

MINUTES
BOARD OF PUBLIC WORKS AND SAFETY
FEBRUARY 7, 2013

The regularly scheduled meeting of the Board of Public Works & Safety convened at 9:01 a.m., in Council Chambers of Hammond City Hall. A roll call was taken: Mr. O'Connor –present; Mr. Dostatni – present; Mr. Lendi –absent.

Due to the absence of Mr. Lendi, normal rules of procedure are suspended.

Recommendation by Mr. Dostatni to approve the minutes of the meetings of January 24, 2013 and January 31, 2013; Mr. O'Connor concurred.

Request for advertising dates of February 14, 2013 and February 21, 2013 with a bid opening date of March 14, 2013 for the demolitions of 6625 Alexander Avenue, 5733 Baring Avenue, 6916 Bertram Avenue, 5963 Birch Avenue, 5341 – 45 Calumet Avenue, 4117 Cameron Avenue, 4904 Cedar Avenue, 839 – 41 Chicago Street, 1033 Cleveland Street, 7514 Columbia Avenue, 249 Doty Street, 6327 Forest Avenue, 1237 Highland Street, 847 Hoffman Street, 910 Hoffman Street and 4403 Hohman Avenue. Recommendation by Mr. Dostatni; Mr. O'Connor concurred. (Res. No. 3086)

Request for advertising dates of February 14, 2013 and February 21, 2013 with a bid opening date of March 14, 2013 for the demolitions of 4249 Johnson Avenue, 441 Lewis Street, 523 Lewis Street, 4904 Oak Avenue, 6739 Ontario Avenue, 4841 Pine Avenue a/k/a 904 – 04 ½ Hoffman Street, 1014 Reese Street, 8 Rimbach Street, 4729 Sheffield Avenue, 1320 Sherman Street, 854 Truman Street, 7732 Walnut Avenue, 638 Willow Court, 1114 – 167th Street, 603 – 169th Street and 819 – 175th Place. Recommendation by Mr. Dostatni; Mr. O'Connor concurred. (Res. No. 3087)

Supplemental Agreement No. 1 received from Nies Engineering, Inc. for engineering services for drainage, alley, paving and sidewalk projects. Mr. Dostatni stated this agreement is for on-call engineering services. Recommendation by Mr. Dostatni; Mr. O'Connor concurred. (Ins. No. 13-101)

Professional Services Agreement submitted by United Consulting for engineering services on Forestdale Avenue from 169th Street to 167th Street. Mr. Dostatni advised this agreement is for engineering services in the 5th District project. Recommendation by Mr. Dostatni; Mr. O'Connor concurred. (Ins. No. 13-102)

Agreement and Understanding between Conopco. Inc., formerly Lever Brothers Company, and the City of Hammond for the purchase of real estate. Recommendation by Mr. Dostatni to defer this matter to February 14, 2013; Mr. O'Connor concurred. (Ins. No. 13-103)

Resolution of the Board of Public Works and Safety of the City of Hammond, Indiana, Authorizing the Disposal of Surplus Property Under Indiana Law. Mr. O'Connor advised this resolution pertains to a 2001 ambulance that is being transferred to Hammond City Court for use in the Graffiti Removal Program. Recommendation by Mr. Dostatni; Mr. O'Connor concurred. (Ins. No. 13-104)

Intergovernmental Agreement Between the City of Hammond Board of Public Works and Hammond Port Authority Wolf Lake Trail Project. Mr. Dostatni advised monies will come from the Port Authority for the project. Recommendation by Mr. Dostatni; Mr. O'Connor concurred. (Ins. No. 13-105)

Mr. Lendi appeared at 9:06 a.m. Normal rules of procedure are reinstated.

Settlement Agreement and Mutual Release with the City of Chicago Heights, Illinois submitted for approval. Attorney Kevin Smith, for the City of Hammond, advised all actions have been dismissed with prejudice. Mr. Smith then said the agreement is favorable to the City and per the agreement will be increased each two (2) years. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-106)

Purchase Agreement Between the City of Chicago Heights, Illinois and the Civil City of Hammond. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-107)

Interlocal Agreement Between the Civil City of Hammond, by its Board of Public Works and Safety and the Civil Town of Munster by its Town Council for the Northcote Bridge. Mr. Smith advised this is the first of three (3) interlocal agreements with Munster for the reconstruction of bridges and bike trails with the cost being split equally. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-108)

Interlocal Agreement Between the Civil City of Hammond, by its Board of Public Works and Safety and the Civil Town of Munster by its Council, Lake County, by its County Commissioners and the Little Calumet River Basin Commission, by its Director, for the Columbia Avenue Bridge. Mr. Dostatni said this will increase flood protection in south Hammond and Munster. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-109)

Interlocal Cooperation Agreement Between the Civil City of Hammond by its Board of Public Works and Safety and the Civil Town of Munster by its Council, and the Little Calumet River Basin Commission for the Monon/Manor Drive Bike Trail Bridge and Approaches. Mr. Smith advised this is the final step to connect the Hammond and Munster bike trails. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-110)

Agreement for Engineering Services – Stage 1 - for the Hammond/Purdue Calumet Athletics Complex at Dowling Park – with DLZ Engineers. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-111)

Agreement Between the City of Hammond, Indiana and the City of Whiting, Indiana. Mr. Dostatni stated the Memorandum of Understanding is for construction work to be done on Schrage Avenue to five points. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-112)

Agreement Between the Indiana Department of Transportation and the Cities of Hammond and Whiting, Indiana for Construction on U.S. 12. Mr. Dostatni advised this agreement is for the design and construction of Calumet Avenue to Schrage Avenue. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-113)

Disposal Authorizations received from the Hammond Police Department. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-114)

Memorandum of Understanding with Hammond Firefighters Local 556. Mr. Lendi advised this is a clarification of the previous submission by Local 556. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-115)

Correspondence received from Fire Chief Jeffrey Smith requesting permission to transfer one (1) 2001 McCoy Ambulance to the Judge's Office. Motion by Mr. Lendi; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-116)

Hearing on property located at 1020 Myrtle Street. Property owner fails to appear. Mr. Nick Farrell, Inspector, Inspections Department, requested this matter be continued to March 21, 2013. Motion by Mr. Lendi to continue to March 21, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-117)

Notice of Violation hearing on property located at 714 Sibley Street. Property owner fails to appear. Mr. Matt Saliga, Inspector, Inspections Department, requested this matter be continued to April 25, 2013. Motion by Mr. Lendi to continue this matter to April 25, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-118)

Notice of Violation hearing on property located at 854 Indiana Street. Property owner fails to appear. Mr. Saliga requested this matter be continued to March 7, 2013. Motion by Mr. Lendi to continue this matter to March 7, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-119)

Notice of Violation hearing on property located at 4737 Towle Avenue. Property owner fails to appear. Mr. Saliga requested the Board affirm the Findings and Order to remove the second floor apartment. Motion by Mr. Lendi to affirm the Findings and Order; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-120)

Hearing on property located at 4638 Henry Avenue. Property owner fails to appear. Mr. Saliga requested the Board affirm the Findings and Order to remove the basement apartment. Motion

by Mr. Lendi to affirm the Findings and Order; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-121)

License Agreement with B&R Oil and its representative TES Inc. for groundwater sampling. Motion by Mr. Lendi to approve; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-122)

Correspondence received from Raul Correa, for Gemstone Jewelers, requesting a hearing on the denial of a business license. Motion by Mr. Lendi to set this matter for hearing on February 28, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-123)

Correspondence received requesting a rental registration hearing on property located at 3840 Torrence Avenue. Motion by Mr. Lendi to set this matter for March 21, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-124)

Correspondence received requesting a rental registration hearing, for property at 6550 Nevada Avenue, set for February 14, 2013, be continued due to medical reasons. Motion by Mr. Lendi to set this matter for March 28, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-125)

Correspondence received from Ms. Nancy Kinsella requesting a continuance of a hearing set for February 14, 2013 on property located at 4610 Pine Avenue. Motion by Mr. Lendi to continue this matter to March 14, 2013; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-127)

Hearing on property located at 1459 Truman Street. Property owner, Mr. Jim Witous, appears. Mr. Smith advised Mr. Witous has used unlicensed contractor, the agreement for rehabilitation has expired and there is garbage and weeds in the yard. Mr. Witous said he hired a contractor who said the company he worked for had a permit in the City of Hammond and later found that they do not. Mr. Smith then said the Building Commissioner, Mr. Kurt Koch, will allow an additional forty five (45) days to get licensed contractors, with permits, get the yard cleaned, pay a \$10,000 bond and show continual progress, or the house will be demolished. Mr. Witous asked to have the bond waived as he will need funds to pay the contractors. Motion by Mr. Lendi to waive the bond requirement with all other terms in force; seconded by Mr. Dostatni. AYES ALL. Motion carried.

Hearing on property located at 1333 – 37 - 150th Street. Property owner fails to appear. Mr. Farrell requested the Board affirm the Findings and Order requiring the removal of the three (3) rear apartments and the partitions in the cellar area. Mr. Farrell also requested a deed restriction be placed on the property. Motion by Mr. Lendi to affirm the Findings and Order and require a deed restriction be placed; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-127)

Agreement to Rehabilitate property located at 1150 Summer Street. Property owner, Mr. Mark Galvin, fails to appear. Mr. Michael Anderson, prospective buyer, appears. Mr.

Anderson stated that as soon as Mr. Galvin receives the recorded tax deed the property will be transferred to him. Mr. Smith advised the Agreement to Rehabilitate has been signed by Mr. Galvin. Motion by Mr. Lendi to affirm the Agreement to Rehabilitate Property Located at 1150 Summer Street; seconded by Mr. Dostatni. AYES ALL. Motion carried. (Ins. No. 13-128)

Agreement to Rehabilitate property located at 443 Conkey Street. Mr. Smith advised the property owner, Mr. Tomas Amaya, has signed the Agreement and requested the Board's approval. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-129)

Amusement Devices for the week of February 4, 2013. Motion by Mr. Dostatni; seconded by Mr. Lendi. AYES ALL. Motion carried. (Ins. No. 13-130)

Under Matters from Other Board Members, Mr. Lendi advised Findings of Fact regarding Thomas Markovich have been submitted by Attorneys Curosh and the City of Hammond and the Board of Public Works and Safety finds for termination of Mr. Markovich. Motion by Mr. Lendi; seconded by Mr. Dostatni. Mr. O'Connor abstained. (Ins. No. 13-131)

Under Meeting Opened to the Public, Mr. Juan Basarott, owner of UFO Bar & Grill, 4536 Hohman Avenue, appears and requested the late fee of \$300 be waived for his business license application as he was unaware of the date due. Mr. Basarott's daughter also appeared and said she has been taking care of the business for her father and did not know of the date due either. Motion by Mr. Lendi to waive the late fee; seconded by Mr. Dostatni. AYES ALL. Motion carried.

There being no further business to come before the Board, motion by Mr. Lendi to adjourn; seconded by Mr. Dostatni. The regularly scheduled meeting adjourned at 9:32 a.m.

APPROVED: February 14, 2013

By: _____
William J. O'Connor, President

ATTEST:

Lynn Laviolette, Secretary