



**CEDAR LAKE UNSAFE BUILDING DEPARTMENT MEETING MINUTES**  
**CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA**  
**January 18, 2023, at 6:00 PM**

**CALL TO ORDER:**

Ms. Schieben called the Unsafe Building Department meeting to Order at 6:00 PM on Wednesday, January 18, 2023 with its members attending on-site. The Pledge of Allegiance was recited by all.

**ROLL CALL:**

**Members Present:** Colleen Schieben, Chairwoman; Heather Dessauer, Vice Chairwoman; and Jim Hunley. A quorum was attained.

**Also Present:** Ryan Deutmeyer, Town Attorney; Tony Gatto, Building Inspector; Chris Salatas, Town Manager; Ashley Abernathy, Planning Director and Cheryl Hajduk, Recording Secretary. **Absent: none**

**Nomination of Officers:**

1. Nomination and Appointment of Officers
  - a. Chairperson

Ms. Schieben stated the first order of business was for the nomination and appointment of the Chairperson for the Unsafe Building Department and asked if there were any nominations. A nomination was made by Ms. Dessauer and seconded by Mr. Hunley to nominate Ms. Schieben as Chairperson of the Unsafe Building Department.

The nomination passed unanimously by roll-call vote:

Ms. Schieben	Aye
Ms. Dessauer	Aye
Mr. Hunley	Aye

- b. Vice Chairperson

Ms. Schieben stated the next order of business was for the nomination and appointment of the Vice Chairperson for the Unsafe Building Department and asked if there were any nominations. A nomination was made by Ms. Schieben and seconded by Mr. Hunley to nominate Ms. Dessauer as Vice Chairperson of the Unsafe Building Department.

The nomination passed unanimously by roll-call vote:

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Ms. Schieben Aye

Ms. Dessauer Aye

Mr. Hunley Aye

### **Minutes**

Ms. Schieben entertained a motion for the December 21, 2022 Unsafe Building Minutes; a motion was made by Ms. Dessauer and seconded by Mr. Hunley to approve the same. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye

Ms. Dessauer Aye

Mr. Hunley Aye

### **Active Unsafe:**

#### **1. 7020 W. 139th Place – Land Bank Builders & Associates, Inc. (Formerly INACQ, LLC)**

Ms. Schieben stated the next order of business is for the property located in the vicinity of 7020 W. 139<sup>th</sup> Place.

Ms. Abernathy commented this has come up to the Board a few times. Discussion ensued when the owner changed hands and they requested the Town to not to demolish the property. They were supposed to appear at the November Work Session to do a one lot subdivision concept plan and they did not appear for the November 2022 Unsafe Building Meeting. In December 2022, it was recommended to re-run Title Work and move this back to Active Unsafe.

Mr. Deutmeyer commented the Title is back and he has an Order of Demolition prepared. The process for demolition has two levels. The first is the Order of Demolition, and it would set it for hearing next month; which is a final hearing on the demolition. The owners would be required to appear and give an explanation to the Board as to their intentions. If the Board agrees, then the secondary Order does not need to be entered. If their explanation is not sufficient, then the Order affirming the Order of Demolition and this would go into the queue of buildings to be demolished. This is just the first Order, not the second Order.

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

Ms. Schieben Aye

Ms. Dessauer Aye

Mr. Hunley Aye

#### **2. 14407 Fairbanks – Prairie Oak Holdings LLC**

Ms. Schieben stated the next order of business is for the property located in the vicinity of 14407 Fairbanks.

Mr. Steven Vigneri, 556 Napoleon, Valparaiso, IN was present. Ms. Abernathy stated last month the Board issued the 30-day demolition. In June of 2022, they were notified to appear and in September

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2022, we affirmed the Demolition Order. In October 2022, they appeared and requested we stay the Demolition Order and requested a 30-day Demolition Permit. They stated the house would be down by the November 2022 meeting, but the house was still standing. The Board re-issued the initial Order of Demolition. On November 21, 2022, they submitted the Building Permit to demolish and in December, the Board gave a 30-day demolition permit and Mr. Vigneri requested an extension on the Building Permit.

Mr. Vigneri stated the demolition is scheduled for February 6, 2023.

Mr. Deutmeyer stated the next meeting is February 15, 2023 and if no progress is made, then we can move forward.

A motion was made by Mr. Hunley and seconded by Ms. Dessauer for a 30-day extension on the existing demolition permit. Motion passed unanimously by roll-call vote:

Ms. Schieben    Aye  
Ms. Dessauer    Aye  
Mr. Hunley       Aye

### **3. 8816 W. 141<sup>st</sup> Ave. – Bird Property**

Ms. Schieben stated the next order of business is for the property located in the vicinity of 8816 W. 141st Ave.

Mr. Deutmeyer gave the new Board members the history of this property. The last meeting in December 2022, the Board gave direction to begin preparation of ejectment pleadings. This property is inhabited and the ejectment pleadings are in the process of being filed. The demolition of the property cannot occur until the inhabitants are out of the home.

A motion was made by Mr. Hunley and seconded by Ms. Dessauer to move this to an Update Item. Motion passed unanimously by roll-call vote:

Ms. Schieben    Aye  
Ms. Dessauer    Aye  
Mr. Hunley       Aye

### **4. 13716 Birch Street - Blanton**

Ms. Schieben stated the next order of business is for the property located in the vicinity of 13716 Birch Street.

Mr. Roger Blanton, 16152 Wicker Avenue, Lowell, IN, stated he is progressing with the cleanup inside and outside and would like a permit to remodel.

Ms. Abernathy stated last month the permit was extended for 30 days and asked Mr. Blanton if he needs another extension. Mr. Blanton requested an extension for 60 days. Mr. Gatto commented as long as there is progress on the property, the 60 days should not be a problem.

Mr. Deutmeyer stated traditionally they have granted extensions on these permits. If given the progress has been made; then 60 days is sufficient to extend.

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A motion was made by Ms. Dessauer and seconded by Mr. Hunley to extend for 30 days with an update. Motion passed unanimously by roll-call vote:

Ms. Schieben     Aye

Ms. Dessauer    Aye

Mr. Hunley       Aye

**5. 9320 W. 142nd Avenue – Midland Trust Company as Custodian fbo Pamela Broadway Account #1716575**

Ms. Schieben stated the next order of business is for the property located in the vicinity of 9320 W. 142<sup>nd</sup> Avenue.

Ms. Pamela Broadway, 17144 Point Drive, Orland Park, IL, stated the garage is almost down. She would like to ask for an extension on the permit. In the last meeting, the permit was said to expire on February 16, 2023, but she spoke with Ms. Abernathy and she stated the permit expired on January 16, 2023.

Mr. Gatto commented he has seen the garage and they are working on it.

Ms. Abernathy stated back in November 2022, there was a 60-day Demolition Permit for the garage. There was confusion when the permit was picked up and it was written February 16, 2023 instead of January 16, 2023, which would have been the 60-days from the November 2022 meeting. If any extension is granted, use the February 16, 2023 date and they can make it current with existing records.

Ms. Schieben asked if the permit is just for the garage. Ms. Abernathy responded in the affirmative. Ms. Broadway is supposed to present plans to the Board with the intent to make the house safe and this was the direction of the Board when that motion was made.

Ms. Broadway stated there was nothing left for her to do as far as the house. Ms. Schieben stated they will have to address the house as soon as the garage is done. Ms. Broadway stated she is undecided if there will be a garage re-build or no garage at all depending on costs. She stated she is unfamiliar with how these plays into the permit timeline and the inspection.

Ms. Schieben asked would a building permit be issued for a garage with a house that was on the unsafe list. Ms. Abernathy commented the unsafe property would be brought up to compliance prior to a new building permit. Ms. Dessauer stated the home would have to be corrected before any talk about a new garage. Ms. Abernathy responded in the affirmative.

Ms. Broadway commented she wants a cement company to look at the foundation and decide if she can re-build the garage or not. Mr. Gatto stated they would need a variance because it is too close to the neighbor's fence.

Ms. Broadway commented she does not know what the town code is. Ms. Abernathy stated our zoning ordinance regulation requires for any accessory structure, including a detached garage to be six feet from any property line, not located in the front yard and 10 feet from any structure not located on any easement. An updated platted survey would need to be done.

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Ms. Broadway commented that she isn't sure if the foundation to the garage needs to come up. Ms. Schieben stated the foundation should be taken up because they cannot re-build where it is. Discussion ensued.

Ms. Broadway asked what does she need to do to comply within the timeline of the permit. Ms. Schieben stated the foundation does not need to come up, but the back wall on the garage needs to come down and debris cleaned up by the next meeting and discuss what needs to be done with the house.

Ms. Broadway asked are we extending the permit 30 days and that the expectation is to have the back wall of the garage down and all the debris cleaned up. Ms. Schieben responded in the affirmative.

Mr. Hunley asked about the remodeling permit. Mr. Gatto commented it is expired.

A motion was made by Ms. Dessauer and seconded by Mr. Hunley for a 30-day extension to the Building Permit and clean up the debris around the area. Motion passed unanimously by roll-call vote:

Ms. Schieben    Aye

Ms. Dessauer    Aye

Mr. Hunley       Aye

#### **6. 12901 Hilltop - Lomberger**

Ms. Schieben stated the next order of business is for the property located in the vicinity of 12901 Hilltop.

Ms. Abernathy stated the stipulation was accepted for this property for the house to be demolished. This can be moved to an update item.

A motion was made by Ms. Dessauer and seconded by Mr. Hunley to move this to an update item. Motion passed unanimously by roll-call vote:

Ms. Schieben    Aye

Ms. Dessauer    Aye

Mr. Hunley       Aye

#### **7. 7109 W. 146<sup>th</sup> Avenue - Heavner**

Ms. Schieben stated the next order of business is for the property located in the vicinity of 7109 W. 146<sup>th</sup> Avenue.

Mr. Josh Heavner, 115 N. Grant Street, Crown Point, IN, was present. Ms. Abernathy stated notification was sent out in September and he appeared in October. A 90-day deferral was granted to come up with a plan on what to do with the house. Mr. Heavner stated the house needs to come down as soon as possible.

Ms. Schieben stated if we take it down, an Order for Demolition would need to be signed. The Town would take down the house and a lien would be put on the property. Discussion ensued regarding paying the costs of taking down the house.

Mr. Deutmeyer advised for Mr. Heavner to appear at next month's meeting and sign a stipulation allowing the Town to demolish the property.

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A motion was made by Ms. Dessauer and seconded by Mr. Hunley to defer for 30 days to next meeting. Motion passed unanimously by roll-call vote:

Ms. Schieben     Aye

Ms. Dessauer    Aye

Mr. Hunley       Aye

#### **8. 6599 Fernwood - Mogan**

Ms. Schieben stated the next order of business is for the property located in the vicinity of 6599 Fernwood.

Mr. Craig Mogan, 207 South Lincoln Street, Morocco, IN was present. Ms. Abernathy stated a 30-day deferral was given last month to come up with a plan for this property. Mr. Mogan commented a U-haul will be on the property and items would be removed. He also stated the home can be demolished.

Ms. Schieben asked if they want the Town to take it down. Mr. Mogan responded in the affirmative.

Mr. Deutmeyer stated the Initial Order was issued and this would have been set for an Affirmation Order.

Mr. Mogan is asking for a 30-day extension. Mr. Hunley asked if the property is secure. Mr. Mogan responded in the affirmative.

Ms. Dessauer responded a 30-day extension would be the limit. Mr. Deutmeyer advised if they are removing belongings from the property, the Board can decide to give 30 days or 60 days to remove items from the property, but Mr. Mogan is agreeing on the record tonight for the Fernwood and Windsor properties to have the Demolition Orders entered. The Orders will be there and the property will go down when the Town can get to it. The Board can give 30 days to remove items from the property and if they don't get it all out in 30 days, then they are risking losing the items because they are agreeing to the Town taking it down.

Ms. Schieben asked do we need him to come in and sign the papers. Mr. Deutmeyer responded in the negative. An Order of Demolition has already been issued. This is set for an Order affirming it which will be done tonight on both properties.

Ms. Dessauer asked if the vehicles are still on the property. Mr. Mogan stated one of the vehicles have been removed.

Ms. Abernathy stated it will be a couple of months before anything can be demolished. If the Board affirms the Order tonight for the demolition before this property even comes up on the list for demolition.

A motion was made by Ms. Dessauer and seconded by Mr. Hunley for a 30-day extension with the understanding that anything after the 30 days, there will be no guarantee the items will be there; and affirm the prior Order of Demolition. Motion passed unanimously by roll-call vote:

Ms. Schieben     Aye

Ms. Dessauer    Aye

Mr. Hunley       Aye

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**9. 14021 Windsor Street - Mogan (2<sup>nd</sup> Property)**

Ms. Schieben stated that the next order of business is for the property located in the vicinity of 14021 Windsor Street.

Mr. Deutmeyer commented this was stated on the record last month they did not get to the paperwork. Mr. Mogan was asked by the Town Attorney if 14021 Windsor Street can be demolished by the Town. Mr. Mogan responded in the affirmative.

A motion was made by Mr. Hunley and seconded by Ms. Dessauer to affirm the prior Order of Demolition. Motion passed unanimously by roll-call vote:

Ms. Schieben    Aye

Ms. Dessauer    Aye

Mr. Hunley       Aye

**10. 13505 Dewey Street - Bowman**

Ms. Schieben stated that the next order of business is for the property located in the vicinity of 13505 Dewey Street.

Mr. Darrin Bowman, 10001 W. 113<sup>th</sup> Avenue, Cedar Lake, IN was present. Ms. Abernathy stated this appeared before the Board in recent months. The Initial Demolition Order was December 2022, and Title Work was ordered in November 2022. Notification was sent to the property owners and both times it came back to us unsigned. Mr. Bowman stated they sent the notification to the wrong address.

Ms. Schieben asked what are the plans for the property. Discussion ensued regarding the storage sheds, selling the property, putting up a fence and possibly re-building the home. Mr. Gatto commented the home is workable, but not livable. Mr. Bowman discussed the work that has been done to the home and discussion ensued.

Mr. Deutmeyer advised if the Board wants to give time for Mr. Bowman to sell the property, put a cap on the time given. Ms. Dessauer commented this property is not on Title and Mr. Deutmeyer stated this property is not recorded. Discussion ensued.

A motion was made by Ms. Dessauer and seconded by Mr. Hunley to defer for 30 days to make a decision to either to sell the property, demolish or re-build. Motion passed unanimously by roll-call vote:

Ms. Schieben    Aye

Ms. Dessauer    Aye

Mr. Hunley       Aye

**11. 11104 W. 133<sup>rd</sup> Avenue - Rahaw**

Ms. Schieben stated the next order of business is for the property located in the vicinity of 11104 W. 133<sup>rd</sup> Avenue.

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Ms. Abernathy stated Title Work was ordered and notification to the property owner stating this is on the Unsafe List. The certifications have been sent out and nothing has been received back and no communication has been had by the property owners.

Mr. Deutmeyer stated Title is back and the Order is prepared if that is what the Board wants to do.

Ms. Dessauer asked how long ago were the certifications sent out. Ms. Abernathy commented the certified mail was mailed to 11104 W. 133rd Avenue. Mr. Deutmeyer commented there are other addresses through Title, because there are three owners. Notices have been sent to all three addresses, but the Initial Order puts them on notice.

A motion was made by Ms. Dessauer and seconded by Mr. Hunley to issue the Initial Demolition Order. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye

Ms. Dessauer Aye

Mr. Hunley Aye

## **12. 12905 Hilltop – Krukowski-Cheever, Kathy Living Trust**

Ms. Schieben stated the next order of business is for the property located in the vicinity of 12905 Hilltop.

Mr. Isaac Johnson, 12221 Cline Avenue, Crown Point, IN, stated the plan is to re-build the property and would like a 30-day extension to come up with a plan. Ms. Schieben asked if they are demolishing and re-building. Mr. Johnson responded in the affirmative. Mr. Gatto commented variances would be needed.

Mr. Rick Johnson, RJ Construction, stated they are asking for 30 days to come up with a plan for that lot.

Mr. Deutmeyer advised Title was ordered last month and is back. Ms. Schieben commented Mr. Deutmeyer can continue with the Demolition Order in case they decide not to come up with a plan because of the shape the house is in.

A motion was made by Mr. Hunley and seconded by Ms. Dessauer for a 30-day extension to come up with a plan and to issue a Demolition Order. Motion passed unanimously by roll-call vote:

Ms. Schieben Aye

Ms. Dessauer Aye

Mr. Hunley Aye

## **Potential Unsafe**

### **1. 7308 W. 138<sup>th</sup> Place - Parat**

Ms. Schieben stated the property under Potential Unsafe is for the property located at 7308 W. 138<sup>th</sup> Place.

Ms. Abernathy stated if a property was determined to be unsafe, Mr. Deutmeyer would run Title Work and the homeowner would be notified to appear at the next meeting. Mr. Deutmeyer stated the notices to appear do not go out until they are past the potentially unsafe section. This is for the Board to make that determination.



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A motion was made by Ms. Dessauer and seconded by Mr. Hunley to notify the owner, order Title Work and move this item to the Unsafe List. Motion passed unanimously by roll-call vote:

Ms. Schieben     Aye

Ms. Dessauer    Aye

Mr. Hunley       Aye

**Update Items:**

**1. 7512 West 128<sup>th</sup> Lane – Ristevski (formerly Kelly)**

Ms. Schieben stated the first Order of business for Update Items was for the property located in the vicinity of 7512 West 128<sup>th</sup> Lane.

Ms. Abernathy stated Mr. Ristevski is closing on additional parcels so he can get around the house to demolish and re-build.

**2. 7220 W. 138<sup>th</sup> Place – Leonhardt**

Ms. Abernathy stated they are working on it/re-building.

**3. 7120 W. 132<sup>nd</sup> Place – Rincon (Formerly Kubal)**

Ms. Abernathy stated they completed the interior demolition and they have a permit submitted and they are working on re-building.

**4. 8120 Lake Shore Drive – Schane's Bar & Grill**

Ms. Abernathy advised this property is being worked on and they are contacting the Structural Engineer to get a full concept plan together and come back in front of the Plan Commission to get going on re-building.

**5. 7029 West 135<sup>th</sup> Avenue – Donnie & Sandra Ward**

Ms. Abernathy stated the Demolition Order was affirmed and this was moved to an Update Item and the house is not down yet.

**6. 7424 W. 140<sup>th</sup> Place – Graves**

Mr. Deutmeyer advised this property is still under litigation.

**PUBLIC COMMENT:** None was had

**ADJOURNMENT:** Ms. Schieben adjourned the meeting at 7:11 pm.

## TOWN OF CEDAR LAKE UNSAFE BUILDING DEPARTMENT

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Jim Hunley, Member

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Heather Dessauer, Vice Chairwoman

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Colleen Schieben, Chairwoman

ATTEST:

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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 January 18, 2023 Unsafe Meeting*