

**MINUTES OF THE MEETING OF THE BOARD OF PUBLIC WORKS & SAFETY
VALPARAISO, INDIANA
June 14, 2019**

The Board of Public Works & Safety of Valparaiso, Indiana met June 14, 2019, at 10:00 a.m. in City Hall. Present were Mayor Costas and Bill Oeding. Mayor Costas called the meeting to order and led the Pledge of Allegiance.

Mayor Costas moved that the minutes of the May 24, 2019 meeting be approved, seconded by Bill Oeding and so approved.

Mayor Costas moved that the claims be approved for payment and subject to appropriation balances, seconded by Bill Oeding and so approved.

Change Order #2 City Hall Renovation and Expansion Project

Bill Oeding requested approval of Change Order #2 regarding the City Hall Renovation and Expansion Project.

Mayor Costas moved to approve, seconded by Bill Oeding and so approved.

Unsafe Building Hearing for 1009/1011 Calumet Avenue

John Bushemi addressed the Board. He presented the Notice of Violation of the Valparaiso Unsafe Building Regulations and Order to Demolish or Repair and Notice of Demolition Order Thereon Requested by the Valparaiso Building Commissioner. This was served on both property owners. Mr. Bushemi also presented pictures of the property. A title report was presented that identifies all the legal owners. All the legal owners have been served with notice of this action. The Porter County Cancer Society notice sent by Certified Mail was not claimed. Proof of Publication was presented for Notice to the Porter County Cancer Society. Porter County Treasurer, Porter County Commissioners, Certified Auto and Trans Inc. and Edward W. Cobb all were served. The above referenced documents were admitted into evidence.

Vicki Thrasher, City of Valparaiso Building Commissioner, was sworn in. One of her duties is enforcement of unsafe building regulations. She has inspected the property at 1009 and 1011 Calumet. She served Notice of Violation on the property owners. Photographs taken by Vicki Thrasher were presented and discussed as to what they show regarding the unsafe structure. The pictures show half of the garage structure is demolished. This demolition was done illegally without receiving a permit from the City. She is requesting the Board of Public Works and Safety to issue a Demolition Order for the garage structure.

John Bushemi submitted Proposed Findings and Proposed Order.

Mayor Costas asked and was told it is believed that 1009 contains one-third of the demolished structure. 1011 contains the remaining portion of the unsafe structure. There is a mechanic's lien on 1009 held by Certified Auto and Trans Inc. last year the City issued a Demolition Order for the home on the property of 1009. That demolition is scheduled to begin on Monday, June 17, 2019. The mechanics lien was filed after the Demolition Order and prior to any work being done. The City has the legal authority to order the unsafe structure be demolished. It is unknown who demolished the one-third of the unsafe structure.

Edward Cobb addressed the Board. He agrees the structure is unsafe. He has applied for a building permit and plans to repair the structure. When the one-third portion was demolished, it did damage his part. It primarily is the roof. He has been told there is more new material involved than is allowed. He also has the issue of the building being on the property line and being a non-conforming structure. He has other ways to use less new materials, but it won't look as nice. He is an engineer and believes this building is 100% repairable. He is requesting that the building permit be issued.

Ed Cobb inherited this property from his father in 1999 when his father passed away. Mayor Costas stated the building is dilapidated. The City has a duty to protect the citizens. Ed Cobb replied his building is in disrepair because the neighbor was not made to keep his portion in good repair. Mayor Costas suggested a new shed would be a better idea. Ed Cobb explained he is not allowed to put a new shed up. Vicki Thrasher replied that a new one cannot be put in that spot, but a new shed could be put on the property. Ed said he has been working on preserving his portion of the building since 1918. Mr. Cobb asked if Vicki has an engineering degree. She replied she has an Engineering Technology degree.

After hearing Edward Cobb's testimony, Vicki Thrasher stated she still is requesting an Order to Demolish. Edward Cobb asked to have a shot at rebuilding and if the City doesn't like it, then they can demolish it.

Mayor Costas moved to approve the Order of Demolition, seconded by Bill Oeding and so approved.

John Bushemi submitted Proposed Findings of Fact and proposed Order.

Unsafe Building Hearing for 756 Franklin Street

John Bushemi addressed the Board. He presented the Notice of Violation of the Valparaiso Unsafe Building Regulations and Order to Demolish or Repair and Notice of Demolition Order Thereon Requested by the Valparaiso Building Commissioner. This was served on all listed owners of the property. Mr. Bushemi presented pictures of the property. A title report was presented that identifies James R. Youngjohn as the legal owner and that the Porter County Treasurer has an interest based upon unpaid property taxes. All the legal owners have been served with notice of this action. The Notice sent to James R. Youngjohn sent by Certified Mail was not claimed. Proof of Publication was presented for notice to James R. Youngjohn. The above referenced documents were admitted into evidence.

Vicki Thrasher, City of Valparaiso Building Commissioner, was sworn in. One of her duties is enforcement of unsafe building regulations. She has inspected the property at 756 Franklin Street. She

served the Notice of Violation on the property owners. The latest inspection of the building was April 16, 2019. Vicki Thrasher found the building to be unsafe. Photographs taken by Vicki Thrasher were presented and discussed as to what they show regarding the unsafe structures. The pictures show a two-unit rental unit with a detached garage. Both are unsafe. The buildings are unsecured and abandoned. There is junk and debris in the yard. She is requesting the Board of Public Works and Safety to issue a Demolition Order for the two-unit rental unit and detached garage located at 756 Franklin Street.

John Bushemi submitted Proposed Findings of Fact and proposed Order.

Mayor Costas moved to approve the request for demolition of the property at 756 Franklin Street. He also asked that foreclosure begin immediately to pay the Porter County Treasurer and reimburse the City for its expenses. Seconded by Bill Oeding and so approved.

MAAC Memo of Understanding Amendment

Patrick Lyp discussed the first amendment to the Memorandum of Understanding between the City and MAAC Foundation, Inc. The MAAC facility is used for fire department training. The City has always waived the need for a building permit for any training structures constructed. He requested that the same rules be used as the facility expands. They also requested acceptance of the Dedication of public Right-of-Way in conjunction with the access Road being constructed by the City in Montdale Industrial Park. The road will not be gated. There will be restrictions.

Mayor Costas moved to approve the amendment to the MOU and to receive the Dedication of Public Right-of-Way, seconded by Bill Oeding and so approved.

Furnishing Purchase Order – City Hall Renovation

Bill Oeding requested approval of the Purchase Order for new furnishings and installation at the new City Hall. The purchase order is in the amount of \$233,881.76 which is under budget.

Mayor Costas moved to approve the Purchase Order, seconded by Bill Oeding and so approved.

2019 Downtown Art Walk Map

Kurt Gillins requested approval of the 2019 Downtown Art Walk Map and Display of art pieces being installed. The eight pieces of art are done by the Mendez brothers from Decatur, Indiana. Three pieces will be located on City property. The pieces are fully insured for liability and property. The Redevelopment Commission pays the lease for the pieces.

Mayor Costas moved to approve, seconded by Bill Oeding and so approved.

Citizen Request

Request approval for Greenfield Creek Subdivision temporary road closure of Goodrich Road between the North entrance of the subdivision and the South entrance between the hours of 9:00 a.m. to 10:00 p.m. for the allowance of neighborhood fireworks show. The date will be July 13, 2019.

Mayor Costas moved to approve, seconded by Bill Oeding and so approved.

Bid Award – Public Works Equipment

Brent Dickson requested approval to award Southeastern the contract for two new garbage trucks for the Public Works. Southeastern was the most responsive.

Mayor Costas moved to approve, seconded by Bill Oeding and so approved.

Request Permission to Seek Bids for Three Single Axle Dump Trucks

Brent Dickson requested approval to advertise for bids for three single axle dump trucks.

Mayor Costas moved to approve, seconded by Bill Oeding and so approved.

Bid Opening - 2019 Community Crossings Washington Street Resurfacing Project

Sharon Swihart opened bids for 2019 Community Crossings Washington Street Resurfacing Project. Bids received were from:

- Rieth Riley \$258,505.00
- Walsh & Kelly \$306,383.00

Brent Dickson will review and make a recommendation at the next Board of Works meeting.

Citizen Request

- Request approval for permission to close Vale Park Road from Valparaiso to Cumberland for east and westbound traffic from 9:00 a.m. to 11:00 p.m. and Marquette Street from Valley Drive to Valparaiso for east and westbound traffic from 9:15 p.m. to 10:30 p.m. on July 4th (or Friday July 5th as a rain date) for the 4th of July celebration.
- Request approval for permission to run the annual Turkey Trot on Thursday November 28, 2019 beginning at 6:00 a.m. until 10:00 a.m.

Mayor Costas moved to approve, seconded by Bill Oeding and so approved.

- Request approval for permission to block off Indiana Avenue from Lafayette Street to Napoleon Street from 11 a.m.-9p.m. on Sunday June 23, 2019 for the Food Truck Fest.

Mayor Costas moved to approve, contingent on receiving more information and running it by the Park Department and Event Office, seconded by Bill Oeding and so approved.

Chicago Dash Expansion

Don Lorntzen requested approval of the expanded Chicago Dash route and the adjustments to the time schedule.

Mayor Costas moved to approve, seconded by Bill Oeding and so approved.

Calumet and Glendale Road Closing

Mark Goetsky requested approval for road closing at Calumet and Glendale on June 25, 26 and 27, 2019. They will be doing sewer repair and watermain rebuild. They have a traffic route plan and signs will be posted.

Mayor Costas moved to approve, seconded by Bill Oeding and so approved.

There was no further business and the meeting was adjourned.