to demolish the property. Mr. Cagnina stated his preference would be to not demolish the property. He would like to repair the property.

Mr. Sharpe asked Mr. Gatto if the structure was repairable. Mr. Gatto responded he would need to conduct an additional site inspection of the interior and the exterior. He does not believe the property has a foundation.

Ms. Schieben asked Mr. Gatto if he would be amenable to conducting another inspection to determine if the property is repairable. Mr. Gatto responded in the affirmative.

Mr. Wilkening inquired if there was anybody living inside of the property. Mr. Cagnina responded in the negative.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to defer this item to the October Meeting and for Mr. Gatto to report on if the property is repairable. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye
Mr. Wilkening Aye
Mr. Sharpe Aye

Mr. Cagnina asked if he would be able to obtain an interior demolition and repair permit. Ms. Schieben responded a foundation would likely need to be installed prior to any additional permits. Mr. Salatas

advised Mr. Cagnina he would need to get with the Building Department to determine if he could obtain an interior demolition permit.

Mr. Gatto asked if the house is full of debris. Mr. Cagnina responded only one side of the house has debris. Mr. Gatto stated if he wanted to clean up the debris, a permit would not be needed. However, if there are intentions of removing or changing walls, it would need to be determined if the house has a foundation prior to any additional work.

9. 12901 Hilltop – Lomberger

Mr. Sharpe stated the next order of business was for the property located in the vicinity of 12901 Hilltop.

Mr. Deutmeyer advised the Title Work has been received back and they have a Demolition Order prepared if that is the direction of the Board.

Mr. Michael Lomberger stated he has submitted an e-mail to the Building Department with a Building Permit. Mr. Gatto confirmed the submittal of a Building Permit for the demolition of the property. Mr. Lomberger requested to leave the garage. Mr. Gatto advised the garage was not included in the Unsafe Report.

Ms. Schieben asked if Mr. Lomberger has obtained the permit. Mr. Lomberger responded in the negative and stated he sent the permit in an e-mail for the demolition, in which he asked if he could leave the garage. It was recommended that he appear at the Unsafe Meeting regarding his request.

Ms. Schieben asked if he would be able to demolish the house within 30 days. Mr. Lomberger responded it would likely be closer to 60 days for him to demolish the property, as he will need to obtain the fees to order the dumpster.

Mr. Lomberger advised he has a balance due on his Utility bill. The last time he pulled a permit, he needed to pay the Utility Bill or his permit was not going to be released. He is uncertain if he will need to pay the bill prior to being able to pull the Demolition Permit. Mr. Gatto stated he is not able to answer that question.

Mr. Lomberger asked if he caps the sewer, where does the sewer need to be capped. Mr. Gatto responded there are different procedures for if the sewer is going to remain active or abandoned. Mr. Lomberger asked who he would need to talk to about the capping of the sewer. Mr. Salatas stated Mr. Tony Perez, the Town's Sewer Superintendent.

Mr. Gatto asked if Mr. Lomberger's intentions are to keep the sewer or abandon it. Mr. Lomberger expressed he did not think that property will be redeveloped. He is uncertain what he wants to do with this property and the one he owns next to it. Mr. Gatto advised if he keeps the sewer, that bill will need to be paid monthly. If he abandons the sewer, a tap fee will need to be paid when the property is developed.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to defer this item to the November 16, 2022 Meeting and for a 60-day demolition permit to be issued to the owner. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye
Mr. Wilkening Aye
Mr. Sharpe Aye

Possible Unsafe

1. 13632 Morse Street – Parker

Mr. Sharpe stated the first property under Possible Unsafe was for the property located in the vicinity of 13632 Morse Street.

Ms. Abernathy advised this property was listed as a Possible Unsafe the previous month and the Board directed Mr. Gatto to create the Unsafe Report. This report has been provided to the Board.

Mr. Sharpe asked Mr. Gatto if it appears they have done any work to the property. Mr. Gatto responded in the negative.

Ms. Abernathy advised a permit had been pulled in 2019 and the property was flagged to not continue work until an unsafe review was complete. There was no unsafe review conducted at that time. Additionally, the Building Permit is expired. After discussions with Mr. Salatas, it was requested Mr. Gatto take a look at the property.

Mr. Deutmeyer advised if this property is being moved to the active Unsafe Building list to provide directive to obtain Title Work and notify the property owners to appear at the next meeting.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to run Title Work and notify the property owner to appear at the October Meeting. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye
Mr. Wilkening Aye
Mr. Sharpe Aye

2. 7029 W 135th Avenue – Donnie & Sandra Ward

Mr. Sharpe stated the second property under Possible Unsafe was for the property located in the vicinity of 7029 West 135th Avenue.

Mr. Gatto advised this property consists of both a house and a garage that are in disrepair.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to run Title Work and notify the property owner to appear at the October Meeting. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye
Mr. Wilkening Aye
Mr. Sharpe Aye

3. 7109 W 146th Avenue – Heavner

Mr. Sharpe stated the third property under Possible Unsafe was for the property located in the vicinity of 7109 West 146th Avenue; this was deferred from the previous month awaiting Unsafe Report.

Mr. Sharpe noted the Unsafe Report was provided to the Board.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to run Title Work and notify the property owner to appear at the October Meeting. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye
Mr. Wilkening Aye
Mr. Sharpe Aye

4. 6599 Fernwood – Mogan

Mr. Sharpe stated the fourth property under Possible Unsafe was for the property located in the vicinity of 6599 Fernwood this was deferred from the previous month awaiting Unsafe Report.

Mr. Sharpe noted the Unsafe Report was provided to the Board.

Mr. Sharpe asked if there was anyone living in this residence. Mr. Gatto responded in the negative and stated he was advised the owner had passed away and owns two properties, this property and the property on Windsor Street.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to run Title Work and notify the property owner to appear at the October Meeting. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye
Mr. Wilkening Aye
Mr. Sharpe Aye

5. 14021 Windsor Street – Mogan (2nd Property)

Mr. Sharpe stated the fifth property under Possible Unsafe was for the property located in the vicinity of 14021 Windsor Street.

Mr. Sharpe asked if there was a report for this property. Ms. Abernathy responded in the negative and advised this property and the next do not have Unsafe Reports.

Mr. Deutmeyer recommended deferring this item and the next item to the next month pending Unsafe Report.

Mr. Gatto advised he would be able to complete the reports for both properties.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to defer this item pending an Unsafe Report. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye
Mr. Wilkening Aye
Mr. Sharpe Aye

6. 13505 Dewey Street – Bowman

Mr. Sharpe stated the sixth property under Possible Unsafe was for the property located in the vicinity of 13505 Dewey Street.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to defer this item pending an Unsafe Report. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye
Mr. Wilkening Aye
Mr. Sharpe Aye

Update Items:

1. 7512 West 128th Lane – Ristevski (formerly Kelly)

Mr. Sharpe stated the first Order of business for Update Items was for the property located in the vicinity of 7512 West 128th Lane. Ms. Abernathy advised everything has been straightened out with Utility Billing. Mr. Ristevski has been sent an updated bill. She is unaware if the bill has been paid and the pending Building Permit picked up.

Mr. Sharpe asked if the pending Building Permit was for demolition. Ms. Abernathy responded it was for exterior remodel. Mr. Gatto concurred. Mr. Sharpe asked if the house was repairable. Mr. Gatto responded in the affirmative and stated the house is small and currently does not have indoor plumbing.

Ms. Schieben asked how long he was provided. Mr. Deutmeyer responded he is to report back to the Unsafe Board in October.

2. 7220 W. 138th Place – Leonhardt

Mr. Sharpe stated the next Update Item was for the property located at 7220 W. 138th Place. Ms. Abernathy advised this property is just up the road.

Mr. Sharpe asked if they are still working on their remodel. Mr. Gatto responded in the affirmative.

3. 6425 W. 141st – Ward

Mr. Sharpe stated the next Update Item was for the property located at 6425 W. 141st. Mr. Gatto advised the filling in of the foundation has not been worked on since the last meeting attended by the Wards. The intent was to be continually filling in the foundation.

Mr. Sharpe directed for the owner to be notified to attend the October meeting to provide an update.

4. 6911 W 131st Avenue – J&D Son Rentals LLC

Mr. Sharpe stated the next Update Item was for the property located at 6911 West 131st Avenue.

Mr. James Ramsey, **14400 Lauerman Street**, advised the Board he has completed some of the work.

Mr. Gatto stated he has stopped by the property and there is work being done to the garage. Mr. Ramsey has obtained a proposal from a contractor who will finish the renovation of the garage.

5. 7424 W 140th Place – Graves

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Mr. Sharpe stated the next Update Item was for the property located at 7424 West 140th Place. Mr. Deutmeyer advised this property is still undergoing litigation.

PUBLIC COMMENT: None was had.

ADJOURNMENT: Mr. Sharpe adjourned the meeting at 6:51 PM.

TOWN OF CEDAR LAKE UNSAFE BUILDING DEPARTMENT

Richard Sharpe, Chairman

Dennis Wilkening, Vice Chairman

Colleen Schieben, Member

ATTEST:

Ashley Abernathy, Recording Secretary

The Minutes of the Unsafe Building Department are transcribed pursuant to IC 5-14-15-4(b) which states:

(b) As the meeting progresses, the following memoranda shall be kept:

(1) The date, time, and place of the meeting.

(2) The members of the governing body recorded as either present or absent.

(3) The general substance of all matters proposed, discussed, or decided.

(4) A record of all votes taken by individual members if there is a roll call.

(5) Any additional information required under section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.

Cedar Lake Unsafe Building Department: Minutes of the August 17, 2022 Public Meeting