

MINUTES
BOARD OF PUBLIC WORKS AND SAFETY
MARCH 14, 2013

The regularly scheduled meeting of the Board of Public Works & Safety convened at 9:01 a.m., in Council Chambers of Hammond City Hall. A roll call was taken: Mr. O'Connor –present; Mr. Dostatni – present; Mr. Lendi – present.

Bid opening - Demolition of 6625 Alexander Avenue, 5733 Baring Avenue, 6916 Bertram Avenue, 5963 Birch Avenue, 5341 – 45 Calumet Avenue, 4117 Cameron Avenue, 4904 Ceda4r Avenue, 839 – 41 Chicago Street, 1033 Cleveland Street 7514 Columbia Avenue, 249 Doty Street, 6327 Forest Avenue, 1237 Highland Street, 847 Hoffman Street, 910 Hoffman Street and 4403 Hohman Avenue. Bids received as follows:

R.A. Oros, Inc.	\$129,450.00
Gary Material Supply	\$201,032.00
Gariup Construction Company, Inc.	\$379,700.00
JM Industrial Service, Inc.	\$135,000.00
Actin/TRI, LLC	\$220,565.00
KLF Enterprises	\$256,000.00

Motion by Mr. Dostatni to refer the bids to the Building Department for tabulation and recommendation; seconded by Mr. Lendi. AYES ALL. Motion carried. (Res. No. 3086)

Bid opening – Demolition of 4249 Johnson Avenue, 441 Lew Street, 523 Lewis Street, 4904 Oak Avenue, 6739 Ontario Avenue, 4811 Pine Avenue a.k.a. 904 – 04 ½ Hoffman Street, 1014 Reese Street, 8 Rimbach Street, 4729 Sheffield Avenue, 1320 Sherman Street, 854 Truman Street, 7732 Walnut Avenue, 638 Willow Court, 1114 – 167th Street, 603 – 169th Street and 819 – 175th Place. Bids received as follows:

Actin/TRI, LLC	\$144,525.00
Gary Material Supply	\$163,088.00
Gariup Construction Company, Inc.	\$336,900.00
JM Industrial Services, Inc.	\$ 95,000.00
B&D Sewer & Backhoe Service	\$236,190.00

Motion by Mr. Dostatni to refer the bids to the Building Department for tabulation and recommendation; seconded by Mr. Lendi. AYES ALL. Motion carried. (Res. No. 3087)

Construction Engineering Services Agreement with Baxter & Woodman Consulting Engineers for the 1st District Improvement Project – Amy Avenue and Amy Court submitted for approval. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-216)

Correspondence received from J&J Newell Concrete Contractors, Inc. confirming the extension of the prices, provisions and standards of the 2012 sidewalk project for the 2013 year. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-217)

Correspondence received from BP Pipelines, Inc. requesting permission to update the existing Cathodic Protection System for pipelines running parallel and west of White Oak Avenue beginning March 18, 2013. Mr. Dostatni advised the work will be done on BP's right of way. Correspondence acknowledged. (Ins. No. 13-218)

Correspondence received from Mr. James Callahan, Chief of Inspections, advising 6327 Forest Avenue will be removed from bid prior to the contract being awarded. Correspondence acknowledged. (Ins. No. 13-219)

Authorization to Transfer Assets submitted for approval. Mr. Lendi advised this transfer authorizes a 2006 Impala to be used by the Hammond Housing Authority. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-220)

Disposal Authorizations received from the Hammond Police Department. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-221)

Correspondence received from Attorney James P. Driscoll requesting a hearing set for property located at 7141 McCook Avenue, set for March 28, 2013, be continued for sixty (60) days. Motion by Mr. Lendi to continue this matter to May 16, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-222)

Correspondence received from Attorney Gary Matthews regarding property located at 7514 Columbia Avenue, and requesting any action toward demolition of said property be deferred or canceled. Mr. Matthews advised he represents both the former and current owner of this property. Mr. Matthews then stated the current owner is willing to convert the home back to single family after meeting with the Building Department. Mr. Matthews asked for additional time. Motion by Mr. Lendi to continue this matter to April 25, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-223)

Rental registration hearing on property located at 6814 Nevada Court. Property owner, Mr. Barry Christopher, appears. Mr. Christopher said he not lived at the property since 2011 when he separated from his wife. Ms. Kristina Kantar, City Attorney, asked how much money he received from the Home Bound program and how much of that amount has been repaid. Mr. Christopher responded that he has not paid any of the approximately \$2,500 he received. Motion by Mr. Lendi to waive the late fees for 2011 and 2012, assess \$80 per year, per unit and notify Redevelopment that this property is being used as a rental; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-224)

Correspondence received requesting a rental registration hearing be set for property located at

4311 Torrence Avenue. Motion by Mr. Lendi to set this matter for hearing on April 11, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-225)

Emergency Motion to Order Power Back On for property located at 915 Michigan Street. Property owner, Mr. Gary Anderson, appears with Attorney Curtis Vosti. Mr. Vosti stated Mr. Anderson came to the Inspection Department to register the property which prompted an inspection which was done on February 22, 2013. Mr. Vosti said he was in contact with the City Attorney's Office on February 22nd and 26th without anything said about the electric being cut and then the NIPSCO was shut off on March 11, 2013 without any notice to the property owner whose tenants have two (2) small children. Mr. Kearney, Commissioner, Inspections Department, said the electrical inspector came that day and said the electric should be cut. Mr. Kearney then said the NIPSCO was cut and the house was marked uninhabitable. Mr. Robert Grubbe, electrical inspector, stated the building needs to be completely rewired. Mr. Kearney then said this is a two (2) unit building and if the illegal basement apartment is rewired, it may have to be changed as the property is built as a single family home. Mr. O'Connor said the electric should be turned back on after the licensed contractor is done with rewiring. Mr. Vosti said he was promised the City would give him a list of exactly what needs to be done, and has yet to receive one. Mr. Dostatni asked Mr. Grubbe how long the rewiring would take. Mr. Grubbe said it could be finished in two (2) days. Motion by Mr. Lendi to deny the petition to restore the electric service, bring the electric to code and have the Building Department furnish a punch list to Mr. Vosti today; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-226)

Hearing on property located at 4839 Elm Avenue. Attorney James Foster appears for the property owner and requests additional time as he has not received discovery requested from the City. Motion by Mr. Lendi to continue this matter to April 25, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-227)

Hearing on property located at 4834 Ash Avenue. Attorney Gary Matthews appears for the property owner. Mr. Matthews advised the property is vacant and currently being turned back to a single family home. Motion by Mr. Lendi to continue this matter to April 25, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-228)

Hearing on property located at 4754 Elm Avenue. Attorney Matthews appeared for the property owner. Mr. Matthews stated the property is being converted to a single family home and requested additional time to prepare an agreement. Motion by Mr. Lendi to continue this matter to April 25, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-229)

Correspondence received from Attorney Christian Bartholomew requesting a continuance of the hearing on property located at 912 Summer Street. Motion by Mr. Lendi to continue this matter to April 25, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-230)

Hearing on property located at 4618 Pine Avenue. Property owner fails to appear. Mr. Matt Saliga, Inspector, Inspections Department, appears and requested this matter be continued.

Motion by Mr. Lendi to continue to April 18, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-231)

Hearing on property located at 833 State Street. Property owner's grandson appears and stated he has obtained a permit and work is proceeding. Motion by Mr. Lendi to continue this matter to May 9, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-232)

Notice of Violation hearing on property located at 4928 Magnolia Avenue. Property owner fails to appear. Mr. Saliga requested the Board affirm the Findings and Order as the work has been completed in removing the basement apartment. Motion by Mr. Lendi to affirm the Findings and Order; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-233)

Notice of Violation hearing on property located at 4618 Oak Avenue. Property owner fails to appear. Mr. Saliga requested this matter be continued. Motion by Mr. Lendi to continue this matter to April 18, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-234)

Notice of Violation hearing on property located at 260 – 173rd Place. Property owner, Mr. Arcadio Medrano-Flores, appears. Mr. Saliga requested the Board affirm the Findings and Order required the basement apartment be removed. Motion by Mr. Lendi to affirm the Findings and Order; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-235)

Notice of Violation hearing on property located at 264 – 66 Florence Street. Inspector, Inspections Department, requested this matter be continued for thirty (30) days. Motion by Mr. Lendi to continue this matter to April 18, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-236)

Notice of Violation hearing on property located at 724 Cherry Street. A representative of the Inspections Department requested this matter be continued. Motion by Mr. Lendi to continue this matter to April 18, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-237)

Notice of Violation hearing on property located at 829 Field Street. Ms. Danielle Short, Inspector, Inspections Department, requested the Board affirm the Findings and Order. Motion by Mr. Lendi to affirm the Findings and Order and continue this matter to May 9, 2013 for status; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-238)

Notice of Violation hearing on property located at 520 Highland Street. Ms. Short requested the Board affirm the Findings and Order and then advised the owner has agreed to the removal. Motion by Mr. Lendi to affirm the Findings and Order and continue this matter to May 9, 2013 for status; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-239)

Hearing on property located at 4736 Cedar Avenue. Mr. Saliga requested this matter be continued. Motion by Mr. Lendi to continue this matter to May 9, 2013; seconded by Mr. Dostatni.

AYES ALL. Motion carried. (Ins. No. 13-240)

Mr. Lendi left the meeting. Normal rules of procedure are suspended.

Hearing on property located at 4841 Elm Street. Property owner fails to appear. Mr. Saliga requested the Board affirm the Findings and Order requiring the garage apartment and 2nd floor apartment be removed. Recommendation by Mr. Dostatni; Mr. O'Connor concurred. (Ins. No. 13-241)

Hearing on property located at 851 Indiana Avenue. Property owner fails to appear. Mr. Saliga stated the property owner had requested keeping this property as a four (4) unit which was denied by the Board. Mr. Saliga then requested the Board affirm the Findings and Order requiring the removal of the illegal units. Recommendation by Mr. Dostatni; Mr. O'Connor concurred. (Ins. No. 13-242)

Mr. Lendi returned the meeting and normal rules of procedure are reinstated.

Hearing on property located at 7423 Madison Avenue. Property owner, Mr. Nicholas Wojcicki, appears. Ms. Juanita Woods, Inspector, Code Enforcement, appears. Mr. Wojcicki stated that the property had an additional unit when he bought it and his nephew currently lives there. Ms. Woods advised there were no permits pulled and the plumbing and electric have always been separate. Motion by Mr. Lendi to continue this matter to May 9, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-243)

Correspondence received from property owner, Ms. Nancy Kinsella, requesting a continuance of the hearing set for today on property located at 4610 Pine Avenue. City Attorney Kristina Kantar advised an agreement is being worked on and requested this matter be continued. Motion by Mr. Lendi to continue this to March 28, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-244)

Agreement to Rehabilitate Property Located at 1150 Summer Street submitted for approval. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-245)

Correspondence received from Ms. Geraldine Cox, 811 – 116th Street, requesting “Residential Parking Only” signage. Motion by Mr. Lendi to refer this matter to the Street Department; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-246)

Correspondence received from Mr. Gary Gleason, Street Commissioner, regarding the request for snow restrictions for vehicles. Mr. Gleason stated snow restrictions are not erected for vehicles in residential areas. Correspondence acknowledged. (Ins. No. 13-247)

Correspondence received from the Whiting Fourth of July Committee advising of street and roadway closures from 8:30 a.m. to 12:30 p.m. on July 4, 2013 for the Annual 4th of July Parade in Whiting. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-248)

13-248)

Correspondence received from Hammond Parks and Recreation requesting permission to hold a commercial fireworks display on Friday, July 19th and Saturday, July 20th, 2013 at the 10th Annual Festival of the Lakes. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-249)

Correspondence received from Mr. Scott Mitchell, Superintendent, Hammond Sewer Department, regarding 1050 Drackert Street and 1007 Lyons Street. Motion by Mr. Lendi to defer this matter to March 28, 2013 for review and response; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-250)

Correspondence received from Ms. Anita Gilyard, Go Red Committee, requesting street closure around Martin Luther King Park, May 18, 2013, for a 5 Mile Heart Walk. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-251)

Correspondence received from 3rd District Councilman Anthony W. Higgs requesting additional lighting in the alley between the 1000 block Morris Street and Highland Street. Motion by Mr. Dostatni to refer this matter to the Engineering Department; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-252)

Garage Sale Permit for 3337 – 173rd Street submitted for approval Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-253)

Under Meeting Opened to the Public, Attorney Curtis Vosti appeared for his client Mr. Gustavo Vega. Mr. Vosti stated he left the room momentarily and during this time the property of Mr. Vega was called for hearing. Mr. Vosti stated that he had not received discovery requested and because of this he will need additional time. Motion by Mr. Lendi to continue this matter to April 25, 2013 and to strike the Findings and Order for 4841 Elm Avenue which was signed earlier in the meeting; seconded by Mr. Dostatni. AYES ALL. Motion carried.

Attorney Greg Bouwer appeared for property at 4504 Hohman Avenue with receiver Mr. Peter Hazifotis appeared. Ms. Kantar stated this is property is a grocery store that closed and had all food left in it which has caused insect infestation. Mr. Bouwer stated he represents the lender, Archer Bank, and foreclosure has started on the property. Mr. Hazifotis, the receiver, stated that he has been inside the property twelve (12) to fifteen (15) times since it has closed and said he has not seen an insect infestation and believes there is no immediate threat. Mr. Bouwer said Dragonfly Renovation started cleaning last Saturday and 99% of the food is gone. Mr. Callahan asked if an exterminator had been hired. Ms. Kantar then said the neighboring business, Porter's Cleaners, has sent a witness who would testify that insects are a problem in the building and asked his to come forward. Mr. Nick Porter, General Manager, Porter's Cleaners, said there were inches of insects on the windows prior to the building being boarded up and his business is exterminated each year. Mr. Hazifotis then said he will hire an exterminator for this building. Mr. Bowuer then requested this matter be dismissed because of actions taken and said the receiver will take the City to the business

next week. Mr. O'Connor said the violations will remain pending until the next demolition date. Motion by Mr. Lendi to continue this matter to April 25, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-254)

A gentleman addressed the Board and said he bought a home which is currently on the demolition list and asked what he needed to do to rehab it. Mr. Lendi advised that he needs to sign an Agreement to Rehabilitate and directed him to Mr. Koch.

Mr. Roger Torres then addressed the Board and stated he has purchased 839 – 41 Chicago Street and requested time to obtain an estimate from a general contractor to determine if rehabbing the home is feasible or if it will be demolished, which he will pay for. Mr. Kevin Smith, for the City of Hammond, advised the façade of the building is falling off. Mr. Lendi directed Mr. Torres to speak with Mr. Koch after the meeting. Motion by Mr. Lendi to continue to April 25, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried.

Mr. Daryl Tunis then appeared before the Board and said that he didn't have a chance to speak as he wanted the last time he was here regarding 1531 Brown Avenue. Mr. Tunis said a federal agent came to last meeting he was at. Mr. Tunis then said this property was broken into and wants a federal agent or the Hammond Police Department to go inside the property with him. Mr. Tunis then said he appealed the tax sale with the federal government and all the house needs is paint. Mr. Tunis stated there are things in the house that he wants to get out. Mr. O'Connor responded that if he filed an appeal it has no relevance concerning the demolition of the property. Mr. Tunis said he was going to the US Attorney's Office and will let the Board know what happens. Motion by Mr. Lendi to deny Mr. Tunis's motion for relief; seconded by Mr. Dostatni. AYES ALL. Motion carried.

There being no further business to come before the Board, motion by Mr. Lendi to adjourn; seconded by Mr. Dostatni. The regularly scheduled meeting adjourned at 10:29 a.m.

APPROVED: March 21, 2013

By: _____
Stanley J. Dostatni, Vice President

ATTEST:

Lynn Laviolette, Secretary