

**MINUTES OF THE REGULAR MEETING  
BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF HOBART, LAKE COUNTY, INDIANA  
September 7, 2022**

**Call to Order/Pledge to the Flag:** Mr. Snedecor called the meeting to order at 3:30 p.m., followed by the Pledge of Allegiance. The meeting was held with the building open to the public and a call-in number for remote public participation.

**Roll Call:** The following members were present: Mr. Lain, Mrs. Longer, and Mr. Snedecor. Also present: City Attorney McCarthy.

**Reading of Minutes:** Motion by Mr. Lain, seconded by Mrs. Longer, to accept the minutes of the regular meeting of August 17, 2022 and the Special Meeting of August 31, 2022 as presented. All aye, motion carried. (3-0)

**Correspondence:** There was no correspondence.

**Approval of Register of Claims and Payroll Claims:** Motion by Mr. Lain, seconded by Mr. Snedecor, to accept and sign the register of claims and payroll claims as presented. All aye, motion carried. (3-0)

**Approval of Agenda:** Motion by Mr. Lain, seconded by Mrs. Longer to approve the agenda as presented. All aye, motion carried. (3-0)

**Unfinished Business:**

**Update on Compliance of Property Violations: Safe Haven, 7931 Iowa St.:** Devin Rowland from the ongoing property management company was present in person and Mark Mulroon, Executive Vice President of Safe Haven was present telephonically. The part for the emergency doors is still not in yet and once those parts come in, they will be installed. Devin stated that they have been working on the retention area with updated corrective action plans. Windamere Construction has been approved by the City to be a licensed general contractor. Devin stated that they are waiting for the Bond. The Bond company is coming out September 12, 2022 and they are hoping the bonding company will step in to replace the general contractor or force the general contractor to make the corrective actions. MS4 Coordinator, Tim Kingsland stated that time is of the essence for stabilization to occur. Motion by Mrs. Longer, seconded by Mr. Lain to set this matter for update and review at the September 21, 2022 meeting, by which time, our staff should have reviewed the plans. All aye, motion carried. (3-0)

**Update/Status/Order to Appear: Unsafe Building: re: 215 East St.: Joe Gore:** Mr. Gore was present in person with Attorney Bouwer. Building Official Karen Hansen went through the order and listed the items that were done and still needed to be complete. Mold Pros obtained their building permit to do the work in the building. Karen has reached out to Mold Pros requesting a letter/email confirming that their scope of work has been successfully completed. She has not received any information on Unit 3 with the air quality testing. Karen stated that she is still waiting on an inspection report for asbestos as well as being informed on when this inspection will be done so she can be present. The City is also waiting on a scope of work and a signed contract for HVAC work required to bring the building into compliance. The water/sewage leaks have not been addressed yet. Karen stated that she has not been back in the building to address any further concerns. Attorney Bouwer stated that he did not receive a copy of the order via mail or email. He stated that asbestos testing is not required by state law if the work being done has not impacted the asbestos. Mr. Bouwer stated that they have not been able to get into unit 3 as the tenant changed the locks. He stated that there were no issues with the

HVAC work as it was up to code when the building was purchased. Attorney Bouwer feels that this shouldn't need to be done by his client. Mr. Snedecor stated that there is no record of any HVAC work being done on the building per the City. The HVAC work was either done illegally or without a permit and inspection. Mr. Bouwer requested to sit down with the City to discuss the HVAC work as it wasn't part of the original requests. Karen Hansen stated that the HVAC is unsafe and there are life safety issues. Attorney Bouwer stated that his client, Mr. Gore has done no HVAC work since he has obtained the building. He stated that no inspection was done when the building was purchased. Karen stated that she would like to see the initial order addressed before they have a sit down about the HVAC work. Mr. Snedecor stated that the building needed to be compliant for the tenants to move back in, but Unit 3 needs to be entered to obtain the air quality testing. The tenant from unit 3 was present and stated that she is agreeable to them testing and her attorney has the keys to her unit. Mr. Bouwer can contact her attorney to get the keys. Karen stated that the asbestos testing needs to take place before the other contractors go in to complete their work. She also stated that the electrical permit can be pulled once the mold remediation and testing is done as well as asbestos assessment being done stating that the building is safe for the trades to go in and do their work. Per John, one of the City's Inspectors, the asbestos inspection should be done prior to entry for the safety of trades. Motion by Mrs. Longer, seconded by Mr. Lain to let the order stand and continue this matter for review to the September 21, 2022 meeting. All aye, motion carried. (3-0)

**Continued: Request to Remove Trees in Barrington Ridge Subdivision: re: 1561 Lake St., Reinaldo Rayo-Correa:** Public Works Director Kelly Smith provided a detailed report from the City Arborist. The tree at 1532 Lake St. needs some limbs cut down to help the health of the tree. The tree at 1549 Lake St. is healthy and the tree on 1561 Lake. St. is on private property. Motion by Mr. Snedecor, seconded by Mr. Lain to approve the recommendation of Kelly Smith and the City Arborist that the tree on 1532 Lake. St. will be added to the City list to have branches removed, and the other 2 trees are healthy. All aye, motion carried. (3-0)

**Continued: Update/Review of Pennsy Depot public parking lot issues: HPD and Code Enforcement:** Mr. Snedecor stated that this issue has been resolved. Code Enforcement met with the owner of the trailers and construction equipment and it has been removed. Motion by Mr. Snedecor, seconded by Mrs. Longer to remove this item from the agenda. All aye, motion carried. (3-0)

**Update/Status of Unsafe Building: re: 235 Main St.: Karen Hansen:** Building Official Karen Hansen stated she spoke with Harold who is the property manager. They are working on securing a structural engineer and are hoping to have the engineer and report by the September 21, 2022 meeting.

#### **New Business:**

**Request for Handicap or Speed Limit Sign: re: 1 W 3<sup>rd</sup> St., Michael Nobles:** Public Works Director Kelly Smith stated that there are 3 signs going west bound and 2 going east bound and adding more signage would be too much. Motion by Mr. Snedecor, seconded by Mrs. Longer to **deny** this request. All aye, motion carried. (3-0) This request is **denied**.

**Request for Refund of Permit: Permit 20220967BP: Kaitlin Kupiec (The Nutrition Spot): Karen Hansen:** Building Official Karen Hansen stated that Kaitlin completed the zoning review form. After the permit was paid for, she called and stated that she was not going to occupy the space. Karen is requesting that the certificate of occupancy portion of the permit be refunded as the zoning portion was already done. Motion by Mr. Lain, seconded by Mr. Snedecor to approve the refund of \$150.00 for the occupancy permit 20220967 only. All aye, motion carried. (3-0)

**Public Hearing: Unsafe Building: re: 950 Water St., aka 250 E. 10<sup>th</sup> St.: Karen Hansen:** Building Inspector Jennifer Gough stated that she inspected the property on June 6, 2022 and noted major structural damages. The

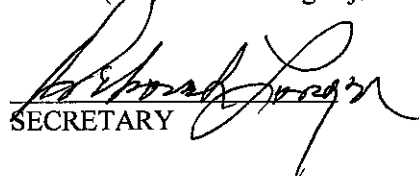
canopy is starting to fall apart. The columns holding the canopy up are starting to deteriorate. The rear of the convenient store has a hole in the rear wall where a tree branch is now growing and showing signs of mold. There are multiple sheds on the property with holes in them as well. Code Enforcement Officer Wilk has sent multiple NTA's (Notice to Abate) and CNTA's (Continuous Notice to Abate). The City has mowed the property 17 times in the last 5 years. The tanks for the gas station were removed in December 2020. There was a letter of unsafe building sent on June 28, 2022 giving the owner 21 days to take action. After no action was taken, an order of unsafe building was issued on July 28, 2022 giving the owner 15 days to show progress and they failed to do so. The issues have been ongoing, and the City is requesting the building, canopy, and sheds be removed from the unsafe property. The public hearing was opened and closed without comment. Building Official Karen Hansen stated that she is waiting to hear from IDEM regarding the monitoring wells. This property is privately owned and does not belong to any oil companies. This is a concern as it is across the street from an elementary school and is going to be a risk to the children. Motion by Mr. Snedecor, seconded by Mr. Lain to move forward with the recommendation of the Building Official to take precautionary measures and demolish this property. All aye, motion carried. (3-0)

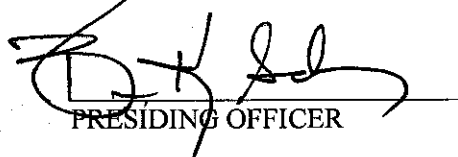
**Announcements:** City Engineer Phil Gralik stated that there is a cement shortage worldwide and it is causing a delay on the 3<sup>rd</sup> St. construction project. It could be up to 3 weeks before this can be done. The paving cannot be done until the curbs and drive approaches are poured. Mr. Lain asked if the rest of 3<sup>rd</sup> St. will be paved as well. Phil stated that the City has applied for another grant to help with that project.

Councilman Mark Kopil provided an update for the Veteran's banners on 61<sup>st</sup>. Ave. He asked of the Board had received his email, but some have not received that. He has been working on getting cost effective poles for the banners. The banners will be displayed from Memorial Day to Veteran's Day and will be of Hobart residents only. Mr. Snedecor mentioned that Mark may want to get the VFW or American Legion involved. Mrs. Longer requested that Mr. Kopil resend his email and set this matter over to the September 21, 2022 meeting.

Mr. Snedecor asked if there was anyone who wished to address the Board and there was no response.

**Adjournment:** Motion by Mr. Lain, seconded by Mrs. Longer, to adjourn the meeting. All aye, motion carried. (3-0) The meeting adjourned at 4:50 p.m.

  
SECRETARY

  
PRESIDING OFFICER