



CEDAR LAKE UNSAFE PUBLIC MEETING MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
December 18, 2024 at 5:30 pm

Call To Order:

Mr. Thiel called the Unsafe Public Meeting to order on Wednesday, December 18, 2024, at 5:32 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:** Ryan Deutmeyer, Town Attorney; David Austgen, Town Attorney; Jeff Bunge, Town Manager; Tim Kubiak, Director of Operations (is here in place of Tony Gatto) and Cheryl Hajduk, Recording Secretary.

Absent: Tony Gatto, Building Inspector

Minutes:

A motion was made by Ms. Dessauer and seconded by Mr. Biel to approve the November 20, 2024 Public Meeting Minutes. Motion passed unanimously by roll-call vote:

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

Ms. Dessauer commented the fencing is up and it was complied with quickly.

Mr. Thiel asked should we defer this to the next meeting. Mr. Deutmeyer commented have it on the January agenda and then it can be on as an update or taken off completely.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to defer this item to January 15, 2025 and dependent on what happens at the Plan Commission level. Motion passed unanimously by roll-call vote:

Mr. Biel	Aye
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.

Mr. Junior Martin, 2701 W. 45th Avenue, Gary, IN 46408, commented we are at a standstill as we are waiting for Nipsco to retire the gas line so that everything can be complete. Nipsco removed the meter and the gas meter, but the lines need to be retired to complete the demolition.

Ms. Dessauer asked where are we at with the demolition. Mr. Martin commented everything can be completed in a week after the gas line is retired. We are hoping less than 30-days to get the house demoed. The permit expired December 5, 2024 and will need to be renewed.

Mr. Kubiak commented we can extend the permit for another 30 or 60-days.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to extend the Demolition Permit to February 19, 2025 and to defer this matter to February 19, 2025. Motion passed unanimously by roll-call vote:

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

3. 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 he was in contact with the purchaser, Mr. Rhoades of Dynasty Real Estate and there is a discrepancy of what was told and as long as comes in and gets a Demolition Permit and comes in with a plan to rebuild, it could remain a four-unit. There was some confusion with the Building Department that this is zoned R-2; however, there are four electric meters and four gas meters and they have been paying four sewer bills since 1972.

Mr. Kubiak commented it is legal non-conforming how it sits. Discussion ensued in length regarding the remodel on the same footprint, but they need to present a plan.

Ms. Dessauer asked about rules with occupancy and how long legal non-conformity stays. If it doesn't get occupied in six months, how does that work. Mr. Austgen stated it would no longer be legal non-conforming or it could be in perpetuity. We have to have the fact pattern.

Mr. Kubiak commented he was under the impression that the six-month rule was for special uses and not so much legal non-conformity. Discussion ensued regarding if some of the next steps would be for them to go to Plan Commission or Board of Zoning Appeals.

Mr. Deutmeyer commented there isn't a deed recorded on the property.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to defer this item to the January 15, 2025 meeting and for Mr. Thiel to contact the owners and potential buyers to be on zoom or in person at the next meeting. Motion passed unanimously by roll-call vote:

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

4. 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. Paul Arterburn, 502 West South Street, Crown Point, IN, commented this is my daughter's house. We got the roof, soffit, fascia all done. The siding is patched up for the winter. We received a permit for doors and windows and a new well pump went in and extended the pipe at the request of Mr. Gatto. Mr. Gatto came out for a site inspection.

Mr. Kubiak commented enough progress has been made and they can be taken off of the Unsafe List.

Ms. Dessauer read the findings from the Unsafe Report and Mr. Arterburn confirmed the findings have been fixed.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to remove this item off of the Unsafe List. Motion passed unanimously by roll-call vote:

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

5. 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. Tim Kubiak, commented we have the permits picked up and we have until January 26, 2025 to be demoed. We will then re-build on the same footprint. The plan is also to make a driveway and possibly a garage.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to defer this item to the next meeting on January 15, 2025 with an update. Motion passed unanimously by roll-call vote:

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

6. 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. Tim Kubiak, commented we have the electric service in and there is a storage container there with the electric service that cannot be messed with. A new transformer needs to go in and lights and cameras will

be going up on the building. A new gate will go in up at the front in the future. The area around the building is cleaned up and we are making progress.

Ms. Dessauer commented if there is a need to get back to that building, will there be a path to get to the building if police and fire need to get back there. Mr. Kubiak commented there is nothing to burn in the building and it is secured. Discussion ensued regarding the building being secure.

Mr. Thiel asked if an emergency service needs to go to the building when the new gate is put in, how will they get through. Mr. Kubiak commented there is an ox box on the pole with a key, if emergency services need to get through.

Mr. Thiel commented if there is a lot of snow, the path should be cleared to be accessible to get back there.

Mr. Thiel asked what legal authority do we have to say they need to plow the driveway when there is a snowfall. Mr. Deutmeyer commented this is a gray area because it doesn't directly relate to the unsafe condition; however, the property is an attractive nuisance and has been for decades. Discussion ensued that the building is secure and how in most recent, nobody has been back there in the area.

Ms. Dessauer commented she is concerned if fire and police would ever need to get back there in case of an emergency if someone got hurt.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to defer this item to the next meeting on January 15, 2025. Motion passed unanimously by roll-call vote:

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

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. Tom Frick, 8008 W. 146th Avenue, commented the property is staked for the property line and is awaiting on engineering with the house on the elevations on the lot and commented he is working on getting plans with a builder.

Ms. Dessauer asked is the house being used as storage. Mr. Frick responded in the affirmative.

Ms. Dessauer commented there are eight items that need to be taken care of from the Unsafe Building Report. Ms. Hajduk will get Mr. Frick a copy of the report.

Ms. Dessauer asked if the property will be demoed. Mr. Frick commented he will and is awaiting on plans to rebuild and to get the permits.

Mr. Thiel asked there shouldn't be anything to hold up the demolition because of the size of the lot and would restrict Mr. Frick with moving forward with building plans.

Mr. Kubiak commented the sewer bill will continue need to be paid. Mr. Thiel commented the house can be torn down tomorrow and it can take a year or two to build. There are no restrictions on this lot.

Ms. Dessauer commented if the home is demoed, and when the house will be re-built, it needs to go by Cedar Lake's standards, which there is a front-yard with a setback and setbacks with the rest of the lot. The lot is big, it would fit within the requirements. Mr. Thiel commented there shouldn't be a problem with lot coverage, only unless, a big house would be built.

Discussion ensued regarding the easements on the side of the house and is not an issue.

Discussion ensued regarding the Zoning Ordinance and what the requirements would be for building a new home and meet R-2 zoning requirements and these two lots are legal lots of record.

Ms. Dessauer commented after the house is demoed, grass seed would need to be put down and the property can be left alone.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to allow the Building Department to issue a Demolition Permit before the next meeting and defer this item to the next meeting on January 15, 2025 and staff to provide Mr. Frick with the Zoning Ordinance. Motion passed unanimously by roll-call vote:

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

8. 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. Roger Fouch, 15430 Merrill Street, South Holland, IL, commented he received his permit and has started on the siding and has been cleaning up on the outside and sealing cracks in the house.

Mr. Fouch commented he is awaiting on the electrical permit.

Ms. Dessauer commented the foundation is secure and that was a safety concern.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to defer this item for 60-days to the February 19, 2025 meeting. Motion passed unanimously by roll-call vote:

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

9. 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. Thiel commented we have the permit on this. Ms. Hajduk confirmed this was for a Demolition Permit.

Mr. Kubiak commented Mr. Griswold picked up his permit and it was issued for 90-days and he commented the house would be demoed before then.

A motion was made by Ms. Dessauer and seconded by Mr. Biel to defer this item to the March 19, 2025 meeting and no need to show if the house is demoed before March 11, 2025 and then this item can be removed from the agenda. 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 communication from both owners and there are active showings.

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 long past overdue.

3. 6599 Fernwood – Mogan

Mr. Deutmeyer commented we filed a claim in the Mogan Estate. There should be some assets in the estate.

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.

6. W 127th Lane – Town of Cedar Lake

Mr. Thiel commented this structure is down, but the bill needs to be generated.

7. 14324 Edison – Town of Cedar Lake

Mr. Thiel commented nothing new on this property.

Public Comment: None was had.

Adjournment: Mr. Thiel adjourned the meeting at 6:56 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 December 18, 2024