



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

CALL TO ORDER:

Mr. Sharpe called the Unsafe Building Department meeting to Order at 6:02 PM on Wednesday, December 21, 2022, with its members attending on-site. The Pledge of Allegiance was recited by all.

ROLL CALL:

Members Present: Colleen Schieben; 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; Ashley Abernathy, Planning Director and Cheryl Hajduk, Recording Secretary. **Absent:** None.

Active Unsafe:

1. 14407 Fairbanks – Prairie Oak Holdings LLC

Mr. Sharpe stated the next order of business was for the property located in the vicinity of 14407 Fairbanks.

Ms. Abernathy commented that it appears no one is present. They submitted a demolition permit on November 30, 2022. We are holding it and waiting further review of the Board. They came at the October meeting requesting a Stay of the Demolition Order, but they did not show up for the November meeting.

Mr. Deutmeyer recommended the permit be issued for 30 or 60 days.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to issue the Demolition Permit for 30 days. Motion passed unanimously by roll-call vote:

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

2. 8816 W. 141st Ave. – Bird Property

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

No one present. Ms. Abernathy stated Mr. Gatto posted the Affirmation Demolition Order after the last meeting.

Mr. Deutmeyer stated the Affirmation Order was posted was around Thanksgiving. The timeline under the statute has elapsed. The next step is to knock the house down, but Mr. Bird continues to reside at the property. We will not demolish the house with him living in it, but the occupants need to be removed. The Board needs to initiate what is called Ejectment Proceedings to have the property owner removed. Then the Demolition Order can proceed.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to direct the Town Attorney to proceed with the Ejection Order. Motion passed unanimously by roll-call vote:

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

3. 13947 Hobart Street – Wease Property

Mr. Sharpe stated the next order of business was for the property located in the vicinity of 13947 Hobart Street.

Mr. David R. Dargo, on behalf of Patrick Wease, stated we filed with the Courts on December 15, 2022. It was fraudulently deeded from the neighbor of the property. He deeded the property to himself from my clients' parents who are deceased. We do not want to take any action since the property is fraudulently deeded in this person's name. Hope to have this resolved by the end of February.

Mr. Deutmeyer stated if service was done today, it is still 23 days out for the Defendant to file an answer. They would be looking at some time in February.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to defer to February 15, 2023. Motion passed unanimously by roll-call vote:

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

4. 13716 Birch Street - Blanton

Mr. Sharpe stated the next order of business was for the property located in the vicinity of 13716 Birch Street.

Mr. Roger Blanton stated we have been fixing the ceiling. Mr. Sharpe asked if they are working on the interior. Mr. Blanton responded in the affirmative. Mr. Sharpe asked what the permit is for. Mr. Blanton stated the permit is for inside demolition. Discussion ensued.

Ms. Schieben stated as long as they are making progress, the permit will be extended. Discussion ensued.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to extend the permit for 30 days. Motion passed unanimously by roll-call vote:

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

5. 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 W. 142nd Avenue.

Ms. Pamela Broadway stated we had the dumpster ordered as stated in the previous meeting. The company we were working with was backlogged. The dumpster was supposed to be dropped, but with the snow storm and trying to adhere to a seven-day rental, they did not want to drop the dumpster because we would lose two or three days; the holiday coming up and we would have only two or three days with the dumpster to get the garage down. We will get the dumpster on December 27, 2022. Discussion ensued.

Ms. Abernathy stated the permit is good until February 16, 2023.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to defer to January 18, 2023. Motion passed unanimously by roll-call vote:

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

6. 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 they have created a stipulation for the property owner to review and sign. Mr. Lomberger reviewed and agreed to the stipulation.

Mr. Austgen advised that a copy of this Agreement should be attached to the Minutes of the Meeting.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening approving the Stipulation to Permit Demolition of Property. Motion passed unanimously by roll-call vote:

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

7. 7029 W 135th Avenue – Donnie & Sandra Ward

Mr. Sharpe stated the next order of business was for the property located in the vicinity of 7029 West 135th Avenue.

Ms. Abernathy stated a Demolition Order was issued in November.

Mr. Deutmeyer recommended moving this to an update item.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to move to update items. Motion passed unanimously by roll-call vote:

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

8. 6599 Fernwood - Morgan

Mr. Sharpe stated that the next order of business was for the property located in the vicinity of 6599 Fernwood.

Mr. Gatto stated there are vehicles, boat, and the like in the yard that need to be removed. Mr. Craig Mogan advised they would work on removing the items noted.

Mr. Sharpe asked if a permit is needed for the property. Mr. Gatto stated a permit would be needed for a contractor to do the work on the property. Discussion ensued.

Mr. Deutmeyer stated the owner needs to request and the Board grant a continuance. The owner needs to provide a plan how the unsafe conditions are going to be repaired. The other option is to proceed with demolition.

Ms. Schieben asked what the owner wants to do with the property. Mr. Mogan stated he wants to sell it and understands it's in bad shape.

Mr. Deutmeyer stated if the owner is wanting a continuance, to provide a months' continuance. At the next meeting, they will need an Affirmation Order of Demolition or a plan of how the property will be repaired.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to defer to the next meeting on January 18, 2023. Motion passed unanimously by roll-call vote:

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

9. 14021 Windsor Street – Morgan (2nd Property)

Mr. Sharpe stated that the next order of business was for the property located in the vicinity of 14021 Windsor Street.

Mr. Craig Mogan stated that a contractor looked at the property and said there is no saving the property. We are fine with demolishing it.

Mr. Deutmeyer stated the Order of Demolition was issued last month and was set for a hearing tonight. There is no objection from the property owner and the Board is able to enter the Affirming Order of Demolition and move forward with the demolition process.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to affirm the prior order and proceed with the demolition process. Motion passed unanimously by roll-call vote:

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

10. 13505 Dewey Street – Bowman

Mr. Sharpe stated the next order of business was for the property located in the vicinity of 13505 Dewey Street.

Ms. Abernathy stated they were waiting on Title Work last month. Mr. Deutmeyer stated they received the Title Work and there is a Demolition Order prepared and can be entered.

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

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

Potential Unsafe

1. 11104 W. 133rd Avenue - Rahaw

Mr. Sharpe stated the first property under Potential Unsafe is for the property located at 11104 W. 133rd Avenue.

Ms. Abernathy stated this is the property that came up for public comments last month. Mr. Gatto has completed the Unsafe Reports.

Mr. Deutmeyer stated we need Title Work and have Ms. Abernathy send notice for the owner to appear.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to order Title Work and have a notice sent to owner to appear at next meeting. Motion passed unanimously by roll-call vote:

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

2. 12905 Hilltop – Krukowski-Cheever, Kathy Living Trust

Mr. Sharpe stated the second property under Potential Unsafe was for the property located at 12905 Hilltop.

Ms. Abernathy stated this is the first time coming up for Potential Unsafe. This property has three walls.

A motion was made by Ms. Schieben and seconded by Mr. Wilkening to order Title Work and have a notice sent to owner to appear at next meeting. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye

Mr. Wilkening Aye

Mr. Sharpe Aye

3. 7308 W. 138th Place - Parat

Mr. Sharpe stated the third property under Potential Unsafe was for the property located at 7308 W. 138th Place.

Ms. Abernathy stated there is no report yet. The house and garage are in very poor condition.

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 that Mr. Ristevski purchased the two lots on either side of the house on tax sale. He is waiting on the deed to either demolish existing house or repair the house.

2. 7220 W. 138th Place – Leonhardt

Mr. Sharpe stated the next Update Item was for the property located at 7220 W. 138th Place. Mr. Gatto stated the owners are still working on it.

3. 7020 W. 139th Place – Land Bank Builders & Associates, Inc. (Formerly INACQ, LLC)

Mr. Sharpe stated the next Update Item was for the property located at 7020 W 139th Place. Ms. Abernathy stated the owners wanted to demolish the property and go through the platting process. There has been no communication. They have not finished the contractor's license registration. They were sent a notice to attend the Plan Commission Meeting this month and this meeting. At this time, the recommendation is to move this back to an active Unsafe Item.

Mr. Deutmeyer stated we ran Title on this, but we need to again. The Board directed Mr. Deutmeyer to run Title Work and this item to be moved to Active Unsafe.

4. 7120 W. 132nd Place – Rincon (Formerly Kubal)

Mr. Sharpe stated the next Update Item was for the property located at 7120 W. 132nd Place.

Mr. Gatto stated they were there last week and were doing some interior demolition work.

5. 8120 Lake Shore Drive – Schane’s Bar & Grill

Mr. Gatto advised this property is being worked on. Ms. Abernathy stated that she heard back from the Structural Engineer and the structure is considered safe. They can re-build on the existing foundation.

6. 13632 Morse Street – Parker

Mr. Sharpe stated the next Update Item was for the property located at 13632 Morse Street.

Mr. Gatto advised the property is gone.

7. 7424 W. 140th Place – Graves

Mr. Deutmeyer advised this property is still under litigation.

PUBLIC COMMENT: Mr. Carnahan thanked Mr. Wilkening for serving on this Board.

ADJOURNMENT: Mr. Sharpe adjourned the meeting at 6:45 PM.

TOWN OF CEDAR LAKE UNSAFE BUILDING DEPARTMENT

Heather Dessauer, Member

Jim Hunley, Member

Colleen Schieben, Member

ATTEST:

Cheryl Hajduk, 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 December 21, 2022 Unsafe Meeting