



CEDAR LAKE UNSAFE PUBLIC MEETING MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
May 21, 2025 at 5:30 pm

Call To Order:

Mr. Thiel called the Unsafe Public Meeting to order on Wednesday, May 21, 2025, at 5:34 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: John Hojek, Member; James Hunley; Rich Thiel, Chairperson. A quorum was attained. **Also present:** Ryan Deutmeyer, Town Attorney; David Austgen, Town Attorney; Terrence Conley, Planning Director; and Cheryl Hajduk, Recording Secretary.

Absent: Tony Gatto, Building Inspector

Minutes: January 15, 2025 Meeting Minutes; February 19, 2025 Meeting Minutes; March 19, 2025 Meeting Minutes; April 16, 2025 Meeting Minutes

A motion was made by Mr. Hojek and seconded by Mr. Hunley to approve the January 15, 2025 Meeting Minutes; February 19, 2025 Meeting Minutes; March 19, 2025 Meeting Minutes; April 16, 2025 Meeting Minutes. Motion passed unanimously by roll-call vote:

Mr. Hojek	Aye
Mr. Hunley	Aye
Mr. Thiel	Aye

Active Unsafe:

1. 9320 W. 142nd Avenue -NWI Casas LLC

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

Mr. Thiel commented Mr. Martin reached out by email with a few questions. The house is down, but there are parts of the foundation still there.

Mr. Thiel read Mr. Martin's email out loud: "I followed up with the utilities and have not heard back from them and do not believe they have been out there since. I called last month and the team should be there in the upcoming week to seed and it was mentioned to them that there is some cleanup along the foundation that needs to be done. The property has been mowed twice and is on a regular schedule. I spoke to the Building Department regarding future plans and am weighing the idea of purchasing a manufactured home

to put there. The answer was unsure. I have the setbacks and requirements from the website; however, being R-1 when I look at the website, it looks like manufactured homes can be platted as a residential, except R-1. Is this correct and can you provide more information on this.”

Mr. Thiel commented he spoke with Mr. Kubiak and Mr. Gatto, they were understanding that this is an R-2 zoning and manufactured homes are allowed. We will reach back out to Mr. Martin with an answer. We can move this item to Update Items. The Demolition Permit is complete and discussion ensued regarding the completion of the items on the property.

A motion was made by Mr. Hunley and seconded by Mr. Hojek to move this item to Update Items. Motion passed unanimously by roll-call vote:

Mr. Hojek	Aye
Mr. Hunley	Aye
Mr. Thiel	Aye

2. 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. Thiel commented he had discussion with Mr. Kubiak and they are getting closer to getting the cameras up on the building.

A motion was made by Mr. Hojek and seconded by Mr. Hunley to defer this item to the June 18, 2025 meeting. Motion passed unanimously by roll-call vote:

Mr. Hojek	Aye
Mr. Hunley	Aye
Mr. Thiel	Aye

3. 14714 Dewey Street – Michael Smith (formerly Urban James Linden)

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

Mr. Thiel commented there isn't much of an update, but Mr. Linden had 60-days to get items out of the house and the house is still standing. The intention for the new owners is to demolish the house and build a new house on the property. Discussion ensued regarding when the new owners should appear to the Board with their plans.

A motion was made by Mr. Hojek and seconded by Mr. Hunley to defer this item for 30-days and for the new owners to appear at the next meeting on June 18, 2025 with an update of what their plans are. Motion passed unanimously by roll-call vote:

Mr. Hojek	Aye
Mr. Hunley	Aye
Mr. Thiel	Aye

4. 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 Mr. Frick has not come into the Building Department yet for his permit. Discussion ensued regarding that no progress has been made with the house.

A motion was made by Mr. Hojek and seconded by Mr. Hunley to defer this item for 30-days and for Mr. Frick to be at the next meeting on June 18, 2025 with an update. Motion passed unanimously by roll-call vote:

Mr. Hojek	Aye
Mr. Hunley	Aye
Mr. Thiel	Aye

Potential Unsafe:

1. 9110 W. 142nd Avenue

Mr. Thiel commented this house is down and this is the letter we issued a letter to. It has been seeded and we can remove this from the agenda.

A motion was made by Mr. Hunley and seconded by Mr. Hojek to remove this item from the agenda. Motion passed unanimously by roll-call vote:

Mr. Hojek	Aye
Mr. Hunley	Aye
Mr. Thiel	Aye

2. 13857 Huseman Street

Mr. Thiel commented Mr. Gatto did not have an update regarding this property. This old well house is on its own within the individual's yard and on private property.

Mr. Deutmeyer stated GIS shows the owner as John D. Collins Living Trust. We cannot move this to Active Unsafe until there is an Unsafe Premises Report done. Discussion ensued regarding sending Mr. Collins a letter to make them aware of the well and that the Unsafe Board has been discussing the issue.

- 3. 13520 Hobart Steet**
- 4. 7704 W. 134th Court**
- 5. 7204 W. 19th Lane**
- 6. 13438 Hilltop**

Mr. Thiel commented our plan is to send letters to homeowners and Mr. Hojek created a form to evaluate homes that could be potential unsafe and we can issue a letter to the homeowner in hopes of them taking action first before coming to an Unsafe Meeting.

Mr. Hojek commented 13520 Hobart Street is secure and is being maintained.

Discussion ensued regarding 8619 W. 141st Avenue that has a hole on the side of the house. It has been instructed for Mr. Gatto to make an Unsafe Report. Also, a letter will be sent out to the owner to discuss their structure.

Mr. Deutmeyer commented if a homeowner does not respond to a letter within the 60-days, how long do we wait for Mr. Gatto to do the Unsafe Premises Report, if no response from the homeowner. Discussion ensued regarding a few examples of timeframes.

Under Permit/Demolition Orders:

1. 7105 W. 128th Avenue - Cagnina
2. 7109 W. 128th Avenue – Cagnina

Mr. Thiel commented there has been correspondence with a potential buyer and they want to close, but there was a concern with the Demolition Order with showing a lien, but shows a zero balance.

Mr. Deutmeyer commented since the Demolition Orders were entered before the houses went up for sale, the Unsafe Building Law requires the owners to notify potential buyers that the property is on the Unsafe List and is subject to Unsafe Building Commission. We have had circumstances in which people have purchased properties that had no knowledge the structure was unsafe. The Unsafe Building Law does allow once an Order is entered, the Unsafe Building Commission is allowed to record the Orders. For these properties, when the Board was informed that they were going up for sale, the Board decided to proceed with the Demolition Order being approved and entered into. Once that was done, they were going to record them simply because it gets in the chain of Title, then it provides notice to potential future buyers that it is declared as unsafe and is subject to this Commission to encourage the potential buyer that this is a process that they will have to deal with. When Chicago Title ran their Title search on the Herrera property, they saw the Unsafe Building Order and they were treating it as a lien. They were calling for payoffs, but the Town did not demolish the property and with the Cagnina and Herrera properties, the reason to do that was to protect the Town and that the Town was not intending to execute on those Orders to give them time to sell it.

Mr. Thiel commented to protect a future buyer of knowledge of it being on the Unsafe List.

Mr. Deutmeyer commented they are not liens, but a zero balance with an administrative order requiring the property owner to take action.

Discussion ensued regarding tax sales of what should happen and what could happen.

3. 7308 W 138th Place – Herrera (Formerly Parat)

Mr. Thiel commented the house is sold and the new owner came in for a permit for a re-model and the Building Department had concerns on the low dollar value of this permit, so they asked for a better explanation, Scope of Work and they met with the individual at the property. The house may get demolished or a foundation will need to be put in.

4. 13026 Fulton Street - Kubiak

Mr. Thiel commented the house is down and will be finished out by next month.

5. 13333 Lemoore Street

Mr. Thiel commented the new owners needed to see what the requirements were to maintain this as a four-unit and they do have a permit. Mr. Thiel commented we will leave this on the Under Permit for now.

6. 13947 Hobart Street -Griswold

Mr. Thiel commented everything is leveled off and it looks good. We believe it is listed for sale. We can remove this from the agenda.

A motion was made by Mr. Hojek and seconded by Mr. Hunley to remove this item from the agenda. Motion passed unanimously by roll-call vote:

Mr. Hojek	Aye
Mr. Hunley	Aye
Mr. Thiel	Aye

Update Items:

1. 7303 W. 129th Avenue – Fouch

Mr. Thiel commented we do not have an update.

2. 13713 Parrish Avenue – Diamond Peak Homes LLC

Mr. Thiel commented Diamond Peak is still working on plans. The door needs securing.

3. 6599 Fernwood – Mogan

Mr. Deutmeyer commented we are still waiting on the estate to do something.

4. 7029 W 135th Avenue – Ward

Mr. Deutmeyer discussed the sworn statement for a lien. We filed a Motion for Entry of Judgment last month and the Judge granted the judgment. Discussion ensued regarding foreclosure.

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

Mr. Deutmeyer commented the Judge granted judgment. Discussion ensued regarding foreclosure.

6. W 127th Lane – Town of Cedar Lake

Mr. Thiel commented we had two appraisals done and when can we move forward with the appraisals. Mr. Austgen commented soon.

Mr. Thiel asked Mr. Kubiak about the bill and it was presented to building staff, which is \$6,120.00 plus administrative fees.

7. 14324 Edison – Town of Cedar Lake

Mr. Thiel commented Mr. Kubiak mentioned that he will be tearing down the house at the WPM site once the equipment is there, it will be moved over to this parcel to get this torn down. Mr. Kubiak needs to make a trail to get to this parcel.

Public Comment:

Mr. Bob Grosek, 14055 Deodor Street, asked are fines ever issued for non-compliance. The individual that owns 14616 Dewey Street hasn't done anything with the property.

Mr. Thiel commented we have had this type of discussion in the past. How does the current Ordinance look for this Board to do fines for non-compliance.

Mr. Deutmeyer commented the problem is that it is a Policy question for the Board. We would have to take steps against them with an Order from the Court. Discussion ensued.

Mr. Deutmeyer commented this Board's authority to fine comes from the Unsafe Building Law, which requires an Order that was not complied with. The Zoning Ordinance can be cited for whatever the Town code violation is and can end up in Town Court. Discussion ensued.

Mr. Hojek asked can we send a letter ahead of time to let the homeowner know that a fine may be coming unless they take care of their issue/problem.

Mr. Hunley asked would the Building Department be in charge of something like this. Mr. Deutmeyer responded in the negative. The Commission has the authority under the Unsafe Building Law to fine someone for refusing to comply with its Orders, but the Order has to be issued first. If you have someone who is not compliant, this may be the way to do it.

Adjournment: Mr. Thiel adjourned the meeting at 6:40 pm.

TOWN OF CEDAR LAKE UNSAFE BUILDING

Rich Thiel, Chairperson

James Hunley, Member

John Hojek, 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 May 21, 2025