



CEDAR LAKE UNSAFE BUILDING DEPARTMENT MEETING MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
December 20, 2023, at 5:30 PM

CALL TO ORDER:

Ms. Rozenich called the Unsafe Building Department meeting to Order at 5:32 PM on Wednesday, December 20, 2023 with its members attending on-site. The Pledge of Allegiance was recited by all.

ROLL CALL:

Members Present: Heather Dessauer, Member; Donna Rozenich, Vice Chairwoman. A quorum was attained.

Also Present: Ryan Deutmeyer, Town Attorney; Tony Gatto, Building Inspector; Ashley Abernathy, Planning Director; and Cheryl Hajduk, Recording Secretary.

Absent: Colleen Schieben, Chairwoman

Minutes:

Ms. Rozenich entertained a motion for the October 18, 2023 Unsafe Building Minutes; a motion was made by Ms. Dessauer and seconded by Ms. Rozenich to approve the same. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye

Ms. Rozenich Aye

Active Unsafe:

1. 11104 W. 133rd Avenue - Rahaw

Ms. Rozenich stated the first 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, commented everything is done, but there is an Ordinance stating grass needs to be growing on the property. Mr. Gatto commented the permit will need to be extended to June or July 2024 until there is grass growing.

Ms. Dessauer asked what permit needs extending. Mr. Gatto responded the Demolition Permit.

Ms. Abernathy stated we cannot do a Certificate of Completion until there is grass growing on the property to make sure there isn't any runoff from the property being re-graded and seeded.

Mr. Rahaw asked if the Ordinance can be found. Ms. Dessauer responded in the negative. Mr. Rahaw commented the permit states if I do not intend to re-build within a month, the property has to be seeded before final inspection.

A motion was made by Ms. Dessauer and seconded by Ms. Rozenich to remove this item from the agenda and to release the permit back to the Building Department to extend the expiration date on the permit. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye
Ms. Rozenich Aye

2. 9320 W 142nd Avenue – NWI Casas LLC (Formerly Midland Trust Company as Custodian fbo Pamela Broadway Account #1716575)

Ms. Rozenich stated the next order of business is for the property located in the vicinity of 9320 W 142nd Avenue.

Mr. Junior Martin, 2701 W. 45th Street Avenue, Gary, IN, commented we have acquired Nical Construction and they will to do the demolition work, and after the first of the year, the permit will be pulled to do the work.

Ms. Abernathy commented last month this was deferred to this month with the Order for them to obtain an Interior Demolition Permit to determine what needs to be done for the house.

Ms. Dessauer asked has the company been to the property to see the Scope of Work. Mr. Martin responded in the affirmative. Ms. Dessauer commented they need to be licensed with the Town.

Mr. Deutmeyer asked was this for an Interior Demolition Permit to see what needs to be done to repair the inside. Mr. Gatto responded in the affirmative.

A motion was made by Ms. Dessauer and seconded by Ms. Rozenich to defer this item for 30-days with the understanding of that Nical Construction will get a license with the Town and have the work done before the January 17, 2024 meeting. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye
Ms. Rozenich Aye

3. 7308 W. 138th Place - Parat

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

Mr. Joseph Parat, 4218 Garden Ridge Road, Crestwood, KY 40014, asked if a potential buyer is to buy the property that they can come to the Unsafe Board with plans to fix it. Ms. Abernathy stated they can come before the Board and ask for a Stay of the Order and the Board can grant it if they choose.

Mr. Parat commented he asking for a 30-day deferral because he is in discussions with JJM Home Improvement and they will put together a proposal to fix some of the deficiencies in the home and also give the tenant some more time to find somewhere else to live. Discussion ensued.

Mr. Deutmeyer stated every year Lake County institutes a Moratorium on evictions and a tenant cannot be forced to move out. Mr. Parat commented he wants to make sure legally everything is being done properly.

Mr. Parat commented he does not want to see the building demolished and stated he wants to see what the proposal is to fix some of the things in the house.

Mr. Deutmeyer commented the Initial Demolition Order requires the property to be demolished or repaired before the date of expiration. There is a second Order that would be required before it would end up on the Town's demolition list. Discussion ensued regarding the tenant to find other housing.

Discussion ensued regarding the Notice of Demolition with the realtor company.

A motion was made by Ms. Dessauer and seconded by Ms. Rozenich to give a 30-day deferral and to see a plan from the Home Improvement Company with a Scope of Work. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye
Ms. Rozenich Aye

4. 13947 Hobart Street - Wease

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

Mr. Deutmeyer stated Attorney David Dargo sent an email and stated he was unable to be present at this meeting and also stated in the email that they filed a Motion for Default Judgement. Mr. Deutmeyer commented the Default Judgment will probably be granted in the near future. The Title also needs to be cleared up.

A motion was made by Ms. Dessauer and seconded by Ms. Rozenich to defer this item for 30-days to the next meeting of January 17, 2024. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye
Ms. Rozenich Aye

5. 7500 W. 129th Lane - Barcewicz

Ms. Rozenich stated the next order of business is for the property located in the vicinity 7500 W. 129th Lane.

Mr. Barton Barcewicz, 12927 Webster Street, Cedar Lake, commented the report was completed on October 22, 2022, and I bought the house on September 1, 2023. Ms. Abernathy told me no one was ever notified. I would have never bought a property that was on the Unsafe List.

Ms. Abernathy stated this was one of the homes that a report was made and then budgetarily things came up, so we were not adding any new items on the agenda for a while. This item appeared on the October 2023 agenda as a potential unsafe property. Until the Board determines a property is unsafe, it will get moved to the Active Unsafe List, but until then, only a report would have been done.

Mr. Deutmeyer commented this was listed as potential unsafe on October 18, 2023, which is after the property was purchased. The first time anyone would have been notified of this house being an unsafe structure would have been at the November 2023 meeting. Discussion ensued regarding the procedures of how a property gets onto the Active Unsafe List.

Ms. Dessauer asked what is the intention of the home. Mr. Barcewicz commented he will fix the home.

Mr. Barcewicz asked why did he get the letter after trying to get a permit to build a house, because the letter was written on November 6, 2023 and giving only six days to appear at this meeting. Discussion ensued regarding getting a permit for another house Mr. Barcewicz wanted to build.

Mr. Deutmeyer commented the background information on trying to build a house is not relevant to whether or not this property is unsafe and what we are doing here.

Ms. Rozenich asked where in the process is this unsafe house being fixed. Mr. Barcewicz commented we have cut the grass and cleaned up the yard and we fixed the soffits.

Ms. Dessauer asked he wants to fix the house and what does he need to do to get this started. Ms. Abernathy stated he can get a Scope of Work together, submit a building permit, and a timeline to try and get a permit. Discussion ensued regarding what the next steps will be to start fixing the house.

A motion was made by Ms. Dessauer and seconded by Ms. Rozenich to defer this item to the February 21, 2024 meeting with a Scope of Work. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye

Ms. Rozenich Aye

6. 14616 Dewey Street – Frick

Ms. Rozenich stated the next order of business is for the property located in the vicinity 14616 Dewey Street.

Mr. Shawn Boyle, on behalf of our client Thomas Frick, Krachkoff Law Offices, 405 North Main Street, Crown Point, IN commented his client is fine with the demolition and he would like to do it himself. He intends to build a new house on the property. We would like the Board to give us the amount of time to build the home.

Ms. Dessauer commented a Demolition Permit will need to be issued and there will be a time frame on the permit.

Mr. Deutmeyer asked if the client has a contractor at this time. Mr. Boyle responded in the negative.

A motion was made by Ms. Dessauer and seconded by Ms. Rozenich to defer this item for 60-days to the February 21, 2024 meeting and to apply for a Demolition Permit, obtain a contractor and have the demolition completed by this date. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye
Ms. Rozenich Aye

7. 14737 Bryan Street – Bodinet

Ms. Rozenich stated the next order of business is for the property located in the vicinity 14737 Bryan Street.

(Inaudible) Max Properties, 110 Highland Street, commented she was here on behalf of the new owner of this property. The Scope of Work for this property is to get rid of the debris that is outside and they want to flip the property, demolish the garage and remodel the house. They would like an extension to be able to pull permits.

Ms. Dessauer asked what is the time frame of getting the work done. (Inaudible) commented three or four months.

Ms. Abernathy commented there will need to be a Repair Permit and a Demolition Permit. The Demolition Permit will be for any and all buildings that are planned to be taken down, because there are a couple additional accessory structures on the property. A Repair Permit will be needed because it is a corporation and not an owner-occupied business. A general contractor will be needed for this property, because we only allow for owner occupants to work on their own house and be their own general contractor. The general contractor will need to work with any and all subcontractors to get a complete Scope of Work submitted with that Building Permit.

Ms. Dessauer commented the contractor will need to be licensed through the Town.

Mr. Gatto commented if they want to get a Demolition Permit while they are cleaning up, they can take the garage down to.

A motion was made by Ms. Dessauer and seconded by Ms. Rozenich to defer this item for 30-days and they can come in to pull a Demolition Permit for the garage and to have the Scope of Work completed at the January 17, 2024 meeting and with a timeline. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye
Ms. Rozenich Aye

8. 14714 Dewey Street – Urban James Linden

Ms. Rozenich stated the next order of business is for the property located in the vicinity 14714 Dewey Street.

Mr. Urban James Linden, 14714 Dewey Street, asked what the complaint is for this property. Ms. Rozenich stated it is listed on the Active Unsafe List and we have pictures of the property showing multiple issues. The detached garage has a caved in roof, walls and the garage is falling over into the neighbor's fence. There is a truck sitting in the driveway for a long time, which is unsightly.

Mr. Linden commented the garage will need to be taken down and the house will need to be repaired.

Ms. Rozenich commented a meeting with the building inspector will be needed to go over the Scope of Work at the property. Discussion ensued in length regarding taking the garage down.

Ms. Dessauer commented someone called and were concerned about the safety of this home that it ended up being on the Unsafe List with the Town.

Ms. Dessauer stated to get a Demolition Permit and a list of the licensed contractors with the Town and have one of them come out to take down the garage. Discussion ensued.

A motion was made by Ms. Dessauer and seconded by Ms. Rozenich to defer this item for 30-days to the next meeting date of January 17, 2024 to pull a Demolition Permit for the garage and a Scope of Work needed. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye

Ms. Rozenich Aye

Update Items:

1. 7109 W. 146th Avenue – Heavner

Ms. Abernathy commented this house is demolished. Mr. Deutmeyer commented the Bill of Costs is being worked on.

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

Ms. Abernathy commented there isn’t an update. We are waiting on updated engineering and PUD documents.

Ms. Dessauer commented we have been looking at this for two years and they aren’t close to having a plan for this property. We need to move this back to the Active Unsafe List.

A motion was made by Ms. Dessauer and seconded by Ms. Rozenich to move this item back to the Active Unsafe and an Order for them to appear at the next meeting. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye

Ms. Rozenich Aye

3. 12901 Hilltop – Lomberger

4. 6599 Fernwood – Mogan

5. 14021 Windsor Street – Mogan

6. 7029 W. 135th Avenue - Ward

7. 7020 W 139th Place – Land Bank Builders & Associates, Inc. (Formerly INACQ, LLC)

8. W 127TH Lane – Town of Cedar Lake

Ms. Abernathy stated these properties are on the list to be demolished.

Ms. Abernathy commented the Clerk Treasurer will be at the January meeting to talk about the Unsafe budget and how it is broken down. Mr. Greg Parker commented we will be looking at the financial aspect of things and the ability to get more done. Hopefully some of the frustration from the public and the Board can be addressed.

PUBLIC COMMENT:

Mr. Bob Grosseck, 14055 Deodor Street, asked what is going on with the barn at 138th Street and Parrish Avenue. Mr. Gatto commented it is a Schilling Development.

Ms. Abernathy commented the last discussion was when they came in for the Preliminary Plat for Beacon Pointe West, Units 6, 7 and 8, was that they were trying to work with someone to get a wedding venue or restaurant style business in there. It is zoned commercial.

Mr. Grosseck asked if there was a time frame. Ms. Abernathy commented she was not aware of any time frame.

Mr. Grosseck asked can an inspector go out and look at the barn and make a report. Ms. Dessauer commented this is a good idea.

Mr. Jack Slager, Schilling Development, commented we sold the lot and barn to Diamond Peak Homes.

ADJOURNMENT: Ms. Rozenich adjourned the meeting at 6:57 pm.

TOWN OF CEDAR LAKE UNSAFE BUILDING DEPARTMENT

Jeff Biel, Member

Heather Dessauer, Member

Richard Thiel, Member

ATTEST:

Cheryl Hajduk, Recording Secretary

These Minutes are transcribed pursuant to IC 5-14-1.5-4(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.

Minutes of December 20, 2023