

# REGULAR MEETING – July 19, 2010

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Tuesday morning, July 19, 2010, at the hour of 9:00 a.m., in the Council Chambers, in the City Hall Building, located at 100 East Michigan Boulevard, Michigan City, Indiana – a regular meeting room of this Board.

The meeting was called to order by President, Tony Metzcus, who presided.

**Noted Present:** Tony Metzcus, and Mayor Charles Oberlie (2).

**Absent:** John Schaefer (1).

**A QUORUM WAS NOTED PRESENT.**

Also noted in attendance:

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division

Bill Phelps, City Engineer

Joe Siegel, Zoning Administrator

Judy Pinkston, Community Development Director

Abby Wiles, NSP Coordinators Office

Charlie Cate, Superintendent, Central Maintenance

Dave Lamb, M.C. Fire Chief

Jim Elwell, Superintendent, Central Services

Andy Matanic, IT Manager

Thomas F. Fedder, City Clerk

Kim Sliwa, Asst. Deputy City Clerk

**APPROVAL OF MINUTES**

Mayor Oberlie moved the minutes of the Regular Meeting of July 6, 2010 be approved as printed. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

**OPENING OF BIDS – Energy Efficiency Community Block Grant to convert City owned traffic signals to LED lighting and install Pedestrian Audio Signals**

Mayor Oberlie informed the Board there were two (2) bids received as follows:

- 1) Michiana Contracting Inc. – a bid check received in the amount of \$12,500.00
  - E.E.O./Affirmative Action forms executed
  
- 2) Midwestern Electric
  - a bid bond with associated power of attorney
  - no E.E.O. forms included in bid packet

Mayor Oberlie made the motion to refer the bids to Corporate Counsel, City Engineer and Central Maintenance for tabulation and recommendation at the next meeting. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

**AGREEMENT – Government Channel and Public Access Channel Management Extension Agreement**

Mayor Oberlie addressed the Board stating the form has been prepared by the Corporate Counsel to extend the services for the balance of the year and made the motion to approve the agreement. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

## REQUEST FOR PERMIT

The following correspondence was received in the Clerk's Office on July 6, 2010 from Tabitha Parkhouse, Charlie's, 517 E. Barker Avenue:

We would like to have a permit for a public gathering on the following dates: July 24, August 6, 13 and 21. The reason for this is due to the fact that we will have bands playing in our side parking lot. The bands will start at 8pm and will be done promptly at Midnight.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board regarding this request stating there are concerns about the request as the M.C. Police Department has just recently received at least three (3) documented calls for services for loud music complaints and there is also a documented call for service regarding the snow fencing being erected on the public sidewalk. Sgt. Loniewski stated this is a residential area.

Mayor Oberlie made the motion to formally refer this request to the Zoning Office for resolution. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

## REQUEST FOR LIGHTING

The following correspondence was received in the Clerk's Office on July 7, 2010 from Marlin Lawson, 2322 Normandy Drive:

The intersection at Woodland Avenue and 400 North is too dark, no street light, want a light placed at that location, can't see where streets intersect.

Sgt. Jeff Loniwski, M.C.P.D. Traffic Division addressed the Board request that this request be forwarded to the County Engineer, as this is County jurisdiction not City's.

Mayor Oberlie made the motion to refer the request to the County Engineer. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

#### **REQUEST FOR STREET SIGN**

The following correspondence was received in the Clerk's Office on July 8 2010 from Thomas P. Thomas, 921 N. Roeske Avenue:

Please accept this letter as a formal request to install "Slow, Children at Play" (anything applicable) signs for both north bound and south bound traffic from the corner of Springland Avenue and North Roeske to two blocks north. We have many children in the neighborhood on the Michigan City side, as well as the Pottawattomie Park side of Roeske Avenue. We've had several close calls due to excessive speed from cars traveling through the neighborhood. Please call me with any questions. Summer is here and the kids are out riding their bikes so your urgency regarding this matter is appreciated.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board and requested permission to address this by putting the Police Department's Radar Trailer at that location and increasing car patrols in that area. Sgt. Loniewski stated that he has spoken with the Planning Department, who informed him that "Children at Play" signs don't conform with the Uniform Traffic Manual.

Mayor Oberlie made the motion to refer the request to the M.C.P.D. Traffic Division. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

#### **STREET CLOSING**

The following correspondence was received in the Clerk's Office on July 12, 2010 from Mrs. Althea Allen, Pleasant Hill Church, 717 E. 10<sup>th</sup> Street:

Our Church is having a "Down Home Sunday" picnic on Sunday, July 25, 2010 between 1:00

and 4:00 p.m. We are requesting to close Maple Street between 10<sup>th</sup> and 11<sup>th</sup> Streets during this time for our event. Thank you in advance for your cooperation. If you have any questions or concerns please contact me.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board regarding this request stating that he has spoken with Mrs. Allen, and that this is an annual event. Sgt. Loniewski recommended the Board approve the request.

Mayor Oberlie made the motion to approve the request pending the Clerk's Office receiving a Certificate of Liability Insurance. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

#### **STREET CLOSING**

The following correspondence was received in the Clerk's Office on July 12, 2010 from Priscilla Miller, 113 Dole Street:

I would like to have a block party on my street, address 113 Dole Street on Friday, August 13, 2010 from 12:00 p.m. to 10:00 p.m. This event will be held and hosted by the Dominant Divasz Dance Group that just previously started this summer. It is a youth dance group full of girls. We will perform and everybody will be invited in M.C. district, there will also be fun and games that insist of prizes to win, food and drinks will be available also. Thank you.

Mr. Wayne Miller, 113 Dole Street addressed the Board regarding the request.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board regarding this request stating that he has spoken with Miss Miller, and there are no issues with this request as it is only one (1) block. Sgt. Loniewski recommended approval.

Mayor Oberlie made the motion to approve the request pending the receipt of a Certificate of Liability Insurance in the City Clerk's Office before the event. The motion was seconded

by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2).**  
**NAYS: None (0). Motion carries.**

#### **REQUEST FOR TAXI CAB LICENSE**

The following correspondence was received in the Clerk's Office on July 12, 2010 from Ken Hays, 4977 Prairie Lane:

My name is Ken Hays and I am very interested in starting a taxi cab company in Michigan City. My proposed name for said company will be Quick Cab Company. I would be very appreciative if I could be put on the next Board of Public Works meeting to present my case for starting a taxi service here in Michigan City Indiana. Thank you in advance for your consideration.

Mayor Oberlie addressed the Board stating that the Taxi Cab ordinance requires a public hearing. The Mayor made the motion to have this matter referred to the Corporate Counsel to work with the Clerk's Office to set the hearing and develop the petition. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2).** **NAYS: None (0). Motion carries.**

#### **REQUEST TO PURCHASE CITY EQUIPMENT**

The following correspondence was received in the Clerk's Office on July 14, 2010 from Ben Neitzel, 102 W. 2<sup>nd</sup> Street:

Upon my retirement I would like to purchase the lap top I have been using as it has my work product on it and rather than duplicating I would like to take it with me. If allowable please let me know how much. Thanks for your consideration.

Mayor Oberlie addressed the Board stating the depreciated value is assessed at \$600.00. The Mayor made the motion to authorize the purchase at the depreciated value. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2).** **NAYS: None (0). Motion carries.**

## REQUEST FOR OPEN BURN PERMIT

The following correspondence was received in the Clerk's Office on July 15, 2010 from Ron Dombkowski, Commander, Frank & Edward Skwiat Post No. 451:

On Saturday, October 16<sup>th</sup> at 1:00 PM, the Frank & Edward Skwiat American Legion Post 451 will be conducting a Flag Disposal Ceremony in the rear parking area of the Post Home at 121 Skwiat Legion Avenue

It is the Post's understanding that a "burn permit" is required from the City for this type of activity. Also, notification of the event to the Michigan City Fire Department would be of great help. Your granting this request would be greatly appreciated.

Fire Chief Dave Lamb, Michigan City Fire Department addressed the Board stating this is an annual event, and an Engine Company will be there on stand-by. Chief Lamb recommended approval of the event to the Board.

Mayor Oberlie made the motion to approve the recommendation of the Fire Chief. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

## STATUS REPORT – 125 Patrick Street, Leatrice Nuredeen-owner

Joseph Siegel, Zoning Administrator addressed the Board regarding the structure at this property, stating that Ms. Nuredeen has submitted a written outline of the repairs to be made, which he reviewed with the Board. Mr. Siegel asked the Board for a continuance so more repairs can be completed.

Ms. Nuredeen addressed the Board regarding garbage pickup in that area and getting a trash can from the Refuse Department.

Mayor Oberlie made the motion to refer this property back to the Inspection Department, and unless there are problems, does not need to go before the Board again. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

**STATUS REPORT – 508 West 11<sup>th</sup> Street, James A. Spsychalski-owner**

Joseph Siegel, Zoning Administrator addressed the Board regarding the structure at this property, stating this property has been before the Board since 2006. Mr. Siegel reported that a ten (10) day notice and an order to demolish were mailed to the property address, to his mother's property on Elston Street, an address in Indianapolis, and all letters were returned undeliverable. Mr. Siegel requested that this property be continued to the next Board of Public Works and Safety meeting on August 2, 2010, as the post office found a forwarding address for Indianapolis.

Mayor Oberlie made the motion to continue to the next Board meeting. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

**STATUS REPORT – 101 Chicago Street, The Regulars-owners**

Joseph Siegel, Zoning Administrator addressed the Board regarding the structure at this property, stating this property had formerly been a gas station and there's the probability that there are underground tanks located under the structure. Mr. Siegel informed the Board that the Inspection Department is requesting additional time to research this environmental issue; and will bring it back to the Board at a later date.

Mr. Robert Bell, 6103 Old Oak Drive, representing The Regulars addressed the Board regarding the property at this address, informing the Board that in 1990 the corporation

(The Regulars) was dissolved by court action through the sale of some property. Mr. Bell stated that there is no money to pay for the demolition of that property, but what they are willing to do is turn the property over to the City to do what they want with it. Mr. Bell informed the Board that they (The Regulars) own property on Peru Street and in 1990 Guardian Company was willing to buy the two (2) lots, but when the survey was to be done they found out that the City had paved a street through one (1) of the lots so it could not be sold. Mr. Bell stated at that time he spoke with someone in the Planning Department who looked the property up in the plat book and saw where it has been paved. Mr. Bell informed the Board that the lot has a value of \$3,900.00 and they got \$5,000.00 for the other lot. Mr. Bell proposed to give the City both the property at 101 Chicago Street and the one (1) lot on Peru Street; or if the City is willing to buy the one lot on Peru Street and take the money to pay for the demolition of 101 Chicago Street.

Mayor Oberlie made the motion to refer to the City Engineer, Planning and Redevelopment, and the Corporate Counsel to see what can be done in a legal process to work out both issues. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

**STATUS REPORT – 314 Willard Avenue, Edwin & Patricia Blumenfeld & Youth Business Club-owners**

Joseph Siegel, Zoning Administrator addressed the Board regarding the structure at this property, stating this property has been before the Board since 2002, with Orders to Demolish recorded in September 2007, as well as July 2010. Mr. Siegel informed the Board that the News Dispatch had an error in publication that did not meet the deadline requirements, and took it upon themselves to re-advertise the publication which is two (2) days shy of the legal notice that is required under the Neighborhood Stabilization Program. Mr. Siegel asked the Board to re-set this property for the August 2, 2010 Board of Public Works and Safety meeting.

Mayor Oberlie made the motion to approve the continuation. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

#### **PUBLIC COMMENT**

Mr. Wayne Miller, 113 Dole Street addressed the Board regarding the property at 314 Willard Avenue stating that he has tried to get permits issued to him to make repairs on the property.

#### **ADDITIONAL BUSINESS**

Mr. Bart Lombard, 625 Faulknor Street, President of the Fire Merit Commission addressed the Board updating them on the recruitment process for the next eligibility list. Mr. Lombard informed the Board that they started with 107 applicants for this round of eligibility, and they are now at 76 applicants with testing taking place on August 7<sup>th</sup> & 8<sup>th</sup> at the Michigan City Fire Training Tower off Hitchcock Road.

**Note:** This is for informational purposes only.

#### **ADDITIONAL BUSINESS**

Attorney Patrick Donoghue, 1020 N. Roeske Trail representing the Shoreland Hills Homeowners Association presented to the Board a Residents' Petition for Installation of a Stop Sign on Moore Road at its Intersections with Westgate Way, which has been signed by 171 residents and property owners of Shoreland Hills. Mr. Donoghue read from the petition "We, the undersigned property owners and/or residents, including husbands and wives, of the Shoreland Hills subdivision in the City of Michigan City, hereby petition the Michigan City Board of Public Works and Safety to install a stop sign to control north-bound

automobile traffic on Moore Road at its intersection with Westgate Way in said City and do hereby cite the following factors directly related to Public Safety in support thereof: (1) the segment of Moore Road both north and south of said intersection is heavily utilized by groups of pedestrians walking to the Shoreland Hills Beach at Stop 31, especially during the summer season and is also used by children during the school year; (2) pedestrian traffic has increased and is significantly increasing each year, and Moore Road is an automobile traffic artery for the area with heavy traffic in the summer; (3) said intersection is at the bottom of two blind hills and poses a danger to pedestrians from both north and south bound traffic". Mr. Donoghue stated the reason for the presentation is to request that the Board refer this matter to the Traffic Division and the Planning Department for consideration.

Mrs. Dawn Kryston, President of the Shoreland Hills Homeowners Association, 121 Beechwood Trail addressed the Board and expressed her concerns.

Mr. Dave Maslowski, Member of the Shoreland Hills Homeowners Association, 4707 Westgate Way addressed the Board and expressed his concerns.

Mayor Oberlie made the motion to refer the request to the City Engineer, Planning Department and M.C.P.D. Traffic Division to do an update of the study that was done six (6) months ago at this intersection. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

#### **ADDITIONAL BUSINESS**

Mr. Eugene Rodriguez, 1102 Spring Street addressed the Board about the sidewalks in front of his residence, requesting that it be repaired for public safety.

Mayor Oberlie made the motion to refer the item to Chris Bohnert in the Planning Department. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

## ADDITIONAL BUSINESS

Mrs. Linda Simmons, Director of Marketing, LaPorte County Convention & Visitors Bureau addressed the Board and presented the following letter, dated July 16, 2010:

The LaPorte County Convention & Visitors Bureau would like to request your approval for installation of street pole banners in locations on Franklin St., Michigan Blvd., and Hwy 12, having approximately 20 banners. Before we produce these banners, we realize we need approval from the Board of Public Works and Safety. We appreciate your consideration on this matter.

Mrs. Simmons informed the Board that the Superboat Grand Prix will be taking place August 3 through August 8, 2010; and that she has spoken with Chris Bohnert of the Planning Department. Mrs. Simmons stated that they are working in coordination with the Block Party with a representative from the Mainstreet Association.

Mayor Oberlie stated that this would be a coordination issue, as the Mainstreet Association has some historic banners that are up with a three (3) year contract, and that those poles would not be available. Mayor Oberlie made the motion, subject to the traditional insurance issues and coordination with the Summer Festival for the Drum Corp. show and Mainstreet, to approve the request. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

## ADDITIONAL BUSINESS

John Chalikian, 609 Franklin Street addressed the Board regarding a property at 907 Ohio Street, informing the Board that there was a structure there that was damaged by fire and that half of the structure is still standing. Mr. Chalikian stated that the concrete is cracked; the property is an eye sore to the community and is a public safety hazard. Mr. Chalikian also informed the Board that there is a fallen tree that has not been removed. Mr.

Chalikian hopes this eye sore is cleaned up for the safety of the children/public in the neighborhood.

Mr. Joseph Siegel addressed the Board regarding the structure, stating after review with the City's Corporate Counsel the Planning and Inspection Department was advised not to remove the concrete foundation work so as not to disturb the structural integrity of Mr. Chalikian's building.

Discussion ensued between Mayor Oberlie and Mr. Siegel regarding the marking of the property line, and getting the site cleared of debris/tree.

Mayor Oberlie made the motion to refer the issue to the Inspection Department and the Community Development Office.

Mr. Chalikian informed the Board that the concrete in question was not a loading dock, it was a patio and is hollow underneath where animals are living; and that he will sign a release as long as the City comes and cleans it up.

The motion was made and seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

#### **ADDITONAL BUSINESS**

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating he has been contacted by Reverend Charlene Moore, Bethel AME Church, 629 E. Michigan Blvd., requesting the Board allow parking on the East side of 7<sup>th</sup> Street on Sunday mornings for services, due to the construction on Michigan Blvd. Sgt. Loniewski recommended the parking be allowed just for Sunday mornings.

Mayor Oberlie made the motion to approve the recommendation of the M.C.P.D. Traffic Division. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

**NSP DEMOLITIONS UPDATES – 614 Carlon Court, Johnny and Nellie Richardson-owners**

Mr. Joseph Siegel, Zoning Administrator addressed the Board regarding this property asking that this be removed from the Demolition list, as the Planning Department has active electrical and roofing permits to start the repairs. Mr. Siegel advised the Board that the foundation is in fact intact, and the owners are willing to save the structure.

Mayor Oberlie made the motion accept the Zoning Administrators recommendation. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

**NSP DEMOLITIONS UPDATES– 920 West 7<sup>th</sup> Street, George and Veronica Williams-owners**

Mr. Joseph Siegel, Zoning Administrator addressed the Board regarding this property stating the property owners are to present/schedule a plan to make the needed repairs; and asked the Board to continue this at their next meeting.

**NSP DEMOLITIONS UPDATES – 911 West 9<sup>th</sup> Street, Carman McGreggor-owner**

Mr. Joseph Siegel, Zoning Administrator addressed the Board regarding this property stating the property owner was to appear before the Board to show proof that the property is in the process of being transferred. Mr. Siegel informed the Board that the property has been transferred, and the owners are apparently making satisfactory progress in the

repairs/remodeling; and asked that this be continued to the next meeting for a further update.

**NSP DEMOLITIONS UPDATES – 1221 W. 10<sup>th</sup> Street, The Gladys M. Byrd Revocable Living Trust**

Mr. Joseph Siegel, Zoning Administrator addressed the Board regarding this property stating the Order to Demolish on this property was approved on July 6, 2010. Mr. Siegel informed the Board that Mr. Russ Hatfield, Code Enforcement Officer met with the property owners last week and is no longer pursuing demolition; as apparently the owners are in the process of preparing a work schedule on this property and there is a representative present to address that. Mr. Siegel asked for a timetable, proper permits be taken out, if not a bond be set.

Mr. Connie Adams Sr. addressed the Board stating he is in the possession of a letter that gives him authorization to pursue repairs to the property. Mr. Adams Sr. asked the Board for a thirty (30) day continuance to address the matter with family located in Minnesota to see what they want to do with the property, and to see what repairs need to be made to the structure.

Mayor Oberlie made the motion to grant the thirty (30) day continuance. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

**NSP DEMOLITIONS – 1137 West 9<sup>th</sup> Street, Gerald Rizzo-owner**

Mr. Joseph Siegel, Zoning Administrator addressed the Board regarding this property stating that an Order to Demolish has been placed on this property; and asked the Board to allow the Inspection Department to pursue bids. Mr. Siegel advised the Board of the mechanicals, stating the property is abandoned, unsafe premises pursuant to Indiana Code IN 36 7-9-4. Mr. Siegel presented a title search, photographs and inspection reports prepared by the city's building inspectors that were reviewed.

Mayor Oberlie made the motion, based on the evidence presented, to find the property unfit for human habitation and a public nuisance and to proceed with the letting of bids. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2).** **NAYS: None (0).** Motion carries.

**NSP DEMOLITIONS – 1312 West 10<sup>th</sup> Street, Andrea Smith Lonzo-owner**

Mr. Joseph Siegel, Zoning Administrator addressed the Board regarding this property stating that an Order to Demolish has been placed on this property; and asked the Board to allow the Inspection Department to pursue bids. Mr. Siegel advised the Board of the mechanicals, stating the property is abandoned, unsafe premises pursuant to Indiana Code IN 36 7-9-4. Mr. Siegel presented a title search, photographs and inspection reports prepared by the city's building inspectors that were reviewed.

Mr. Robert Prezinski, with the Law Firm of Underberg & Associates addressed the Board stating they are representing the plaintiff in a foreclosure action that is currently pending on this property, which is scheduled for a Sheriff's Sale on September 2, 2010. Mr. Prezinski stated they have received the Notice of the pending Demolition Order, and informed the Board that this is the first notice that the bank has received. Mr. Prezinski asked the Board for a continuance of thirty (30) days so the bank can get in to make a determination as to what they are going to do with this property.

Mayor Oberlie made the motion to extend the hearing for thirty (30) days. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2).** **NAYS: None (0).** Motion carries.

**NSP DEMOLITIONS – 1132 Green Street, NTA Property Management-owner**

Mr. Joseph Siegel, Zoning Administrator addressed the Board regarding this property stating that an Order to Demolish has been placed on this property and asked the Board to allow

the Inspection Department to pursue bids. Mr. Siegel advised the Board of the mechanicals, stating the property is abandoned, unsafe premises pursuant to Indiana Code IN 36 7-9-4, and reported the calls for service dispatched to this address, as well as back taxes due. Mr. Siegel presented a title search, photographs and inspection reports prepared by the city's building inspectors that were reviewed.

Mayor Oberlie inquired whether any of the lien holders responded with the program to provide corrective action to the building. Mayor Oberlie made the motion, based on the evidence presented, to find the property unfit for human habitation and a public nuisance and to proceed with the letting of bids. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0).**

**Motion carries.**

**NSP DEMOLITIONS – 403 Hayes Avenue, Church of Jesus Christ Our Load of Apostolic Faith Inc.-owner**

Mr. Joseph Siegel, Zoning Administrator addressed the Board regarding this property stating that an Order to Demolish has been placed on this property and asked the Board to allow the Inspection Department to pursue bids. Mr. Siegel advised the Board of the mechanicals, stating the property is abandon, unsafe premises pursuant to Indiana Code IN 36 7-9-4, and reported there had been a fire in the structure in January 2009. Mr. Siegel presented title search, photographs and inspection reports prepared by the city's building inspectors that were reviewed.

Mayor Oberlie made the motion, based on the evidence presented, to find the property unfit for human habitation and a public nuisance and to proceed with the letting of bids. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

**ADDITIONAL UPDATES**

Mr. Joseph Siegel, Zoning Administrator addressed the Board regarding updates outside of the NSP (Neighborhood Stabilization Program) area; informing the Board that Orders to Demolish have been filed on: 1) 305 N. Carroll Avenue, 2) 1613 S. Carroll Avenue, and 3) 614 Dupage Street - that involves a bank going through foreclosure process. Mr. Siegel stated these properties should be before the Board in August.

Mr. Joseph Siegel, Zoning Administrator addressed the Board regarding the property at 1302 E 2<sup>nd</sup> Street; stating that at the Board's June 21<sup>st</sup> meeting Attorney Robert Szilagyi was before the Board representing Mr. John Chalikian, and it was stated at that time the building on the property would be taken down within a two (2) week period. Mr. Siegel reported to the Board that the pile of debris remains at that site; and asked the Board to let the Inspection Department have a contractor remove the debris under an Emergency issue for the safety of the community.

Mayor Oberlie advised the Board to put the item back on the Agenda, with a notice to Mr. Chalikian and his attorney, that the premises has not been cleaned pursuant to the code and set it for hearing.

#### **CLAIMS AND PAYROLL**

Mr. Metzcus, moved that the claims set forth in the Register of Claims (in possession of the City Controller) and appearing in the Register be severally allowed and ordered paid and proper warrants for payment thereof hereby ordered issued in the stated amounts to person(s) and/or firm(s) as set forth, and payrolls approved. The motion was seconded by Mayor Oberlie and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (2). NAYS: None (0). Motion carries.**

The Board signed: Payroll items in Register of Claims for informational purposes (which Register is in the possession of the City Controller) as follows:

Page	Date	Amount
1 of 9	07/15/2010	\$468,567.44

Allowance of claims as set forth in the Register of Claims as follows:

Page	Date	Amount
1 of 5	07/19/2010	\$1,581,282.04

**ADJOURNMENT**

The presiding officer inquired whether there was anything else to be considered by the Board at this time and, there being none, declared the meeting ADJOURNED (approximately 10:30 a.m.).

---

Thomas F. Fedder, City Clerk