



CEDAR LAKE UNSAFE PUBLIC MEETING MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
July 17, 2024 at 5:30 pm

Call To Order:

Mr. Thiel called the Unsafe Public Meeting to order on Wednesday, July 17, 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: Jeff Biel, Member; Heather Dessauer, Vice Chairperson; Rich Thiel, Chairperson. A quorum was attained. **Also present:** Tony Gatto, Building Inspector; Ryan Deutmeyer, Town Attorney; David Austgen, Town Attorney (present at 5:35 pm); Jeff Bunge, Town Manager (present at 5:38); and Cheryl Hajduk, Recording Secretary.

Absent: None

Minutes:

Mr. Thiel entertained a motion for the May 15, 2024 Unsafe Building Minutes; a motion was made by Ms. Dessauer and seconded by Mr. Biel to approve the same. Motion passed unanimously by roll-call vote:

Mr. Biel	Aye
Ms. Dessauer	Aye
Mr. Thiel	Aye

Active Unsafe:

1. 7105 W. 128th Avenue – Cagnina

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

Mr. Thiel commented Mr. Cagnina was going to sell the property.

Mr. Deutmeyer commented we ordered Title and we have a proposed Order of Demolition prepared. If we enter the Order, it applies to both Cagnina properties. All of the requirements of the Statute are still met with the legal description and the identity with substantial interest in the property.

Mr. Thiel asked will that be available to any potential buyer and they will notice this on the title search with the Title Company. Mr. Deutmeyer commented we have to do two Orders, one which requires pursuant to the Statute and we have to give 30-days to demo the property, which will not be done with everything Mr.

Cagnina told us. The next meeting would be an Affirmation Order that would be entered and that can be recorded. He is required to tell potential buyers of these issues.

Mr. Thiel commented once those orders are in place and since the Ordinance was just recently passed, the transfer of property by persons, after we do the Order that we are doing now, takes place with “must be within five days” after transferring, agree or transfer substantial property interest. Mr. Deutmeyer stated they have requirements now, but how you enforce that, is a completely different story. Once we get the Orders recorded, that would be the protection mechanism.

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

Mr. Biel Aye
Ms. Dessauer Aye
Mr. Thiel Aye

2. 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. Biel to enter the Order of Demolition. Motion passed unanimously by roll-call vote:

Mr. Biel Aye
Ms. Dessauer Aye
Mr. Thiel Aye

3. 7500 W. 129th Ln – Barcewicz

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

Mr. Bartlomlej Barcewicz, 7500 W. 129th Lane.

Mr. Thiel commented Mr. Gatto submitted the Scope of Work for the house. Is the plan to get the permit for this. Mr. Barcewicz commented he dropped off the permit and would like a 180-day permit. The plan is to sell the property. Discussion ensued regarding the citations regarding the weeds by the road.

Ms. Dessauer commented she does not want to give a 180-day permit. Mr. Gatto commented the permit would not be valid anymore after the property sells. Discussion ensued regarding the grass that is waist high, the tree that is on the shed and things from the original Unsafe Report so some progress can be made.

Mr. Thiel asked about the building permit for the Scope of Work, what part becomes a Building Permit and what is the difference between a Demolition Permit if he were to come in and do the shed or the deck. Mr. Gatto commented it can be split up and just demo the shed and it would just be a demo permit. Discussion ensued regarding the lien process.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to direct the Building Department to issue a 60-day permit to expire on September 17, 2024 and a 60-day deferral to the September 18, 2024 meeting. Motion passed unanimously by roll-call vote:

Mr. Biel Aye
Ms. Dessauer Aye
Mr. Thiel Aye

4. 13947 Hobart Street - Wease

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

Mr. Deutmeyer commented when we got Title back, Wease owned two properties and they are across the street from each other. One of them has 17 lots and the other has four lots. The larger of the two was owned by Willard Wease and the smaller of the two is owned by Edna Wease, who is also deceased. Some of the real estate owned by the estate is for sale, owned by the estate, pursuant to a Purchase Agreement. Discussion ensued regarding the estate and the litigation with the estate.

Mr. Deutmeyer stated the Order that is done has both parcels listed.

Ms. Dessauer asked this was due to come up in September for tax sale. Mr. Deutmeyer commented it was going to expire in September. The tax purchaser will know that the house is on the unsafe list.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to issue the Order of Demolition on 13947 Hobart Street.

Mr. Biel Aye
Ms. Dessauer Aye
Mr. Thiel Aye

5. 8120 Lake Shore Drive – Bank Shots Bar & Grill (Formerly Schane’s Bar & Grill)

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

Mr. Joe Lopez, 8120 Lake Shore Drive, commented we submitted the Development Plans to the Town. We are waiting for comments back from the Engineer. There were questions about lighting, parking, the sidewalks and some drainage issues. We also had to get some soil samples. Discussion ensued regarding the next Plan Commission Work Session.

A motion was made by Ms. Dessauer and seconded by Mr. Biel for a 30-day deferral to the August 21, 2024 meeting, unless there is progress at the August 7, 2024 Work Session. Motion passed unanimously by roll-call vote:

Mr. Biel Aye
Ms. Dessauer Aye
Mr. Thiel Aye

6. 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.

Mr. Junior Martin, 2701 W. 45th Avenue, Gary, IN, was on zoom.

Ms. Dessauer asked where is the Engineering Report. Mr. Thiel commented this was not complete. Mr. Gatto commented it did not cover the majority of the concerns.

Ms. Dessauer commented there a lot of issues at this property and more things are exposed in the house.

Ms. Dessauer asked Mr. Martin if he has been in the house the last 30-days. Mr. Martin responded in the affirmative. We bought the home to completely re-model it. Ms. Dessauer stated there are many structural issues with the house. Discussion ensued with Mr. Martin regarding the issues, getting permits, and losing money with the house just sitting there.

Ms. Dessauer commented the Engineer Report provided does not appear to be complete or accurate. There is major concern regarding the structure, mechanical systems in the house and it is suggested that a licensed general contractor is tasked with the remaining framing, and providing a very detailed and extensive repair plan or that the house is demoed, deconstructed down to the foundation.

Mr. Martin commented he is aware of the issues and is confused about the communication he has received and it has been over six months and nothing has gotten done.

Mr. Gatto commented there needs to be a general contractor; then we can have a meeting and discuss the repairs. Discussion ensued regarding what the next steps are with the Building Department.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to allow a 30-day Demolition Permit that would expire on August 20, 2024 and to get a licensed general contractor to get a re-build plan and attend the August 21, 2024 meeting. Motion passed unanimously by roll-call vote:

Mr. Biel Aye
Ms. Dessauer Aye
Mr. Thiel Aye

7. 7308 W 138th Place – Herrera (Formerly Parat)

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

Mr. Thiel commented we received an email from the current owner and they were going to re-list the house. They have been harassed by the adjacent property owner. Title has been ordered.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to enter an Order of Demolition on 7308 W. 138th Place. Motion passed unanimously by roll-call vote:

Mr. Biel Aye
Ms. Dessauer Aye
Mr. Thiel Aye

8. 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. Mr. Gatto commented we had our Site Inspection and we discussed improving the exterior of the house and its appearance and to begin decluttering the inside, so repairs can be done on the inside.

Ms. Dessauer asked if the suggestion is to issue a Building Permit to cover what needs to be done. Mr. Gatto responded in the affirmative.

Discussion ensued regarding a timeframe needed to do the repairs.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to instruct the Building Department to issue a Building Permit to cover what is on the list and to defer this matter to the October 16, 2024 meeting.

Mr. Biel Aye
Ms. Dessauer Aye
Mr. Thiel Aye

9. 8705 W 132nd Place – Kubiak Properties Inc.

Mr. Thiel stated the next order of business is for the property located in the vicinity of 8705 W. 132nd Place.

Mr. Robet Kubiak, 2525 Waymaker Way, Austin, TX, commented he applied for a building permit and we are going to re-build exactly where the house is.

Mr. Gatto asked is it the existing footprint or existing foundation. Mr. Kubiak commented it will be existing foundation. We do not think we need to make any repairs to the foundation.

Ms. Dessauer asked what is the proposed timeframe. Mr. Kubiak commented when we get the permit, we will start working. Discussion ensued regarding how long it may take to re-build.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to instruct the Building Department to issue a 60-day Demolition/Building Permit and a 60-day deferral to the next meeting on September 18, 2024. Motion passed unanimously by roll-call vote:

Mr. Biel Aye
Ms. Dessauer Aye
Mr. Thiel Aye

10. 12611 Cline Avenue – Kubiak Properties Inc.

Mr. Thiel stated the next order of business is for the property located in the vicinity of 12611 Cline Avenue.

Mr. Robet Kubiak, 2525 Waymaker Way, Austin, TX.

Mr. Thiel commented Mr. Tim Kubiak mentioned someone will be at the property to take care of the fence at the front and the columns will be taking down.

Mr. Kubiak commented we received approval from the power company to use the overhead lines for lighting. We are getting a quote on the new power gate. The metal and the posts for the fence will be coming down.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to defer this item for 60-days to the next meeting on September 18, 2024 with an update. Motion passed unanimously by roll-call vote:

Mr. Biel Aye
Ms. Dessauer Aye
Mr. Thiel Aye

11. 7512 W 128th Lane – Ristevski

Mr. Thiel stated the next order of business is for the property located in the vicinity of 7512 W. 128th Lane.

Mr. Gatto commented they picked up the Demolition Permit and it is for a 60-day or 90-day permit.

Mr. Thiel commented this item can move to an update item.

A motion was made by Ms. Dessauer and seconded by Mr. Biel move 7512 W. 128th Lane to the Update Items. Motion passed unanimously by roll-call vote:

Mr. Biel Aye
Ms. Dessauer Aye
Mr. Thiel Aye

Update Items:

1. 13713 Parrish Avenue – Diamond Peak Homes LLC

Mr. Thiel commented there have not been any discussions.

2. 14737 Bryan Street – 14737 Bryan Street Trust

Mr. Gatto commented he was working on plans to re-build his addition. We went through and did a Site Inspection and it was completely gutted.

Ms. Dessauer asked can it be removed from Update Items. Mr. Gatto commented the garage is down and the house is now a re-model project.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to remove 14737 Bryan Street from the Update Items. Motion passed unanimously by roll-call vote:

Mr. Biel Aye
Ms. Dessauer Aye
Mr. Thiel Aye

3. 14523 Bryan Street - Cox

Mr. Gatto commented he has not heard from him, but the porch has been removed, but it will need rails and balusters. Mr. Gatto commented he will reach out to Mr. Cox.

4. 12901 Hilltop – Lomberger

Mr. Thiel commented the invoice went out.

5. 6599 Fernwood – Mogan
6. 14021 Windsor Street – Mogan

Mr. Thiel commented both of these properties are on the Order to expire in October. These houses will require more dumpsters.

7. 7029 W 135th Avenue – Ward

Mr. Thiel commented this house is demolished and the invoice went out.

8. 7020 W 139th Place – Land Bank Builders & Associates, Inc. (Formerly INACQ, LLC)

Mr. Thiel commented this house is demolished and the invoice went out.

9. W 127th Lane – Town of Cedar Lake
10. 14324 Edison – Town of Cedar Lake

Mr. Thiel commented we are working on 127th Lane with getting the garage down. The house on Edison is a logistical situation with trying to get to the property.

Board Discussion:

Ms. Dessauer asked what happened to Mr. Frick.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to amend the agenda to add 14616 Dewey Street to the agenda regarding an extension for the Demolition Permit. Motion passed unanimously by roll-call vote:

Mr. Biel	Aye
Ms. Dessauer	Aye
Mr. Thiel	Aye

A motion was made by Ms. Dessauer and seconded by Mr. Biel to have the Building Department reach out to Mr. Frick to appear at the next meeting and to extend his Demolition Permit to August 20, 2024 at 14616 Dewey Street. Motion passed unanimously by roll-call vote:

Mr. Biel	Aye
Ms. Dessauer	Aye
Mr. Thiel	Aye

Ms. Dessauer asked what is the plan with adding new properties to the agenda. Mr. Thiel commented Mr. Gatto has a list and if he can go through the list to see how to handle these items moving forward. Discussion ensued regarding trying to take care of concerns before being put on Unsafe Building Agenda by possibly sending out a letter to the homeowner first.

A Work Session is scheduled for August 5, 2024 at 8:00 am.

Public Comment:

Ms. Donna Corey, 14605 Bryan Street, commented she wanted to thank the Board for their hard work and Mr. Gatto's hard work he puts in. She commented on a few people that are on the Unsafe List and how they do not live at the address and even without a permit, nothing gets done. She asked about Code Enforcement and should she call them about reporting grass not being mowed at a residence near her.

Adjournment: Mr. Thiel adjourned the meeting at 6:59 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 July 17, 2024