

MINUTES
BOARD OF PUBLIC WORKS AND SAFETY
MARCH 21, 2013

The regularly scheduled meeting of the Board of Public Works & Safety convened at 9:00 a.m., in Council Chambers of Hammond City Hall. A roll call was taken: Mr. O'Connor –present; Mr. Dostatni – present; Mr. Lendi – present.

Motion by Mr. Dostatni to defer approval of the minutes of the meeting of March 7, 2013 and March 14, 2013; seconded by Mr. Lendi. AYES ALL. Motion carried.

Request for advertising dates of March 28, 2013 and April 4, 2013 with a bid opening date of April 18, 2013 for River Drive from Bertram Avenue to Northcote Avenue. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYE ALL. Motion carried. (Res. No. ***)

Correspondence received from Era Valdivia Contractors, Inc. requesting permission to perform work on the 141st Street Bridge at mile marker 4.6 for three (3) to (4) weeks. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-255)

Correspondence received from Earth Exploration, Inc. requesting permission to perform eight (8) roadway borings on Olcott Avenue and Waveland Avenue between 167th Street and 169th Street. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-256)

Bid awards for two (2) demolition projects opened March 14, 2013. Demolition of 6625 Alexander Avenue, 5733 Baring Avenue, 6916 Bertram Avenue, 5963 Birch Avenue to JM Industrial Service, Inc., 5341 – 45 Calumet Avenue, 7514 Columbia Avenue and 4403 Hohman Avenue to R.A. Oros, Inc., 4117 Cameron Avenue, 4904 Cedar Avenue, 1033 Cleveland Street, 249 Doty Street, 6327 Forest Avenue and 910 Hoffman Street to JM Industrial Services, Inc., all low bidders and Demolition of 4249 Johnson Avenue, 441 Lewis Street, 523 Lewis Street, 4904 Oak Avenue, 6739 Ontario Avenue, 904-04 ½ Hoffman Street, 1014 Reese Street, 8 Rimbach Street, 4729 Sheffield Avenue, 1320 Sherman Street, 854 Truman Street, 1114 – 167th Street, 603 – 169th Street and 819 – 175th Place to JM Industrial Services, Inc. and 7732 Walnut Avenue to R. A. Oros, Inc., all low bidders. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-257)

Correspondence received from Chief of Police Brian Miller requesting approval for the Hammond Mohawks to hold their North Hammond Memorial Day Parade, Monday, May 27, 2013, beginning at 11:00 a.m., with route and for the Annual Baring Parkway 4th of July Parade, Thursday, July 4, 2013, at 11:30 a.m., with route. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-258)

Correspondence received from Fire Chief Jeffery C. Smith requesting approval of the demotion of Senior Captain Al Burney to the rank of Captain and the promotion of Captain Michael

Bobos to the rank of Senior Captain, both effective March 18, 2013. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-259)

Agreement for property located at 4610 Pine Avenue. City Attorney Kristina Kantar advised she has reviewed the agreement and found it acceptable. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-260)

Hearing on property located at 6425 Madison Avenue. Attorney Gary Matthews appeared for property owner, Ms. Patricia Etherton. Mr. Matthews advised an agreed order was signed in November of 2012 regarding repairs and that Ms. Etherton has submitted receipts from various licensed contractors with pictures illustrating the work is completed. Mr. Matthews then requested a final inspection be done. Mr. James Callahan, Chief of Inspections, said he would complete the inspection on the property. Motion by Mr. Lendi to continue this matter to April 4, 2013 to allow time for the inspection; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-261)

Agreed Order on property located at 3847 – 49 Sheffield Avenue submitted for approval. Mr. Matthews then appeared for property owner, Ms. Sharon Stolarz, and submitted an Agreed Order. Ms. Kantar advised she has reviewed the agreed order and finds it acceptable. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-262)

Hearing on property located at 12 Lawndale Street and 268 – 169th Street. Attorney Christian Bartholomew appears for property owner, Mr. Dennis Ritchie, and requested additional time. Ms. Juanita Woods, Inspector, Inspections Department, also appeared. Motion by Mr. Lendi to continue this matter to April 25, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-263)

Hearing on property located at 1020 Myrtle Avenue. Mr. Matt Saliga, Inspector, Inspections Department, appears. Mr. Saliga requested a thirty (30) day continuance. Motion by Mr. Lendi to continue this matter to May 9, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-264)

Correspondence received from Attorney David Saks requesting the hearing on property located at 4815 Pine Avenue be continued. Motion by Mr. Lendi to continue this matter to May 9, 2013' seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-265)

Hearing on property located at 4904 – 06 Ash Avenue. Property owner, Mr. Leon Rusinek, appears. Mr. Rusinek stated the City has marked the building uninhabitable and he does not have the money to make repairs. Mr. Saliga then advised Mr. Rusinek failed to appear for an inspection. Mr. Rusinek then said he was under the impression this was a rental registration hearing and not a continuance of a hearing to repair. Mr. Rusinek then stated again he will not repair the building. Motion by Mr. Lendi to continue this matter to May 2, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-266)

Hearing regarding property located at 213 – 142nd Street. Property owner fails to appear.

Mr. Saliga requested the Board affirm the Findings and Order requiring the removal of the second floor apartment. Motion by Mr. Lendi to affirm the Findings and Order; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-267)

Hearing on property located at 903 May Street. Property owner fails to appear. Mr. Saliga requested the Board affirm the Findings and Order regarding the property. Mr. Saliga also said the repair work is almost complete. Motion by Mr. Dostatni to affirm the Findings and Order; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-268)

Rental registration hearing on property located at 4439 – 4441 Cameron Street. Property owner, Mr. Nicholas Homans, appears. Mr. Homans stated he was not aware of the fee for rental registration and he did not purchase the property until March of 2012. Motion by Mr. Lendi to waive the late fee and assess rental registration of \$80 per unit for 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-269)

Rental registration hearing on property located at 6340 Nevada Avenue. Property owner, Ms. Celia Maldonado, appears. Ms. Maldonado stated she bought the property in 2007 and her father lived there until 2010 during which time she did not collect rent. Ms. Maldonado then said she was not aware of rental registration on the only rental of hers. Motion by Mr. Lendi to waive the late fee and assess rental registration at \$80 per unit; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-270)

Rental registration hearing on property located at 4333 Johnson Avenue. Property owner, Mr. Juan Atilano, appears. Mr. Atilano said his cousins live at this address and he collects no rent from them. Mr. Nick Farrell, Inspector, Inspections Department, said there is a second floor apartment which was constructed with permits. Motion by Mr. Lendi to dismiss this action and advised Mr. Atilano the property must be registered within thirty (30) days after paying tenants occupy the dwelling; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-271)

Rental registration hearing on property located at 1828 Indianapolis Boulevard. Property owner, Mr. Juan Huizar, appears. Mr. Farrell then advised a tenant has complained there is no heat in their unit and have been supplied with space heaters by Mr. Huizar. Mr. Farrell continued and stated a tenant has no bathroom in their apartment and has to cross the hall to gain access to a washroom. Mr. Huizar stated he has owned the property and pays 1/3 of the heating bill as the owner of the dress shop located at this address pays the rest. Mr. Farrell then said the dress shop owner turns the heat down, or off, at the end of their work day. Motion by Mr. Lendi to continue this matter to May 9, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-272)

Rental registration hearing on property located at 3958 Wabash Avenue. Property owner, Mr. Phillip Gibbs, appears. Mr. Gibbs said he lives at this property for half the week with another family member and the rest of the week at his fiancée's house in Crown Point. Mr. Gibbs then said he collects no rental money from the family member living there. Motion by Mr. Lendi to dismiss this action; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-273)

Rental registration hearing on property located at 1510 – 170th Street. Property owner, Mr. Jeremiah Porter, appears. Mr. Porter said that he purchased the property in February of 2012 at which time the sellers said the rental registration was paid to date. Motion by Mr. Lendi to waive the late fee and assess rental registration of \$80 per unit; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-274)

Rental registration hearing on property located at 4931 Walnut Avenue. Property owner, Ms. Alicia Uribe, appears with an interpreter. Ms. Kantar advised this is a two (2) unit building that the property owner purchased in 1994 and has not been registered since 2009. Ms. Uribe responded one (1) of the units was destroyed by fire and she lives in the other. Motion by Mr. Lendi to dismiss this action; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-275)

Rental registration hearing on property located at 3840 Torrence Avenue. Property owner, Mr. Bill Delis, appears. Mr. Delis said he was unaware of the fee and was not made aware until an inspection was done. Mr. Farrell stated the property owner has been cooperative. Motion by Mr. Lendi to waive the late fee and assess rental registration at \$80 per unit; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-276)

Notice of Violation hearing on property located at 2724 Cleveland Street. Property owner, Mr. Frank Valadez, appears. Mr. Valadez stated he has owned the two (2) unit property for eighteen (18) years. Ms. Danielle Short, Inspector, Inspections Department, requested the Board affirm the Findings and Order to remove the second apartment. Mr. Kurt Koch, Building Commissioner, stated this was built as a single family home. Mr. Valadez stated the tenants in the downstairs apartment would like to purchase the property but he does not have anything in writing at this time. Motion by Mr. Lendi to set this for status hearing on June 13, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-277)

Notice of Violation hearing on property located at 44 Warren Street. A representative of JMM Properties, LLC appears and stated the property was listed as a six (6) unit when purchased, two (2) of which have been marked uninhabitable now. Ms. Short requested the Board affirm the Findings and Order requiring the removal of the extra apartments. Motion by Mr. Lendi to affirm the Findings and Order; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-278)

Notice of Violation hearing on property located at 915 Michigan Street. Attorney Curtis Vosti appears for property owner, Mr. Gary Anderson. Mr. Vosti stated there has been a lack of progress by the City. Mr. Vosti said he met with the City, the owner hired an electrician, obtained a permit to complete the work and was ready to proceed. Mr. Callahan then said the electrical inspector met with the electrician, who after stated he did not want to do the work. Mr. Callahan then stated another electrician was hired which was why the permit was withheld. Mr. Vosti then requested the Building Department allow the permit to go forward. Mr. Saliga then said the building is an illegal three (3) unit which should be a single family home and if electrical work is done for a three (3) unit it will have to be removed or rerun if the illegal units are removed. Mr. Koch said there are different standards for one (1), two (2) and three (3) unit buildings. Mr. Vosti stated there is no basement apartment and his client is aware if the City rules it is a single family home some electrical

work will have to be redone. Mr. Callahan advised this property must be brought to current code. Mr. Vosti asked that discovery he requested previously be provided. Motion by Mr. Lendi to set this matter for status May 23, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-279)

Notice of Violation hearing on property located at 643 Burton Court. Property owner, Wells Fargo Real Estate, LLC, fails to appear. Mr. Saliga requested the Board affirm the Findings and Order to remove the basement and second floor apartment be removed. Motion by Mr. Lendi to affirm the Findings and Order; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-280)

Notice of Violation hearing on property located at 5740 Calumet Avenue. Property owner, Mr. Victor Zaragoza, appears with an interpreter. Mr. Saliga stated the property currently has four (4) units and requested two (2) of the units be removed as there is no fire separation between all units. Mr. Zaragoza stated it was his understanding this is a four (4) unit building and requested additional time. Motion by Mr. Lendi to continue this matter to July 11, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-281)

Notice of Violation hearing on property located at 4918 Elm Avenue. Property owner, Mr. Jose Vega, fails to appear. Mr. Saliga requested the Board affirm the Findings and Order requiring the removal of the first and second floor apartments. Motion by Mr. Lendi to affirm the Findings and Order; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-282)

Restriction of Use Agreement on property located at 4437 Cedar Avenue. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-283)

Hearing on property located at 6609 Jefferson Avenue. Attorney Christian Bartholomew appears for property owner, Mr. Jose Andrade. Mr. Bartholomew said the building has been declared unsafe although the property owner said all issues have been worked out with an inspector. Mr. Callahan advised there are no notations that any inspector said any issues have been addressed. Mr. Callahan then said there is no fire separation between the five (5) units and there are also electrical problems in the building. Mr. Bartholomew then requested this matter be continued. Motion by Mr. Lendi to continue this matter to May 2, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-284)

Correspondence received requesting rental registration hearings on property located at 6724 Maryland Avenue, 4415 Hohman Avenue and 629 Gostlin Street. Motion by Mr. Lendi to set these matters for May 9, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-285)

Correspondence received from Attorney John R. Terpstra requesting a hearing of the denial of a business license for Exit 1 Tobacco d/b/a Tobacco Superstore. Motion by Mr. Lendi to set this matter for April 4, 2013; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-286)

Correspondence received from Mr. Gary Gleason, Street Commissioner, requesting approval to place a “Residential Parking Only” sign at 811 – 116th Street for a ninety (90) day trial period. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-287)

Correspondence received from Ms. Karen Miller, Gallery 219, requesting street signage be placed at the business, 1407 – 173rd Street. Motion by Mr. Dostatni to refer this matter to the Street Department; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-288)

Correspondence received from St. Margaret Mary Church, 1445 Hoffman Street, requesting street closings on Sunday, March 24, 2013 beginning at 10:30 a.m., Friday, March 29, 2013 at 5:00 p.m., beginning at 5:00 p.m. and Sunday, March 31, 2013, beginning at 10:30 a.m. for church processions. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-289)

Correspondence received from Mr. Lawrence Walters requesting permission to hold an outdoor flea market in the parking lot at his church located at 700 Sibley Street. Motion by Mr. Dostatni to have a representative of the church appear April 11, 213 to answer questions regarding the flea market; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-290)

Correspondence received from 3rd District Councilman Anthony W. Higgs requesting the trees on the 900 block of Kenwood Street be trimmed or removed and an inspection be done at Douglas Pointe Apartment Complex regarding maintenance of the grass. Motion by Mr. Dostatni to refer the tree removal request to the Park Department and the grass maintenance to the Inspections Department; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-291)

Specific Finding of Fact and Decision on property located at 6832 Olcott Avenue. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-292)

Under Matters from Other Board Members, Mr. Dostatni received correspondence from Attorney Elizabeth D. Tate Norwood regarding a rental registration matter for property located at 6814 Nevada Court. Mr. Dostatni advised this matter was heard at the March 14, 2013 meeting. (Ins. No. 13-293)

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

APPROVED: April 4, 2013

By: _____
William J. O’Connor, President

ATTEST:

Lynn Laviolette, Secretary