

**MINUTES OF THE REGULAR MEETING
BOARD OF PUBLIC WORKS AND SAFETY
CITY OF HOBART, LAKE COUNTY, INDIANA
February 1, 2023**

Call to Order/Pledge to the Flag: Mr. Snedecor called the meeting to order at 3:32 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 January 18, 2023 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: Mr. Snedecor requested that the Solicitation of Bids for 3rd St. Construction be added. Motion by Mrs. Longer, seconded by Mr. Lain to approve the agenda as amended. All aye, motion carried.(3-0)

Unfinished Business:

Update on Compliance of Property Violations: Safe Haven, 7931 Iowa St.: Devin Rowland was present in person. Devin stated that they provided the proposal to Tim Kingsland on January 27, 2023. Windermere Construction has been hired as the general contractor and they are licensed in the City. Tim Kingsland, MS4 Coordinator stated that the action plan has been submitted and approved. Tim said that he would like an update on March 15, 2023. Motion by Mr. Snedecor, seconded by Mrs. Longer to continue this for review and compliance at the March 15, 2023 meeting. All aye, motion carried. (3-0)

Continued: Update/Status: Unsafe Building: re: 235 Main St.: Attorney Rifai is no longer counsel for Mr. Killian. No one was present for this matter. Building Official Karen Hansen stated that she has not received any contracts for the inside of the building, but only for the exterior stairs. She stated that the Fire Department did a walkthrough and discovered that the alcohol was not removed as stated at the previous meeting. Karen stated that the property owner received their initial letter June 30, 2022 and no progress has been made to repair the building. Karen is requesting that the Board impose a fine. Mr. Snedecor stated that there have been numerous complaints from surrounding businesses. Motion by Mr. Snedecor, seconded by Mrs. Longer to impose a \$1,000.00 fine and issue an order to appear at the February 15, 2023 meeting as well as to have a signed contract in hand. All aye, motion carried. (3-0)

Continued: Update Status: Unsafe Building: re: 332 Main St.: Attorney Michael Jasaitis and property owner representative Matthew Doran was present in person. Josh Milton, representative from Stash Construction was present telephonically. Matt presented a structural engineer report to the Board that was just received before the meeting. The fire doors were back ordered and will be in next week and per Stash Construction, they will be installed by the end of the next week. The shoring of the stairs will be done at the same time as the doors are being installed. Per the engineer report, the rear wall needs to be demolished for the necessary repairs to be fully determined and made. The contractor will continue communication with the Building Dept. Motion by

Mr. Snedecor, seconded by Mr. Lain to continue this for an update at the February 15, 2023 meeting. All aye, motion carried. (3-0)

Continued: Consideration for Modified Bond Amount and Acceptance of Phase I Roads: Cressmoor Estates: Attorney Joseph Svetanoff who is representing Cressmoor Estates and Randy Hall was present and requested the City accept the roads for Phase I into their inventory. City Engineer Phil Gralik stated that the roads have been inspected and are in good order and recommends that the Board accept roads with the understanding that this accepts the roads based on the lots owned by Mr. Hall being almost complete. Motion by Mrs. Longer, seconded by Mr. Lain to accept the Cressmoor Estates Phase I Roads as this developer's lot sites are almost complete and the roads included in Phase I of Cressmoor Estates have been inspected and are recommended for acceptance by the City Engineer. All aye, motion carried. (3-0)

Attorney Svetanoff stated the original performance bond amount posted was just over \$860,000 and had been reduced to \$250,000 and requested release of the remaining balance. Mr. Snedecor noted the City also has a Maintenance Letter of Credit for \$74,055 from the Bank dated June 14, 2022 on file. Discussion followed regarding the 2-year Maintenance Bond on file for \$74,055 which includes the maintenance of the detention and retention ponds. Mr. Gralik requested a date certain, possibly in early April 2023, for the remediation of the pond so this work gets done in accordance with the directions from IDEM to be received at a meeting later this week. Mr. Gralik noted that while the bond form does not specifically list soil contamination, the pond is part of this development and is still owned by this developer, and the maintenance bond is to cover all costs of the infrastructure so a developer cannot walk away from a problem of the development. Mr. Gralik noted the soil borings could probably be done in March and he would like to update the Board in early April as to the remediation due to the fact that future development is being held up until this remediation takes place. Mr. Hall noted that weather permitting, the work will begin on remediation. Attorney McCarthy noted the Maintenance Letter of Credit includes "the public improvements and installations in the Cressmoor Subdivision Phase 1 in compliance with the ordinances and specifications of the City of Hobart". Mr. Snedecor explained to Mr. Hall that the expectation would be that the soil contamination would be remediated by April 5th and if compliance is not met, consideration will be given to factors such as weather hindering the progress. Motion by Mr. Lain, seconded by Ms. Longer, to approve the reduction and release of the remainder of the original performance bond and retain the current Maintenance Letter of Credit of \$74,055 and to update the Board at the April 5, 2023 meeting as to the status of the remediation of the soil contamination. All aye, motion carried. (3-0)

New Business:

Public Hearing / Unsafe Building: re: 4035 Missouri St.: Ibrahim Yoldash is the son of the property owner. Minnie Yoldash is the mother's name, who is the property owner who resides at 7108 California Ave., Hammond. Mr. Yoldash stated that there were tenants living at the property in the process of an eviction at the time of the unsafe building order was put in place, but once the order was received, the notice was taken to the courts and the judge proceeded with the eviction. The building is now vacant. The public hearing was opened. Ibrahim Yoldash who resides at 7108 California Ave., Hammond, IN 46323, stated that he was unaware of what was going on at the property. He stated that the judge had given the tenants additional time to get their things out and this is when the damage had occurred. Once the unsafe building notice was given, the judge issued the eviction. He stated that he and his sisters maintain the property for their mother, the owner. Mr. Snedecor asked again if there was anyone else who wished to speak during the public hearing, and no one came forward. The public hearing was closed. Building Official Karen Hansen stated that she received a phone call from the Hobart Police Department on December 19, 2022 after they executed a search warrant. After seeing speaking with Detective Gallagher and seeing photos, it was determined that the structure was unfit for human habitation due to numerous code violations. Karen spoke to Indiana American Water and the water has been shut off since July 2022. There are serious violations which include electrical issues, broken windows and unsanitary conditions throughout the house. Karen recommended that the Board give the owner 60 days to do the

following: clean the front and rear yards, hire licensed contractors to obtain permits to bring the structure up to code, eliminate the unsanitary conditions that are present, and supply verification from Indiana American Water and Nipsco that the utilities are on for future tenants. Mr. Yoldash stated that the tenants have been out for about 2 weeks now and the owners are willing to get the work started on the property. Motion by Mr. Snedecor, seconded by Mrs. Longer to continue this for complete compliance at the April 5, 2023 meeting. All aye, motion carried. (3-0)

Acceptance of Maintenance Bond for Frontage Rd: Albanese Confectionery: Christopher Moore, NIES Engineering was present in person. He stated that frontage road is complete and has been inspected by the City. James Dragan is working on securing the line of credit for the 2-year maintenance bond and will be overnighting that bond to City Hall. City Engineer Phil Gralik stated that he recommends accepting the frontage road contingent on receiving the bond or letter of credit. Motion by Mrs. Longer, seconded by Mr. Lain to accept the road contingent on receipt of the maintenance bond or letter of credit. All aye, motion carried. (3-0)

Request for Sidewalk Waiver: Cambridge Hobart Business Park re: 8300 Clay St., DVG Team: Carmen Arvia was present in person. He stated that there are no adjacent sidewalks. City Engineer Phil Gralik and City Planner Ross Pietrzak have no objections to this sidewalk waiver request. Motion by Mr. Lain, seconded by Mrs. Longer to approve the sidewalk waiver for 8300 Clay St. for one year or as such time as the City determines the sidewalk needed to be installed and then to be installed at the owner's expense. All aye, motion carried. (3-0)

Consideration of Long-Term Maintenance and Operation Agreement (LTMA): Cambridge Companies re: 8300 Clay St.: Mr. Kingsland presented the LTMA and recommended approval. Motion by Mrs. Longer, seconded by Mr. Lain, to accept the Long-Term Maintenance and Operation Agreement for 8300 Clay St., as presented. All aye, motion carried. (3-0)

Solicitation of Bids: 3rd St. Construction: City Engineer Phil Gralik stated that this bid would be to finish the reconstruction of 3rd St. from Ash St. to Lake Park Ave. and a portion is being covered by the Community Crossings Grant funds. The base bid will be from Ash St. to Lake Park Ave. and the alternate bid would be from Lake Park Ave. to E. Park St. Phil stated that this will be a curb-to-curb project and include storm and sanitary sewer work. Motion by Mr. Snedecor, seconded by Mr. Lain to approve the solicitation of bids for the 2023 Community Crossings Grant for 3rd St. from Ash St. to E. Park Ave. as presented. All aye, motion carried. (3-0)

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

Adjournment: Motion by Mrs. Longer, seconded by Mr. Lain, to adjourn the meeting. All aye, motion carried. (3-0) The meeting adjourned at 4:32 p.m.

Aysem Mahmud
SECRETARY

Robert Longer
PRESIDING OFFICER