



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

Call To Order:

Mr. Thiel called the Unsafe Public Meeting to order on Wednesday, November 20, 2024, at 5:31 pm with its members attending on-site. The Pledge of Allegiance was said by all.

Roll Call:

Members Present via Zoom: Jeff Bunge, Town Manager

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 5:36 pm) and Cheryl Hajduk, Recording Secretary.

Absent: None

Minutes:

A motion was made by Mr. Biel and seconded by Ms. Dessauer to approve the August 5, 2024 Work Session, August 21, September 18, 2024 and October 16, 2024 Public Meeting Minutes. Motion passed unanimously by roll-call vote:

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

Active Unsafe:

- 1. 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 mistakenly did not get a zoom invite)

Ms. Dessauer commented the last we heard they were going to demo the property. Mr. Gatto commented the house is still standing, but his permit expires on December 5, 2024 to demo the property. Discussion ensued regarding the condition of the property.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to defer this item for 30-days to the next meeting on December 18, 2024 with an update and to have legal run Title after December 6, 2024 if the house is not demolished. Motion passed unanimously by roll-call vote:

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

2. 13333 Lemoore Street – Vogl

Mr. Thiel stated the next order of business is for the property located in the vicinity of 13333 Lemoore Street.

Mr. Thiel commented the house is in escrow and was supposed to close on November 19, 2024. Ms. Hajduk commented she will email the Vogl's for an update.

Mr. Deutmeyer commented there is nothing on the Recorders website as of right now.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to defer this item for 30-days to the next meeting on December 18, 2024 and have Ms. Hajduk to contact the Vogl's for an update. Motion passed unanimously by roll-call vote:

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

3. 7500 W. 129th Ln – Arterburn

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

Mr. Thiel commented they have pulled permits for a roof, soffit and fascia and one of the inspectors did the inspection. Mr. Arterburn will be coming in for a permit for windows, deck and interior demo.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to defer this item for 30-days to the next meeting on December 18, 2024 with an update. Motion passed unanimously by roll-call vote:

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

4. 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. Gatto commented Mr. Kubiak obtained permits for both of the properties. The one permit is to demo and re-build the home and the other permit was for electric service at the Cline property. The same foundation will be used for the house.

Mr. Thiel asked to we want to keep this active until the demolition happens. Ms. Dessauer responded in the affirmative.

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

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

5. 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. Gatto commented Mr. Kubiak obtain the electric service permit to do the lighting and security cameras in the back on the building. He cleared the way for the utility poles so they can get power in the back. There has been mowing done out there as well.

Ms. Dessauer commented the path will need to be kept clear and if the police or fire department need to go back there if there is an issue, the path needs to stay cleared out.

Mr. Thiel commented there had been talks about re-doing the gate out there and safety can be an issue.

Mr. Austgen offered a suggestion of a game plan for this property. Staff should communicate with the property owner and ask for a plan with public safety in mind.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to direct staff to contact the owner asking for a strategy for public safety in writing concerning access to the property, if needed. This item is deferred to the next meeting on December 18, 2024 with a strategy plan. Motion passed unanimously by roll-call vote:

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

6. 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. Thiel commented he has not had any contact with Mr. Frick since the last time we met. Mr. Bunge commented there hasn't been any contact with him recently. Discussion ensued regarding a past meeting with Mr. Frick and the water issue in the area of his home.

Mr. Bunge commented Mr. Frick was concerned about the easement that ran along the northside of his property East and West, because he thought that it would hinder his chance on fully developing the property, but we told him if we granted a side yard setback of a 20-foot temporary easement to get in there to do the work, and after the work was completed, we were going to require a six-foot utility easement for the

remainder of the inventory that was going in there and it was explained to him that you cannot build within that six-feet anyway.

Ms. Dessauer asked we would allow him to build right up to that six-feet, if needed. Mr. Bunge commented we were trying to work with him that he could still have a reasonable size of the remainder of the lot is buildable for him.

Mr. Thiel commented he has closed the house up and that was one of our concerns. Ms. Dessauer commented the Town has given Mr. Frick a good solution for the water, but it is affecting the neighboring business. Discussion ensued the safety concern of the unsafe house.

Mr. Thiel asked the Town Manager to set up a meeting with Mr. Frick, Mr. Kubiak, Mr. Oliphant and the Town Manager.

Ms. Dessauer asked when does this become a legal problem. Mr. Austgen commented it is close to being a legal problem, but a meeting needs to be scheduled so it can get resolved and addressed. There are responsibilities and liabilities and aspects of that are overlapping.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to defer this item to the next meeting on December 18, 2024 and to direct staff to contact Mr. Frick to have a meeting before the next Unsafe Meeting to discuss the water issue on the property. Motion passed unanimously by roll-call vote:

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

7. 7303 W. 129th Avenue – Fouch

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

Mr. Gatto commented Mr. Fouch still needs to pick up his permit and is for siding, soffit and fascia. Ms. Dessauer commented the foundation has been fixed.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to direct staff to contact Mr. Fouch that there is a permit to be picked up and to defer this item to the next meeting on December 18, 2024 with an update. Motion passed unanimously by roll-call vote:

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

8. 13947 Hobart Street – Griswold

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

Mr. Gatto commented his permit is in the drawer and he is tearing the property down.

Mr. Austgen asked is there a time period to pick up permits. Mr. Gatto commented he does not think there is. Discussion ensued regarding permits, when they expire and final inspections.

Mr. Austgen asked are we keeping things current with the technology perspective and good software. What training do our people need and are there procedures in place. Mr. Thiel commented this is a budgetary item.

Ms. Dessauer commented if there is a final inspection done and they fail it, there is no recourse. The Building Department reaches out to the people that are nearing an expiration date.

Discussion ensued regarding penalties. Mr. Deutmeyer commented the first meeting of January and that is the idea of penal provisions, whether it be to fund the unsafe commission, and demolitions in the future or the Building Department, or otherwise. The solution to that problem is something that is penal in nature.

Discussion ensued regarding the process of picking up permits and their time frame or renewing a permit.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to defer this item to the next meeting on December 18, 2024 and ask staff to reach out to Mr. Fouch to pick up permit and to be present at the next meeting with an update. Motion passed unanimously by roll-call vote:

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

Mr. Thiel commented one of the properties on here, Bankshots is deferred for this month, and the building is done; however, is an exposed basement area right now and we like to see this on the agenda and we make sure that it doesn't take it off of the list, providing if it had a basement that is not filled correctly. Mr. Deutmeyer commented it is an attractive nuisance.

9. 14021 Windsor Street - James

Mr. Thiel commented the next order of business is for the property located in the vicinity of 14021 Windsor Street.

Mr. Zack James, 14611 Clark Street, Crown Point, on zoom, commented he closed on the house and cleared up the back taxes and utility liens. We cleaned out the garbage on the inside. Another dumpster is being delivered and we will start on the interior demolition. The permit will be picked up soon, as Mr. James has been sick.

Mr. Gatto commented the house is not down as of yet. The remodel permit is for one-year.

Ms. Dessauer asked can we take this off the unsafe list and the Building Department can monitor what is going on with the property.

Mr. Gatto commented he is bringing the house down to bare bones and moving forward with a re-build. The site is secure.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to remove this item from the Unsafe List, as long as the permit is picked up before the next meeting on December 18, 2024 and the Building Department will monitor the progress going forward. Motion passed unanimously by roll-call vote:

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

Under Permit/Demolition Orders:

1. 7105 W. 128th Avenue - Cagnina
2. 7109 W. 128th Avenue - Cagnina
3. 7308 W 138th Place – Herrera (Formerly Parat)

Mr. Thiel commented he received messages from both of the property owners regarding showings on the properties and the Building Department was contacted about what our requirements are with the unsafe property with a potential buyer.

Mr. Deutmeyer commented the Orders for the Cagnina properties were recorded last month and the Herrera property has been recorded also.

Update Items:

1. 13713 Parrish Avenue – Diamond Peak Homes LLC

Mr. Thiel commented this property is listed for lease or build to suit.

2. 12901 Hilltop – Lomberger

Mr. Thiel commented they need to pay the rest of the balance and we will reach out that the rest of the balance is overdue.

3. 6599 Fernwood – Mogan

Mr. Deutmeyer commented as we know, Mr. Mogan passed away and an estate was opened. An estate was opened so the property can be transferred to Mr. Zack James. The estate was opened on September 11, 2024 and the noticing requirements for claims to be filed within an estate is three months after the publication is done or nine months after the date of death. We need the bill asap.

4. 7029 W 135th Avenue – Ward
5. 7020 W 139th Place – Land Bank Builders & Associates, Inc. (Formerly INACQ, LLC)

Mr. Deutmeyer commented we have the sworn statements prepared for Mr. Gatto’s signature. We only need the date of demolition of the properties. We have to provide requirements from the Ordinance.

6. W 127th Lane – Town of Cedar Lake

Mr. Thiel commented this property is demolished and is a Town owned parcel. A bill will be processed.

7. 14324 Edison – Town of Cedar Lake

Mr. Thiel commented nothing new on this property.

Board Discussion:

Mr. Thiel commented Mr. Gatto has a list of houses with no report and in our work session we discussed scoring of worst first. Mr. Gatto was asked to re-visit the list with pictures. The home at 9110 W. 142nd Avenue, was issued a letter before it ever was on the unsafe report to get compliance of tearing the garage down. The owner had complied within 30-days of that letter being sent. Another letter will be sent out to get the house down.

Mr. Thiel commented he would like to issue a letter to 7605 W. 134th Place to try and get the owner to do something with the property before going onto the Unsafe List.

Ms. Dessauer asked what is the definition of an emergency. Mr. Austgen stated an unexpected event and imminent danger.

Ms. Dessauer commented some of these houses may be rented and is dangerous for the tenant.

Mr. Thiel commented if we can issue letters for these two properties and it will be on the radar and an official report will end up being generated. The owners may have to start coming to Unsafe Meetings. Discussion ensued regarding sending letters out to the homeowners for the two properties listed above as non-emergency letters.

Ms. Dessauer commented there are legacy lots and the people with legacy lots had a way to preserve their property or re-build their property. When people come in for permits, what are the expectations for that. We can't expect people to fix their property and have them come in and make it a same condition as a brand-new home. Mr. Gatto commented it depends on the condition of the house.

Public Comment:

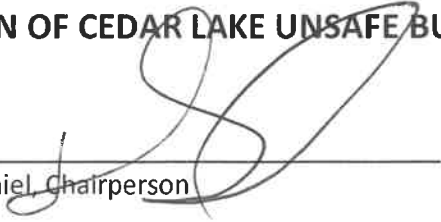
Ms. Angie Mikolajczak, 12806 Lee Court, asked there is a dead split tree hanging over the road by Vermillion Street, who is responsible for taking it down. Mr. Thiel asked should this be addressed to Public Works for potential safety. Mr. Austgen commented if the tree is in the right-of-way, it is the Town's responsibility and if it is not, it is the private property owner's responsibility.

Ms. Mikolajczak commented she was looking at the Assessor Site and the Recorder Site on the Lake County Surveyor's Office on that property, why would a deed not be recorded. The deed still shows that it is recorded after four years of it being sold to the previous owner. There are liens on the property. Mr. Thiel commented he would not know the answer.


Ms. Mikolajczak commented is the lighting a pre-approval of developing the property at 12611 Cline Avenue. Mr. Thiel commented "no" and it was a request from this Board that the property is far off of the road and needed for public safety. Anything moving forward with a Developmental Plan would go to the Plan Commission.

Adjournment: Mr. Thiel adjourned the meeting at 6:57 pm.

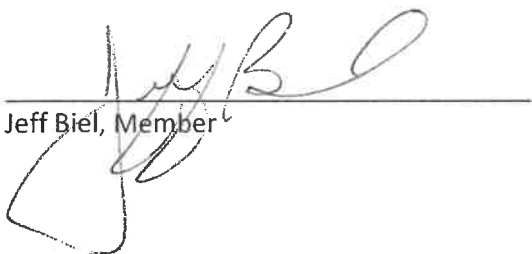
TOWN OF CEDAR LAKE UNSAFE BUILDING



Rich Thiel, Chairperson

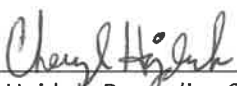


Heather Dessauer, Vice Chairperson



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 November 20, 2024