

BOARD OF PUBLIC WORKS AND SAFETY
MINUTES OF FEBRUARY 28, 2019

The regularly scheduled meeting of the Board of Public Works and Safety convened at 9:00 a.m. on Thursday, February 28, 2019, in the Council Chambers of Hammond City Hall. A roll call was taken: Ms. Garay – present; Mr. Margraf – present; Mr. Long – present.

Motion by Mr. Margraf to approve the minutes of the meeting of February 21, 2019 seconded by Mr. Long. AYES ALL. Motion carried.

Request for advertising dates of March 7, 2019 and March 14, 2019 with a bid opening date of March 28, 2019 for the 5th District Lighting Project – Alexander Avenue from 173rd Street to 169th Street, Marshall Avenue from 173rd Street to 169th Street and 172nd Street from Alexander Avenue to Marshall Avenue. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Res. No. 2845)

Calumet Conkey Bridge Change Order #1 with a cost reduction of \$15,008.60 for the change from ½ inch to 3/8 inch piling thickness. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-101)

Amendment No. 1 received from American StructurePoint for additional construction engineering services in the Chicago Street Phase Three project with the City of Hammond's cost to be \$7,004.45. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-102)

Correspondence received from Councilman Mark Kalwinski requesting \$10,000 of gaming funds be allocated for the purchase of two (2) solar powered safe pace radar speed signs to be placed on Hohman Avenue at the north and south limits of the Lincoln School zone area. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-103)

Correspondence received from Mayor Thomas M. McDermott, Jr. authorizing \$150,000 of gaming funds to be used for park improvements at Hessville Park. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-104)

Correspondence received from Councilman Dave Woerpel requesting \$100,000 of 2019 gaming funds be allocated for park improvements in the 5th District. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-105)

Correspondence received from Fire Chief Jeffery Smith advising two (2) treadmills that have been used at Fire Station 7 and Fire Station 8 have been donated to the Hammond Boxing Club. Correspondence acknowledged. (Ins. No. 19-106)

Disposal Authorizations received from the Hammond Police Department. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-107)

Notice of Violation hearing on property located at 7332 Oakdale Avenue. Attorney Jonathan Petersen appears for the property owner, Mr. Ryan Steel. Corporation Counsel, Ms. Kristina Kantar, gave both the Board and Mr. Petersen Exhibit A, documents pertaining to 7332 Oakdale Avenue. Ms. Kantar said there is a basement bedroom, constructed without permits and the only way is through a window that does not meet code specifications. Mr. Kelly Kearney, Chief of Inspections, there is a video walk through of the property on Facebook and You Tube which does show a basement bedroom. Mr. Kearney then said no one appeared for the first inspection and by the time the second inspection occurred, the wall enclosing the room, the door into the room and the finished ceiling were removed and there is a light fixture in the ceiling. Mr. Kearney then said there have been permits pulled but none for the construction of a basement bedroom. Mr. Petersen then gave Exhibits 1, the Notice of Violation, 2, an application for a Building Permit for repairs and 3, definitions from the Code of Ordinances to Ms. Kantar and the Board. Mr. Petersen ask if the removal cost of the finished ceiling, the wall and door to be removed and the addition of a light fixture be below \$500. Mr. Kearney said the cost could be below \$500. Mr. Petersen then asked if Mr. Kearney would be surprised if his client would not use the room. Mr. Kearney replied that no, he would not be surprised. Mr. Petersen then stated that there is not a definition for closet in the code but HUD documents do state that a closet has a door, rod to hang clothes and a shelf. Mr. Petersen said the door has been removed as well as the rod. . Mr. Petersen then requested Exhibit 5 be entered which was a text conversation between Mr. Kearney and an individual questioning code requirements. Ms. Garay said that she does not see there being any relevance to this hearing. Ms. Garay did not admit the exhibit. Mr. Petersen then requested Exhibit 6, an Assessor's Office parcel card. Exhibit 6 was admitted showing the property as a two (2) bedroom single family residence. Ms. Kantar then asked Mr. Kearney if ABL Homes, LLC was a contractor or investor. Mr. Kearney said investor. Mr. Petersen said his client would stipulate that the basement room will not be used as a bedroom. Mr. Bill Lewter, Inspector, Code Enforcement, said he went to the property to conduct an inspection but the property manager, Pedro, said he did not have a key to get in but would contact Mr. Lewter when he had the key. Mr. Lewter said that he conducted an inspection on December 13, 2018, the ceiling had been removed, a wall had been removed, anchor markings were still visible on the floor and the flooring had been removed. Ms. Kantar asked how long from the first inspection to the inspection of December 13, 2018. Mr. Lewter said seven (7) to ten (10) days. Ms. Kantar then asked if that was enough time to tear out the ceiling, walls and flooring. Mr. Lewter said it would only take a day or two (2). Mr. Petersen then presented Exhibit 7 which was a green tag showing that 7332 Oakdale Avenue passed final inspection on October 4, 2018 and Mr. Lewter was the inspector. Mr. Lewter said he did not go in the basement because a contractor said the basement was "wide open". Mr. Petersen then called Mr. Christopher Fontenot, realtor, to explain how the photo of the bedroom in the basement was included in the photos of the property on Facebook and Zillow. Mr. Fontenot said his videographer mistakenly put the photo of the basement bedroom with the photos of 7332 Oakdale Avenue and other properties also. Mr. Fontenot then said the video walk through is 7332 Oakdale Avenue. Ms. Kantar said the video has been taken down Mr. Petersen then requested a recording of the walk through be admitted. Ms. Kantar objected as the original has been removed from Facebook and Zillow. Ms. Kantar asked Mr. Fontenot when was the wrong video taken down. Mr. Fontenot replied, when he wrote the new listing this week. Mr. Fontenot then said he believes the photo is of a basement bedroom in Griffith. Mr. Petersen then asked his client, Mr. Steele, if the video was of the correct property to which Mr. Steele replied it was the correct property now. Mr. Petersen then submitted a photo that Mr. Steele took on February 21,

2019 of the closet area showing the door had been taken of and the rod for hanging clothes was removed. Mr. Steele also said the photo of the basement bedroom is in a home in Griffith and not of 7332 Oakdale Avenue. Mr. Petersen said the realtor made a mistake regarding the basement bedroom picture, the space will not be used as habitable space and he requested this matter be dismissed. Mr. Long asked Mr. Steele the address of the property in Griffith. Mr. Petersen said the Griffith property has nothing to do with this hearing. Mr. Steele said the property has been sold. Mr. Petersen said the photo was a mistake and requested a decision today. Ms. Garay closed hearing and said the Board will take the matter under advisement for seven (7) days. (Ins. No. 19-108)

Notice of Violation hearing on property located at 6729 Arkansas Avenue. Property owner fails to appear. Mr. Bill Lewter, Inspector, Code Enforcement, said the property is owned by an individual in Texas and the property is managed by Housemart. Mr. Lewter said there is a bedroom in the basement that must be removed by a licensed contractor. Mr. Lewter requested the Board affirm the Findings regarding the removal of the basement bedroom. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-109)

Notice of Violation hearing on property located at 4224 Hohman Avenue. Property owner fails to appear. Mr. Jaime Prieto, Commissioner, Code Enforcement, said he became aware of this owner occupied property due to a police call being made from the property. Mr. Prieto said the property owner is renting an apartment in the basement which does not conform to code. Mr. Prieto requested the Board affirm the Findings regarding the removal of the basement apartment. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-110)

Notice of Violation hearing on property located at 6910 Ridgeland Avenue. Property owner appears by an employee of Housemart who manages the property. Mr. Lewter said there is an illegal attic bedroom which must be removed and requested the Board affirm the Findings. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-111)

Correspondence received from Hammond Parks & Recreation requesting street closures for the duration of the 2019 Festival of the Lakes, 5:00 p.m. Wednesday, July 17, 2019 through midnight Sunday, July 21, 2019. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-112)

Correspondence received from Hammond Parks & Recreation requesting permission to hold a commercial fireworks display on Friday, July 19, 2019 and Saturday, July 20, 2019 at the City's 16th Annual Festival of the Lakes, on the island of Wolf Lake Memorial Park. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-113)

Correspondence received from the East Side Community Council requesting permission to hold a Hammond Day Parade on Saturday, July 6, 2019. Ms. Garay advised the route for the parade was not submitted. Motion by Mr. Margraf to defer this matter to March 7, 2019; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-114)

Correspondence received from WOW! regarding a change in their channel line-up. Correspondence acknowledged. (Ins. No. 19-115)

Correspondence received from the HUGS Cultural Committee inviting the Board of Public Works & Safety to their Annual Awards and Appreciation Ceremony, Saturday, April 20, 2019. Correspondence acknowledged. (Ins. No. 19-116)

Agreement to Rehabilitate Property Located at 1032 Eaton Street. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-117)

Garage Sale Permit submitted for approval. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-118)

Under Matters from Board Members, Mr. Margraf received correspondence from Talman Consultants requesting additional time to complete aerial installation at 1834 Summer Street due to NIPSCO make-ready delays. Motion by Mr. Margraf; seconded by Mr. Long. AYES ALL. Motion carried. (Ins. No. 19-119)

Under Meeting Opened to the Public, Mr. Michael Boyer asked if anyone from a business at 7241 Calumet Avenue contacted the Board regarding a change in traffic flow in the alley behind the business to two (2) way. Ms. Garay said that a petition was submitted to the Board regarding the changing from one (1) way to two (2) way traffic. Mr. Boyer said traffic has been one (1) way for twenty (20) years. Mr. Boyer then requested a copy of the petition.

There being no further business to come before the Board, motion by Mr. Margraf to adjourn; seconded by Mr. Long. AYES ALL. Motion carried. The regularly scheduled meeting adjourned at 11:09 a.m.

APPROVED:

BY: _____
Heather Garay, President

ATTEST:

Lynn Laviolette, Secretary