



CEDAR LAKE UNSAFE BUILDING DEPARTMENT MEETING MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
February 15, 2023, at 6:00 PM

CALL TO ORDER:

Ms. Schieben called the Unsafe Building Department meeting to Order at 6:00 PM on Wednesday, February 15, 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; David Austgen, Town Attorney; Ashley Abernathy, Planning Director; and Cheryl Hajduk, Recording Secretary. **Absent: none**

Minutes

Ms. Schieben entertained a motion for the October 19, 2022, November 16, 2022, January 18, 2023 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:

Mr. Hunley	Aye
Ms. Dessauer	Aye
Ms. Schieben	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. 139th Place.

Ms. Abernathy stated no one is present for this property. Last month the Initial Order of Demolition was sent out and nothing has been received by our office. Mr. Deutmeyer stated they have heard nothing from the current owner.

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

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Mr. Hunley Aye

Ms. Dessauer Aye

Ms. Schieben 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. Gatto stated this property has been demolished and can be removed off the agenda.

A motion was made by Ms. Dessauer and seconded by Mr. Hunley to remove this item from the agenda. Motion passed unanimously by roll-call vote:

Mr. Hunley Aye

Ms. Dessauer Aye

Ms. Schieben Aye

3. 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, Lowell, IN, stated they are continuing to clear the debris on the property.

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

Mr. Hunley Aye

Ms. Dessauer Aye

Ms. Schieben Aye

4. 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. 142nd Avenue.

Ms. Pamela Broadway, present via zoom, stated the garage is down and they are cleaning up debris. Ms. Abernathy stated the next step is to come up with a plan to get the house safe. Mr. Gatto commented a site inspection needs to be done. Discussion ensued.

Mr. Deutmeyer advised the Board give Ms. Broadway or her people 30 days to arrange a time with Mr. Gatto to look at the property and give a report as to what needs to be done on the house. Mr. Deutmeyer commented when the unsafe conditions are remedied, then it would be beyond the purview of this Board and specifically the interior items; then it would be Building Department related.

Ms. Dessauer asked Ms. Broadway when was the last time she was at the property. Ms. Broadway commented a year ago.

Ms. Dessauer asked what was the miscommunication at the last meeting when it was stated the garage was down and all the debris was gone, and when the staff went out, none of that happened. Ms. Broadway responded she was sent pictures and there were three walls down and Mr. Gatto was there before any of the walls came down. Mr. Gatto stated the pictures were from the day after the meeting. Discussion ensued. Ms. Abernathy clarified that Mr. Gatto had gone out to do an inspection and saw people out there working and the next day Mr. Gatto went out to verify the claim that all but one wall was down and most of the debris were cleaned up. However, when Mr. Gatto arrived there were three walls still standing and most of the debris was still on the property. He has photographs of this claim. Discussion ensued regarding the house and how bad of shape it's in.

Mr. Hunley asked if there has been a permit issued for any work that has been done. Ms. Schieben responded in the negative.

Mr. Deutmeyer asked Mr. Gatto if he was issuing an Inspection Report. Mr. Gatto commented this is guiding them on what type of permit, scope of work they would need to apply for a permit and move in the right direction. Mr. Deutmeyer advised at the next meeting there should be beginnings of plans or a rough sketch of timelines and what is anticipated to get off the unsafe list. Discussion ensued.

Mr. Deutmeyer advised while Mr. Gatto is doing the interior inspection, Ms. Broadway can work on a plan for the exterior. At next month's meeting, there should be a time frame for the exterior.

Ms. Dessauer asked if the rest of the debris from the garage will go into a dumpster. Ms. Broadway commented the rest of the debris can be hauled away in pick up trucks.

A motion was made by Ms. Dessauer and seconded by Mr. Hunley for a 30-day deferral with the understanding the Demolition Permit gets extended; All of the debris to be removed in the next 30 days; An appointment be made with Mr. Gatto and a representative to look at the house; and a plan to fix the outside of the house. Motion passed unanimously by roll-call vote:

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

5. 7109 W. 128th Ave – Cagnina

Ms. Schieben stated the next order of business is for the property located in the vicinity of 7109 W. 128th Avenue.

Mr. Luigi Cagnina was present. Ms. Abernathy stated back in October or November they were granted a 90-day exterior/interior demolition cleanup and to see if the house is repairable. Mr. Gatto will get this scheduled for re-inspection. Mr. Cagnina stated there has been a lot of progress on the property.

A motion was made by Ms. Dessauer and seconded by Mr. Hunley for a 30-day extension and a plan moving forward. Motion passed unanimously by roll-call vote:

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

6. 7109 W. 146th Avenue - Heavner

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

Mr. Deutmeyer stated Mr. Heavner executed the Stipulation and there is a copy for the Town's record, a copy for the Attorney's Office and a copy for Mr. Heavner.

A motion was made by Ms. Dessauer and seconded by Mr. Hunley to accept the Executed Stipulation for Demolition of the property. Motion passed unanimously by roll-call vote:

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

7. 13505 Dewey Street - Bowman

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

Darrin Bowman, 1001 W. 113th Avenue, Cedar Lake and Eric Neff, Law Firm of D. Eric Neff, on behalf of Mr. Bowman, were present. Mr. Neff stated we prepared some brochures and dispute that it is not an unsafe building at this point and that is based on the Findings of Fact. The roof and foundation are solid and we have a projected timeline to finish the house within the year. Discussion ensued regarding the timeline. The intention is to keep the property and not sell.

Ms. Abernathy stated they submitted a building permit pending the Board's discretion on length of time needed to finish the home. On the permit it is stated Mr. Bowman is going to do the work and not use contractors. Ms. Abernathy asked is the intent to live in the home. Mr. Bowman responded in the affirmative. Discussion ensued regarding fixing up the home.

Ms. Dessauer commented as long as there is progress and moving into the right direction, we don't see a problem with continuing fixing up the property and it becomes safe. Discussion ensued.

A motion was made by Mr. Hunley and seconded by Ms. Dessauer to issue a limited duration 60-day building permit with an additional extension for 30 days to show work. Motion passed unanimously by roll-call vote:

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

8. 11104 W. 133rd Avenue - Rahaw

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

Mr. Andrew Rahaw, 427 W. Oakley Avenue, Lowell, IN stated he would like to request a 60-day extension, but if the Board wants a 30-day extension, that would be fine. He has been removing the exterior porch

to make it safe and the debris will go into a dumpster. The intent is to remove the house from the property. Discussion ensued regarding getting estimates of removing the house.

Ms. Abernathy stated last month the Board issued the Initial Demolition Order and Mr. Rahaw has reached out to me and has been very consistent in stating he intends on getting bids from contractors.

Mr. Deutmeyer stated the Board can Stay the Execution Order. An extension can be given to continue the work that Mr. Rahaw is doing.

Ms. Dessauer asked in the next three to four months will the house be demolished. Mr. Rahaw responded in the affirmative.

Mr. Salatas stated our building permits even demolition permits are not a formality. Please do not do demolition until they are approved by the Building Department.

A motion was made by Mr. Hunley and seconded by Ms. Dessauer to Stay the Execution of the Demolition Order and a 90-day deferral on the house. Motion passed unanimously by roll-call vote:

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

9. 12905 Hilltop – Krukowski-Cheever, Kathy Living Trust

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

Mr. Isacc Johnson, RJ Construction, 12221 Cline Avenue, stated he has a plan to rebuild the house and to have it completed between six months to a year. My plan is to apply for permits. Mr. Gatto commented there are no concerns and can be treated as a new construction project.

A motion was made by Ms. Dessauer and seconded by Mr. Hunley Motion Hunley for a 90-day Stay on the Demolition Order and an update in 90-days to show work on rebuild. Motion passed unanimously by roll-call vote:

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

10. 7308 W. 138th Place - Parat

Ms. Schieben stated that the next order of business is for the property located in the vicinity of 7308 W. 138th Place.

Mr. Joseph Parat, stated the plan is to clean up debris and apply for a demolition permit for the garage and get estimates to see if the house is repairable.

Ms. Abernathy sent Mr. Parat a list of registered contractors and the Unsafe Report. Discussion ensued regarding moving forward with the exterior and interior of home.

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A motion was made by Ms. Dessauer and seconded by Mr. Hunley to defer this item for 60 days with the understanding in 60 days the owner will have a plan going forward. Motion passed unanimously by roll-call vote:

Mr. Hunley Aye

Ms. Dessauer Aye

Ms. Schieben Aye

Update Items:

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

Ms. Abernathy stated they are waiting to close on the other property so that they can either demolish or repair the house without trespassing onto someone else's property.

2. 7220 W. 138th Place – Leonhardt

Ms. Abernathy stated they have done more wrapping.

3. 7120 W. 132nd Place – Rincon (Formerly Kubal)

Ms. Abernathy stated they finished the interior and exterior demolition and moving on to the regular permitting process for repairing the structure.

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

Ms. Abernathy stated they working on getting the one lot subdivision and any variances needed.

5. 8816 W. 141st Avenue – Bird

Mr. Deutmeyer stated we will be filing with the Court.

6. 12901 Hilltop – Lomberger

Ms. Abernathy stated the stipulation was signed and on the list for demolition from the Town.

7. 6599 Fernwood – Mogan

Ms. Abernathy stated this is on the list for demolition from the Town.

8. 14021 Windsor Street – Mogan

Ms. Abernathy stated this is on the list for demolition from the Town.

9. 7424 W. 140th Place – Graves

Mr. Deutmeyer advised this property is still under litigation.

PUBLIC COMMENT: Mr. Nick Worley, 7000 W. 127th Place, commented that the house with the garage coming down has cats lingering in there. Ms. Schieben stated it is hard to control and thanked Mr. Worley on keeping an eye out.

ADJOURNMENT: Ms. Schieben adjourned the meeting at 7:12 pm.

TOWN OF CEDAR LAKE UNSAFE BUILDING DEPARTMENT

Jim Hunley, Member

Heather Dessauer, Vice Chairwoman

Colleen Schieben, Chairwoman

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 February 15, 2023 Unsafe Meeting