



CEDAR LAKE UNSAFE PUBLIC MEETING AND WORK SESSION MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
March 20, 2024 at 5:30 pm

Call To Order:

Mr. Thiel called the Unsafe Public Meeting and Work Session to order on Wednesday, March 20, 2024, at 5:30 pm with its members attending on-site. The Pledge of Allegiance was said by all.

Roll Call:

Members Present via Zoom: None

Members Present On-Site: Heather Dessauer, Vice Chairperson (left the meeting at 6:10 pm); and Rich Thiel, Chairperson. A quorum was attained. **Also present:** Tony Gatto, Building Inspector; Ashley Abernathy, Planning Director; Ryan Deutmeyer, Town Attorney; David Austgen, Town Attorney; and Cheryl Hajduk, Recording Secretary.

Absent: Jeff Biel, Member

Mr. Thiel advised we are short a member today, but we do have a quorum. Ms. Dessauer has a prior work-related obligation and will be leaving the meeting early. At that time, the meeting will turn into a work session.

Potentially Unsafe:

3. 9110 W 142nd Avenue - Pavokovich

Mr. Thiel stated we are going to discuss this item first due to the fact of potential emergency action to be taken and this is for the property located in the vicinity of 9110 W. 142nd Avenue.

Ms. Abernathy commented the inspectors flagged this property as a need for an Emergency Order. There is a garage that is severely dilapidated. We need to finish tearing it down and get it cleaned up. The Building Department's concern is that it poses a great safety risk.

Mr. Thiel asked can the Director of Operations go ahead and handle this situation or should we reach out to the property owner. Mr. Deutmeyer stated if we have contact information, we can give them a short period of time to correct the emergency situation. If it is not completed in the short time frame give, then the Director of Operations can then go ahead and demolish the garage.

Mr. Deutmeyer also stated the Emergency Declaration can be made and this can proceed with the teardown of the garage and removing it. This should not be a substantial expense to the Town.

Ms. Dessauer asked would we send a registered letter to the owner and we would know within a few days that the letter was signed for and received. Mr. Deutmeyer commented we would send a certified letter. Ms. Dessauer commented we can give them a 14-day permit to demolish the garage.

A motion was made by Ms. Dessauer and seconded by Mr. Thiel to send a certified letter to the owner in the next couple of days and give the owner 14 days from the time the letter is sent to contact the Building Department to pull a Demolition Permit and to complete the demolish of the garage by April 8, 2024. If not completed by April 8, 2024, the Town will demolish the garage, remove the materials and lien the property owner for the cost. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye
Mr. Thiel Aye

Active Unsafe:

1. 8120 Lake Shore Drive – Bank Shots Bar & Grill (Formerly Schane’s Bar & Grill)

Mr. Thiel stated the first order of business is for the property located in the vicinity of 8120 Lake Shore Drive.

Ms. Abernathy commented nobody is present, but they were present at the March Plan Commission Meeting and the Plan Commission and the property owners are on the same page. They should be back on at the April Plan Commission Work Session.

Ms. Dessauer commented they have been working on their plans. Ms. Abernathy commented they have been working with their Engineer with the newer plan.

A motion was made by Ms. Dessauer and seconded by Mr. Thiel to give a 30-day deferral to the next meeting on April 17, 2024. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye
Mr. Thiel Aye

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

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

Ms. Abernathy commented there has been some discussions as to who is going to do the interior demolition and if they need to be their own general contractor.

Mr. Junior Martin, 271 W. 45th Avenue, Gary, IN, commented the home was purchased five months ago and we are trying to figure out if we can do the demolition ourselves. We are licensed, but not in County, so we would not be able to get a General Contractor Permit in Cedar Lake. Olson Construction applied for the original permit, but we also need a structural engineer. We would like to apply and pull the demolition permit and do it ourselves. We have the manpower and we have the licenses that we currently have in place, then we can get this done.

Ms. Dessauer asked why hasn't this been done. Mr. Martin responded Ms. Abernathy needed to ask the inspector if that was permissible. The problem was that we couldn't pull the permit to do the general, but only for a specialty permit.

Ms. Abernathy stated our Ordinance states anything in an LLC that is not owner owned requires a general contractor and they are only licensed as a specialty contractor, but if they were to get their general contractor's license with County, they could register as a general and there wouldn't be any hold up.

Ms. Martin commented he has not reached out to anyone on the contractor list in the last 30 days, because this will take time and money to do this myself. Ms. Abernathy commented he has to get his general contractor license.

Ms. Dessauer asked what are our options with the interior demolition. Mr. Deutmeyer commented the quickest way would be to demolish the house. Discussion ensued in length regarding how unsafe the house is.

Ms. Dessauer asked if someone can be hired within 30-days to do the work. Mr. Martin responded in the affirmative.

A motion was made by Ms. Dessauer and seconded by Mr. Thiel to issue a Final Demolition Permit to be valid until April 16, 2024 to demolish the property with a licensed contractor, but if by the April 17, 2024 meeting the home is not demolished, the Town will move ahead with the Order and take action. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye
Mr. Thiel Aye

3. 7308 W 138th Place – Parat

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

Ms. Abernathy commented Mr. Parat was not able to attend this meeting, but provided an update to me. They have a closing date of March 29, 2024 with a new buyer and the new buyer will reach out to the Building Department and they will need to be at the next Unsafe Building Meeting.

A motion was made by Ms. Dessauer and seconded by Mr. Thiel for a 30-day deferral to the next meeting on April 17, 2024 with an Order for the new owner to appear. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye
Mr. Thiel Aye

4. 7105 W. 128th Avenue – Cagnina

Mr. Thiel stated the next order of business is for the property located in the vicinity of 7105 W. 128th Avenue.

Ms. Abernathy commented nobody is present. Last month when Mr. Cagnina was present, he said he signed a contract with a contractor and they were going to tear down the houses and submit a plan to build two

new houses on both properties. A permit has not been applied for yet. Discussion ensued regarding how both properties have made little progress.

Ms. Abernathy asked if Title has been ordered on these properties. Mr. Deutmeyer responded he didn't think so. We can run Title and have a Demolition Order prepared for the next meeting.

A motion was made by Ms. Dessauer and seconded by Mr. Thiel to run Title and to send a Notice to Appear for the owner to be at the next meeting of April 17, 2024 and that the Board's intention is to issue a Demolition Order. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye
Mr. Thiel Aye

5. 7109 W. 128th Avenue – Cagnina

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

A motion was made by Ms. Dessauer and seconded by Mr. Thiel to run Title and to send a Notice to Appear for the owner to be at the next meeting of April 17, 2024 and that the Board's intention is to issue a Demolition Order. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye
Mr. Thiel Aye

6. 7303 W. 129th Avenue – Fouch

Mr. Thiel stated the next order of business is for the property located in the vicinity of 7303 W. 129th Avenue.

Mr. Fouch, 15430 Merrill Avenue, South Holland, IL, commented he would like to fix the basement wall and putting four by fours up and down the walls, so all the cinder blocks are strengthened and he is waiting on the permit.

Ms. Abernathy commented the direction at the last meeting, was that Mr. Fouch was to come up with a Scope of Work and then come back with it. He did submit a permit for a foundation repair, but that was not part of the motion about how long any permit can be. The permit has been on hold until there could be any type permit time length issued.

Ms. Dessauer asked how long would be needed to start the work. Mr. Fouch commented 45-days. Discussion ensued regarding the foundation.

A motion was made by Ms. Dessauer and seconded by Mr. Thiel to give a 60-day permit and deferral to appear at the May 15, 2024 meeting and to give updates of progress to the Planning Director before the next meeting. Motion passed unanimously by roll-call vote:

Ms. Dessauer Aye
Mr. Thiel Aye

*The remaining meeting will continue as a work session and for discussion purposes only.

Mr. Thiel closed the public portion of the meeting.

7. 14616 Dewey Street – Frick

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

Mr. Deutmeyer stated Mr. Frick was represented by an attorney in December 2023, but as of today, Mr. Frick is not represented by an attorney.

Mr. Tom Frick, 8008 West 146th Avenue, Cedar Lake, IN, commented a designer is drawing up plans for a new home for this property and will want to build this summer.

Mr. Thiel asked what is the soonest something can be done. Mr. Frick commented he is working with the designer's timeline.

Mr. Gatto asked will this house be demolished. Mr. Frick responded in the affirmative.

Mr. Deutmeyer stated it might be advisable if there are drawings and contracts that if this information is available, that the other Board member might be interested in looking at. Discussion ensued regarding any type of plans that are in place.

Mr. Frick asked what are the concerns as to why the property is unsafe. Ms. Abernathy read the findings from the Unsafe Report and discussion in length regarding why the house is unsafe and it is bringing down the property values around it.

8. 14737 Bryan Street – 14737 Bryan Street Land Trust

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

Ms. Abernathy commented nobody was present. Mr. Gatto did an inspection of the plans that they said they were going to be doing and the removal of the garage. There is still much cleanup that needs to happen. They were intending on flipping the property and then they decided they would sell the home.

Ms. Abernathy stated their contractor got the demolition permit. Mr. Gatto commented they demolished the garage. The house is now for sale.

Ms. Abernathy commented she will send out the Notice to Appear at the next meeting.

9. 14714 Dewey Street – Urban James Linden

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

Mr. Urban James Linden, 14714 Dewey Street, commented the garage is down, but there is still a lot of cleaning up to do. He would like a permit to fix the remaining items on the list.

Mr. Thiel commented he can come up with a Scope of Work together. Discussion ensued regarding the items on the list that need fixing.

10. 13713 Parrish Avenue – Diamond Peak Homes LLC

Mr. Thiel stated the first order of business is for the property located in the vicinity of 13713 Parrish Avenue.

Mr. Michael Herbers, Diamond Peak Homes, 1313 White Hawk Drive, Crown Point, IN, commented we are the owners of the barn on Parrish Avenue and this is a commercial lot. We would like to find a tenant in this building. We are out for bid for a few Demolition Permits, and there is history to the barn, and we do not want to demolish the barn. Discussion ensued regarding the repairs that need to be done.

Mr. Gatto commented the concern is the holes in the roof is leaking down in the inside and rotting the interior and it might not be worth repairing.

11. 14523 Bryan Street – Cox

Mr. Thiel stated the next order of business is for the property located in the vicinity of 14523 Bryan Street.

Mr. Patrick Cox, 14523 Bryan Street, commented the porch in the back of the house is going to be replaced.

Mr. Thiel commented he will need to come back at the next meeting with a Scope of Work.

Ms. Abernathy stated office personnel can get unsafe permits to me and a note can be made to how long an Unsafe Permit has been issued for by the Board or if it needs unsafe action. The permit can be held until the action is taken. The Scope of Work can be put together, get the Building Permit submitted and then at the next meeting, the permit and Scope of Work has been submitted. We would need a time period and whatever the Board decides at that meeting, and we can get the permits done shortly thereafter.

Mr. Cox commented all of the clutter on the outside is removed.

Potentially Unsafe:

1. 8705 W 132nd Place – Kubiak Properties Inc.

Ms. Abernathy commented there is no report for this property at this time.

Mr. Thiel commented a neighbor down the street sent an email regarding this property and she understands the process will take some time.

Mr. Deutmeyer stated Mr. Gatto should do a report on this property.

2. 13333 Lemoore Street – Vogl

Ms. Abernathy commented next to this property at 13336 Lemoore Street, there had been a garage that was unsafe and was previously removed. This property is the apartment building and is on the Potentially Unsafe List.

Mr. Gatto commented there are structural issues, and is not structurally sound. The owner is trying to get a get quotes for structural repairs. Mr. Gatto explained to the owner that they will need to obtain a general contractor. Discussion ensued regarding the number of repairs that need to be completed and the difficulties of the repairs.

Mr. Gatto commented he has not done a report.

Update Items:

1. 12901 Hilltop – Lomberger

Ms. Abernathy commented this house has been demolished. We are waiting for some fill and grass to be done on the property. The bill is not prepared yet.

2. 6599 Fernwood – Mogan
3. 14021 Windsor Street – Mogan
4. 7029 W 135th Avenue – Ward
5. 7020 W 139th Place – Land Bank Builders & Associates, Inc. (Formerly INACQ, LLC)
6. W 127th Lane – Town of Cedar Lake
7. 14324 Edison – Town of Cedar Lake

Ms. Abernathy commented they are waiting to be demolished. Mr. Thiel commented if Mr. Kubiak can provide any update to W. 127th Lane if he reached out to the adjacent property owners to gain access. The interested purchaser before is still interested in the parcel.

8. 13941 Morse Street – Steuer

Ms. Abernathy commented we are working through an easement with them and that is still in the works.

Public Comment:

Ms. Donna Corey, 14605 Bryan Street, commented she lives next to 14523 Bryan Street and since his tenants have moved in, it has been in deplorable condition. His comment about cleaning up is not accurate. Please ticket them and follow the Ordinance. There are multiple animals living there. Another neighbor in the area put up a vinyl fence and I do not want to put a fence as I have a lake view.

Adjournment: Mr. Thiel adjourned the meeting at 6:55 pm.

TOWN OF CEDAR LAKE UNSAFE BUILDING

Rich Thiel, Chairperson

Heather Dessauer, Vice Chairperson

Jeff Biel, 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 March 20, 2024