

BOARD OF PUBLIC WORKS AND SAFETY
MINUTES OF SEPTEMBER 22, 2016

The regularly scheduled meeting of the Board of Public Works and Safety convened at 9:06 a.m. on Thursday, September 22, 2016, in the Council Chambers of Hammond City Hall. A roll call was taken: Mr. Dostatni - present; Ms. Garay – present; Mr. Margraf- present.

Motion by Ms. Garay to defer approval of the minutes of the meeting of September 15, 2016; seconded by Mr. Margraf. AYES ALL. Motion carried.

Order Submission Forms for telephone service at the Central Fire Station and the Civic Center. Motion by Ms. Garay; seconded by Mr. Margraf. AYES ALL. Motion carried. (Ins. No. 16-708)

Correspondence received from 5th District Councilman Dave Woerpel requesting \$25,000 of gaming funds be used for Park Department improvements. Motion by Ms. Garay; seconded by Mr. Margraf. AYES ALL. Motion carried. (Ins. No. 16-709)

Status hearing on the demolition of property located at 4409 Johnson Avenue. Property owner, Mr. Alcantar appears and said he taking bids from contractors to remove the unit. Mr. Kelly Kearney, Chief of Inspections, said he would like copies of the bids that Mr. Alcantar receives. Corporation Counsel, Ms. Kristina Kantar, said the Indiana Supreme Court ruled the Board's order stands in regard to the removal. Mr. Alcantar said he will do whatever is needed but the property has always been a multi-unit structure. Mr. Alcantar then said he will be getting a loan which is not based on the property value. Motion by Ms. Garay to set this matter for status on October 27, 2016; seconded by Mr. Margraf. AYES ALL. Motion carried. (Ins. No. 16-710)

Notice of Violation hearing on property located at 1514 Roberts Avenue. Property owner fails to appear. Mr. Nick Farrell, Inspector, Inspections Department, requested additional time as a deed restriction will be presented to the Board. Mr. Farrell then requested this matter be continued to September 29, 2016. Motion by Ms. Garay; seconded by Mr. Margraf. AYES ALL. Motion carried. (Ins. No. 16-711)

Notice of Violation hearing on property located at 2319 New York Avenue. Property owner fails to appear. Mr. Farrell requested removal of the illegal 2nd floor apartment be removed. Motion by Ms. Garay affirm the removal of the 2nd floor apartment; seconded by Mr. Margraf. AYES ALL. Motion carried. (Ins. No. 16-712)

Correspondence received from Chief of Inspections, Mr. Kelly Kearney, advising that Grimmer Construction has requested their bid for the demolition of 1046 Kenwood Street be removed and awarded to the next lowest, responsible and reliable bidder, RSR Demolition.

Motion by Ms. Garay; seconded by Mr. Margraf. AYES ALL. Motion carried. (Ins. No. 16-713)

Correspondence received from Mr. Kearney recommending the low bidder RSR Demolition's bid for the demolition of 5853 Wallace Road be removed and awarded to JM Industrial Services, Inc., second lowest, responsible and reliable bidder. Motion by Ms. Garay; seconded by Mr. Margraf. AYES ALL. Motion carried. (Ins. No. 16-714)

Order to Rescind Order to Demolish Property Located at 1023 – 25 Kenwood Street. Motion by Ms. Garay; seconded by Mr. Margraf. AYES ALL. Motion carried. (Ins. No. 16-715)

Agreement to Rehabilitate Property Located at 1510 173rd Street – Fourth Extension. Motion by Ms. Garay; seconded by Mr. Margraf. AYES ALL. Motion carried. (Ins. No. 16-716)

Disposal Authorizations received from the Hammond Police Department. Motion by Ms. Garay; seconded by Mr. Margraf. AYES ALL. Motion carried. (Ins. No. 16-717)

Correspondence received requesting rental registration hearings. Motion by Ms. Garay to set these matters for October 20, 2016; seconded by Mr. Margraf. AYES ALL. Motion carried. (Ins. No. 16-718)

Garage Sale Permits submitted for approval. Motion by Ms. Garay; seconded by Mr. Margraf. AYES ALL. Motion carried. (Ins. No. 16-719)

Correspondence received from 2nd District Councilman Pete Torres requesting \$2,850 of gaming money be used to pay for the removal and stump grinding of four (4) trees. Motion by Ms. Garay; seconded by Mr. Margraf. AYES ALL. Motion carried. (Ins. No. 16-720)

Correspondence received from 5th District Councilman Dave Woerpel requesting \$40,000 of gaming money be used for an overlay on White Oak Avenue – 175th Street to 176th Street. Motion by Ms. Garay; seconded by Mr. Margraf. AYES ALL. Motion carried. (Ins. No. 16-721)

Hearing on property located at 6609 Jefferson Avenue. Attorney Kevin McNamara appears for the City of Hammond. Mr. McNamara said this matters dates back to 2013 when a Notice of Violation was issued to the property owner and continued through 2015 when the Board entered Findings and Order which was appealed to Superior Court by property owner's attorney Mr. Curtis Vosti and remanded back to the Board. Mr. McNamara then said another inspection was done by Building Commissioner, Mr. Kurt Koch but the report has not yet been completed and he told Mr. Vosti, yesterday, the hearing today would not be able to be held as the report is not finalized. Mr. McNamara said he, in the same conversation, asked what date in

October would be convenient for Mr. Vosti, to which Mr. Vosti replied October 20th. Mr. McNamara said Mr. Vosti will say the inspection should be a separate matter with the understanding another inspection would be done. Corporation Counsel, Ms. Kristina Kantar, Mr. McNamara then objected to further proceedings being held today, asked that this matter be heard on October 20, 2016 at 9:00 a.m.

Mr. Vosti said the appeal heard in Lake Superior Court was remanded for further proceedings after the City's position was heard and this hearing should pick up with his client's testimony. Mr. Vosti then said Mr. Dean Illingsworth was here today to testify and he has traveled from Indianapolis to do so. Mr. Vosti said he had filed a motion regarding limiting the scope of this hearing and the Board has not yet ruled on it, which he asked be done. Mr. Vosti then said the filing of a new Notice of Violation is comparable to a "second bite at the apple".

Mr. Margraf said to allow Mr. Illingsworth to testify is not proper where this Board has new members who are not familiar with this case and to continue this matter.

Mr. Vosti said his client, Mr. Andrade, has been waiting for justice since 2013 and the City is holding this matter hostage.

Motion by Ms. Garay to reset this matter to October 20, 2016; seconded by Mr. Margraf. AYES ALL. Motion carried.

Mr. Vosti said he has been to the Board meetings three (3) times since the June 23, 2016 hearing and the Board should be aware of prior proceedings as he gave a copy of the May 14, 2015 hearing.

Ms. Gary said a motion has already been made regarding this matter being reset to October 20, 2016.

Mr. Vosti objected.

Under Meeting Opened to the Public, Ms. Greta Gregory, 244 Southmoor Road, said she was approved to hold a garage sale last week but due to a family emergency was not able to and requested permission to hold a garage sale on September 29, 2016. Motion by Ms. Garay; seconded by Mr. Margraf. AYES ALL. Motion carried.

There being no further business to come before the Board, motion by Ms. Garay to adjourn; seconded by Mr. Margraf. AYES ALL. Motion carried. The regularly scheduled meeting adjourned at 9:40 a.m.

APPROVED:

BY: _____
Stanley J. Dostatni, President

ATTEST:

Lynn Laviolette, Secretary