



**CEDAR LAKE UNSAFE BUILDING DEPARTMENT MEETING MINUTES**  
**CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA**  
**June 21, 2023, at 5:30 PM**

**CALL TO ORDER:**

Ms. Schieben called the Unsafe Building Department meeting to Order at 5:34 PM on Wednesday, June 21, 2023 with its members attending on-site. The Pledge of Allegiance was recited by all.

**ROLL CALL:**

**Members Present:** Colleen Schieben, Chairwoman and Donna Rozenich, Member. A quorum was attained.

**Also Present:** Ryan Deutmeyer, Town Attorney; Tony Gatto, Building Inspector; Ashley Abernathy, Planning Director; and Cheryl Hajduk, Recording Secretary. **Absent:** Heather Dessauer, Vice Chairwoman

**Minutes**

Ms. Schieben entertained a motion for the May 17, 2023 Unsafe Building Minutes; a motion was made by Ms. Rozenich and seconded by Ms. Schieben to approve the same. Motion passed unanimously by roll-call vote:

Ms. Rozenich    Aye

Ms. Schieben    Aye

**Active Unsafe:**

**1. 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, 13716 Birch Street, stated he has been cleaning up the property on the outside.

Mr. Donald Johnson, 13711 Birch Street, stated he is going to purchase the property.

Mr. Tony Gatto commented there is clean up going on, but if the intention is to sell the property, then it should be sold.

Mr. Johnson commented there are two sheds to clean up and some things inside the home that Mr. Blanton wants to take care of.

Ms. Schieben asked what was the timeline we gave last time. Ms. Abernathy commented last month it was for a 30-day extension to continue the cleanup and show progress and for the person intending to purchase the property to appear in front of the Board.

Ms. Schieben commented we have had this on the agenda for a year and not a lot of progress has been going on. Mr. Deutmeyer stated we haven't run Title or issued an Unsafe Order, because Mr. Blanton has been coming to give updates about the property. If the intention is to sell it, then a short extension of time would be fine.

Mr. Deutmeyer asked what are the intentions of the property. Mr. Johnson commented he wants to rehab the house. Mr. Deutmeyer commented the Board will want him at the monthly meetings with progress updates.

Mr. Johnson commented he will be doing most of the work himself and what kind of timeline is he looking at. Ms. Schieben stated as long as there is progress, but doesn't know the condition of the house. Mr. Gatto stated it is repairable.

Mr. Blanton asked if he can have a 60-day extension to get items removed from the property. Mr. Deutmeyer asked when can Title be transferred. Mr. Blanton commented anytime would be fine. Discussion ensued.

Mr. Deutmeyer stated a 30-day extension would be warranted to have Mr. Blanton to remove items off of the property and they both return with an update with a timeline of transferring property.

A motion was made by Ms. Rozenich and seconded by Ms. Schieben to defer for 30 days to the July 19, 2023 Meeting with a cleanup, removal of possessions and to see when the property can be purchased. Motion passed unanimously by roll-call vote:

Ms. Rozenich   Aye  
Ms. Schieben   Aye

**2. 9320 W 142nd Avenue – NWI Casas LLC (Formerly 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. Abernathy stated this was formerly the Pamela Broadway property. Last month she had said the property sold, but there was no confirmation on Lake County GIS that it had sold. Recently, it did show up that the property did close. The new property owner is shown on the GIS and we ran updated Title last month.

Ms. Schieben asked can we request the new owners come to the next meeting. Ms. Abernathy commented that would be the recommendation. Mr. Deutmeyer commented we ordered the update from Fidelity and they would have it within a couple of days. At the next meeting, we will have updated Title Work. If NWI Casas LLC fails to appear, we will be ready to move forward on the Demolition Order.

A motion was made by Ms. Rozenich and seconded by Ms. Schieben to defer this matter for 30 days and to communicate to the new owner to have them appear at the July 19, 2023 Meeting. Motion passed unanimously by roll-call vote:

Ms. Rozenich    Aye  
Ms. Schieben    Aye

**3. 7308 W. 138th Place - Parat**

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

Ms. Abernathy stated nobody is here and Mr. Parat communicated that he was going to be out of Town for work. He had his contractor send me some pictures of the garage area and it is down and it looks like some foliage is cleaned up. Mr. Parat would like a 60-day deferral because he is still getting estimates and quotes from contractors to determine what to do with the house.

Mr. Deutmeyer stated there has been progress and one of the structures is down, and in the past the Board has given some leeway to owners that have done these types of things. A 60-day deferral is warranted in this situation, but the Board has also given 30-days in the past.

Mr. Gatto commented he has not been by the property as the garage just came down.

A motion was made by Ms. Rozenich and seconded by Ms. Schieben to defer this item for 30 days. Motion passed unanimously by roll-call vote:

Ms. Rozenich    Aye  
Ms. Schieben    Aye

**4. 13013 Knight Street – Kubiak Properties Inc (*Demolition Permit Pulled March 21, 2023*)**

Ms. Schieben stated the next order of business is for the property located in the vicinity of 13013 Knight Street.

Ms. Abernathy stated the Demolition Permit was pulled. Mr. Gatto commented the house has been demolished; the sewer still needs to be capped.

A motion was made by Ms. Rozenich and seconded by Ms. Schieben to move this item to Update Items. Motion passed unanimously by roll-call vote:

Ms. Rozenich    Aye  
Ms. Schieben    Aye

**5. 11104 W. 133<sup>rd</sup> Ave – Rahaw**

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

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Mr. Andrew Rahaw, 427 W. Oakley Avenue, Lowell, IN, stated he is the owner of 11104 W. 133<sup>rd</sup> Avenue. There are a couple setbacks. The upstairs garage has a nest of vultures and they are federally protected. The garage is emptied except for the second floor. Discussion ensued regarding when the garage can come down.

Ms. Schieben asked if the plan is to take the whole house down. Mr. Rahaw responded in the affirmative and he has been in talks with contractors. The other setback is there was a break in at the house and the house needs to get cleaned again. The plan is to get the house emptied and continue to cut back some foliage. Discussion ensued.

Mr. Rahaw commented he received two estimates on the well and that will be taken care of and to get the sewer capped. Discussion ensued regarding when Nipsco can take care of the electricity on the property.

Mr. Rahaw commented he talked with Purdue University and they confirmed that they are turkey vultures. They will probably migrate in the early fall and cleanup in the upstairs garage can begin.

Ms. Rozenich asked the only thing left to clean out from the garage is the tool bench. Mr. Rahaw responded in the affirmative from the downstairs part of the garage.

A motion was made by Ms. Schieben and seconded by Ms. Rozenich to defer this item for 30-day extension to the July 19, 2023 Meeting. Motion passed unanimously by roll-call vote:

Ms. Rozenich   Aye

Ms. Schieben   Aye

#### **6. 13947 Hobart – Wease**

Ms. Schieben stated the next order of business is for the property located in the vicinity of 13947 Hobart.

Mr. David Dargo on behalf of Mr. Patrick Weiss, 5985 East 1015 North Vermont, Indiana 46310, stated we have a complaint for Quiet Title filed with the Courts. We serviced Mr. Sadler; he is the Respondent in this action. There was trouble with the Title due to an improper and fraudulent commands by the respondent in this action. We've had trouble getting a hold of them so we've had to do a summons by publication. The Lake Superior Court has informed us that they are setting the matter for a hearing within the next 30-days. We have all of the documentation.

Mr. Deutmeyer stated he was served on December 22, 2022 and asked why are they going by publication since he was already served. Mr. Dargo commented we served him in the past, but he has taken off since then and the Court's deem that prior service wasn't sufficient. This is why we are doing a service by Publication. Discussion ensued.

A motion was made by Ms. Rozenich and seconded by Ms. Schieben to defer this item for 60-days to the August 16, 2023 Meeting. Motion passed unanimously by roll-call vote:

Ms. Rozenich   Aye

Ms. Schieben   Aye

**7. 7109 W. 128<sup>th</sup> Ave. Cagnina**

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

Mr. Roger Hayward, 6721 W. 145<sup>th</sup> Avenue, Cedar Lake, stated we had to dig some holes to expose the foundation but we did not dig deep enough. Mr. Gatto commented that is for property at 7105 W. 128<sup>th</sup> Avenue, for 7109 W. 128<sup>th</sup> Avenue, we need to confirm that the site had been cleaned up, which the landscaping has been trimmed back and the tree has been removed.

Ms. Schieben asked what are the intentions of these properties. Mr. Hayward responded to fix them both up. Mr. Deutmeyer stated at the last meeting, it was discussed that 7105 W. 128<sup>th</sup> Avenue was a smaller project to get it done and take the mortgage out of that property to then repair 7109 W. 128<sup>th</sup> Avenue.

Mr. Gatto stated we have been out there and we did a site inspection and we are on the same page with the structure of the house, but we don't want to go any further with a permit until we can verify there is a foundation.

Mr. Deutmeyer commented for the record there is 7105 W. 128<sup>th</sup> Avenue on the Potential Unsafe List and were there any more comments from the Board regarding this property. Ms. Schieben stated she knows what the plan is and as long as they know, we are giving a deferral for both properties.

A motion was made by Ms. Rozenich and seconded by Ms. Schieben to defer this matter for 30-days to the next meeting on July 19, 2023 with an update. Motion passed unanimously by roll-call vote:

Ms. Rozenich    Aye  
Ms. Schieben    Aye

**8. 14617 Lee Street - Linden**

Ms. Schieben stated the next order of business is for the property located in the vicinity of 14617 Lee Street.

Mr. Nickolas Linden, 14617 Lee Street, stated his intention is to rebuild the porch. We cleared the bushes away so far.

Mr. Gatto stated they should get a Demolition Permit and a Rebuild Permit. If the porch will be the same size, then there should not be an issue, but if the size changes, a survey would need to be done showing the setbacks and sizes.

Ms. Schieben asked how long from getting the Demolition Permit can the porch be torn down and cleaned up. Mr. Linden commented 60-days.

Mr. Deutmeyer asked is the porch the only part that is unsafe. Mr. Gatto responded in the affirmative. Discussion ensued.

Mr. Deutmeyer commented there have been time limitations for demolitions in the past, should there be a time limitation on the Demolition Permit or is it just a general permit. Ms. Schieben commented we would give 60-days. Discussion ensued regarding permit usage.

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A motion was made by Ms. Rozenich and seconded by Ms. Schieben to direct the Building Department that once the Demolition Permit is applied for, the Demolition Permit be issued for 60-days with a deferral of 60-days to appear at the August 16, 2023 Meeting. Motion passed unanimously by roll-call vote:

Ms. Rozenich    Aye  
Ms. Schieben    Aye

**Potential Unsafe Items:**

**1. 13941 Morse Street - Steuer**

Ms. Schieben stated the next order of business is for the property located in the vicinity 13941 Morse Street.

Ms. Abernathy stated the inspectors have been busy this last month and the recommendation is to defer this item.

A motion was made by Ms. Rozenich and seconded by Ms. Schieben to defer this item to the July 19, 2023 Meeting. Motion passed unanimously by roll-call vote:

Ms. Rozenich    Aye  
Ms. Schieben    Aye

**2. 7105 W. 128<sup>th</sup> Avenue – Cagnina (2<sup>nd</sup> property)**

Ms. Schieben stated the next order of business is for the property located in the vicinity 7105 W. 128<sup>th</sup> Avenue.

A motion was made by Ms. Rozenich and seconded by Ms. Schieben to defer this item for 30-days and for a 30-day Building Permit. Motion passed unanimously by roll-call vote:

Ms. Rozenich    Aye  
Ms. Schieben    Aye

**Update Items:**

**1. 8120 Lake Shore Drive – Schane's Bar & Grill**

Ms. Abernathy commented they have contracted with an attorney to work through the Preliminary Plat, Site Plan and discussions have turned into a PUD re-zone for that property. There will be many Variances needed. This will now go through Plan Commission and Town Council.

**2. 8816 W. 141<sup>st</sup> Ave. – Bird**

Mr. Deutmeyer commented they are still waiting on the Bill of Costs so we can get a lien against the property. The house has been demolished.

**3. 12901 Hilltop – Lomberger**

Ms. Abernathy stated it is on the list to be demolished.

**4. 6599 Fernwood – Mogan**

Ms. Abernathy stated it is on the list to be demolished.

**5. 14021 Windsor Street – Mogan**

Ms. Abernathy stated it is on the list to be demolished.

**6. 7020 W 139th Place – Land Bank Builders & Associates, Inc. (Formerly INACQ, LLC)**

Ms. Abernathy stated it is on the list to be demolished.

**7. 7109 W 146th Avenue – Heavner**

Ms. Abernathy stated it is on the list to be demolished.

**8. 7424 W. 140<sup>th</sup> Place – Graves**

Mr. Deutmeyer stated this property went through the tax sale process with the new owner. Some work has been done on the garage. Mr. Gatto commented he does not know if it safe.

Ms. Abernathy commented a Building Permit has not been turned in. Discussion ensued regarding legal proceedings with Ms. Graves.

Ms. Abernathy commented we will try and set up a site inspection.

**9. W 127<sup>TH</sup> Lane – Town of Cedar Lake**

Ms. Abernathy stated it is on the list to be demolished.

**PUBLIC COMMENT:**

Ms. Abernathy commented that an anonymous individual came to me with a concern that 14717 Lee Street belonging to Mary Fisher potentially has no water or electricity. I'm asking the Board for Mr. Gatto to go and take a look at the property.

Ms. Rozenich stated she has electricity and water as she lives next door to me. She cuts her grass; she walks my dogs. Discussion ensued.

Ms. Rozenich commented her and her husband can go and check on the property. Mr. Deutmeyer commented Mr. Gatto will have to make sure the property is not unsafe and that we do our due diligence.

**ADJOURNMENT:** Ms. Schieben adjourned the meeting at 6:32 pm.

## TOWN OF CEDAR LAKE UNSAFE BUILDING DEPARTMENT

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Donna Rozenich, 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 June 21, 2023 Unsafe Meeting*