

LAFAYETTE HEARING AUTHORITY
November 19, 2024

The Lafayette Hearing Authority met on Tuesday, November 19, 2024 at 9:25 a.m. in the City Council Chambers of Lafayette City Hall. Present were: Gary Henriott, Ron Shriner and Cindy Murray

Jacque Chosnek, City Attorney, was in attendance.

Mr. Shriner called the meeting to order.

MINUTES

Mrs. Murray moved for approval of the March 19, 2024 minutes. Mr. Henriott seconded. Motion Carried.

NEW BUSINESS

Enforcement Overview

Ms. Chosnek stated that there are three (3) categories that include Clean Up, Demolition and Repair that enforcement focuses on. Ms. Chosnek gave an update to the Board on what unsafe building activities were taking place that doesn't have to be decided upon by the Lafayette Housing Authority. Ms. Chosnek stated that there has been an increase of enforcement on some of these categories and is illustrated in the chart below.

Progress since August 2023

Repair Orders					
Total Orders	Compliance	Pending	Non-Compliance	Penalties Issued	
36	34	0	7	\$62,250.00	
Type of Order	Total Orders	Compliance	Pending	Completed by City	Costs
Clean Up	42	25	2	13	\$10,927.28
Demolition	6	4	1	1	\$16,000.00
Nuisance Tree	1	1	0	0	\$0.00
Graffiti	1	0	1	0	\$0.00
Extermination	1	0	0	1	\$200.00
Seal	4	0	4	0	\$0.00
Totals	55	30	8	15	\$27,127.28

Discussion ensued regarding the contents of this chart. Ms. Chosnek thanked the Code Enforcement Department for their great job of identifying these properties and working with the property owners on the issues and compliance. Discussion ensued regarding the fines and penalties collected and that the monies go back into the process for demolitions or in the unsafe building fund. Ms. Chosnek introduced Kara Boyles, Staff Attorney, who will be taking the lead on Code Enforcement with new processes and community involvement/input.

Ms. Chosnek gave a brief explanation of abandoned properties in the City and what processes go into declaring them abandoned. Discussion ensued. Ms. Chosnek and Mrs. Boyles answered questions from the Board regarding tax sales, legal issues, procedures and securing the properties.

Review of Orders

-1312 Washington Street

Ms. Chosnek stated that there are two (2) separate order actions items that will be considered including a Petition to Declare the Property Abandoned and a Petition to Seal and Deem Vacant.

Jay Rosen, Code Enforcement Officer, stated that 1312 Washington Street owner is deceased and has been abandoned over three (3) years. Mr. Rosen stated that the front door is secured with plywood, 2nd second window is gone and has plywood over the opening. Mr. Rosen stated that the windows are rotten or broken, evidence of squatting, open back door, unsecure detached garage with a vehicle within in, all utilities have been cut-off, and overgrown vegetation. Mr. Rosen stated that this property continues to be boarded up time and time again because squatters keep removing the boards. Mr. Rosen stated that he has been in contact with the neighbors to keep them up to date with the progress. Mr. Rosen stated that there was an extermination order for the property due to the neighbors complaining about rodents and insects coming from the property. Ms. Chosnek stated for the record that the property is owned by the heirs and advisees of Susan Hudgins and a substantial property owner of Savy Indiana LLC who purchased the tax sale certificate of this property in September 2024. Notice of Petition of Abandonment was sent by regular mail, posted at the property, and by publication in the Journal and Courier Newspaper. Service has been obtained. Ms. Chosnek requested a motion to grant the Petition to Declare 1312 Washington Street as abandoned. Mr. Henriott moved to grant the petition. Mrs. Murray seconded. Motion carried. Ms. Chosnek stated that there was a Declaration of Unsafe Premises and Order to Comply and Appear that was issued on this property for October 25, 2024. These orders have multiple components for them that include Order to Seal the Property to Unauthorized Access, Continuous Enforcement Order, and the property be sealed and vacated for longer than 90 days. Ms. Chosnek requested the Board affirm the Order to Vacate and Remain Sealed for at least 90 days or until the property is deemed an unsafe premise by the Engineering Office. Mr. Henriott moved to affirm the vacate and seal for at least 90 days. Mrs. Murray seconded. Motion carried.

-632 Oregon Street

Ms. Chosnek stated that property is owned by the heirs and advisees of Paul Nix and a substantial property owner of Savy Indiana LLC who purchased the tax sale certificate of this property in September 2024. Notice of Petition of Abandonment was sent by regular mail, posted at the property, and by publication in the Journal and Courier Newspaper.

Mr. Rosen stated that this property has been abandoned ever since he started the position for over three (3) years. The utilities are shut off, front porch has bedding on it, front door is not secure, rotten and broken windows, boarded up windows, trash/debris on property and broken back door window. Ms. Chosnek gave the Board a brief explanation of the Indiana Code factors on determining property abandonment. Discussion ensued. Ms. Chosnek requested a motion to grant the Petition to Declare 632 Oregon Street as abandoned. Mrs. Murray moved to grant the petition. Mr. Henriott seconded. Motion carried. Ms. Chosnek stated that there was a Declaration of Unsafe Premises and Order to Comply and Appear that was issued on this property for October 25, 2024. Ms. Chosnek requested the Board affirm the Order to Vacate and Remain Sealed for at least 90 days or until the property is deemed an unsafe premise by the Engineering Office. Mrs. Murray moved to affirm the vacate and seal for at least 90 days. Mr. Henriott seconded. Motion carried.

-1600 Hart Street

Ms. Chosnek stated that this property is owned by Wolf River Construction LLC American Bank of Missouri DBA American Bank of Freedom and has a substantial interest. Ms. Chosnek stated that the

Notice of Petition of Abandonment was sent by regular mail, posted at the property, and by publication in the Journal and Courier Newspaper.

Mike McIver, Code Enforcement Officer, stated that for at least the last two (2) years the property has not been maintained. The exterior of the entrance of the basement needs to be secured, there are signs that squatters have been in the basement, the utilities have been shut off, there is a lack of maintenance, and the city has done several mowings and yard cleanup. Mr. McIver stated that it does not appear as if any maintenance, owners, or contractors have entered the property since the posting was put on the property August 15, 2024. Mr. McIver stated that there have been two cleanup orders in the last two (2) years on the property. There has been work on the property without getting the proper permit from the Engineering Office. Discussion ensued. Ms. Chosnek requested a motion to grant the Petition to Declare 1600 Hart Street as abandoned. Mr. Henriott moved to grant the petition. Mrs. Murray seconded. Motion carried. Ms. Chosnek stated that there was a Declaration of Unsafe Premises and Order to Comply and Appear that was issued on this property for October 25, 2024. Ms. Chosnek requested the Board affirm the Order to Vacate and Remain Sealed for at least 90 days or until the property is deemed an unsafe premise by the Engineering Office. Mr. Henriott moved to affirm the vacate and seal for at least 90 days. Mrs. Murray seconded. Motion carried.

-1710 Washinton Street

Ms. Chosnek stated that her office did issue orders on the property. Ms. Chosnek stated that the owner received the order and has started work on the property but not complete. Ms. Chosnek requested the Board table this item until next meeting. Mrs. Murray moved to table this item. Mr. Henriott seconded. Tabled.

Updates from March Hearing Authority Meeting

-1913 Salem Street

Ms. Chosnek stated that it was cleaned up on September 18, 2024 by the City. It has been declared an Unsafe Premise and has a continuous enforcement order on the property.

-1214 Cincinnati Street

Ms. Chosnek stated that this structure has been demolished by the property owner and there are plans to rebuild on that lot.

-1214 Brown Street

Ms. Chosnek stated that this property has been transferred and sold. The new landlord/owner immediately began work to restore the property.

ADJOURNMENT

Mr. Henriott moved for adjournment. Mrs. Murray seconded. Adjourned.

Time: 9:57 a.m.

Ron Shriner s/s
President

Minutes prepared by Mindy Miller Riehle, 1st Deputy Clerk

A digital audio recording of this meeting is available in the Lafayette City Clerk's Office or online at <http://www.lafayette.in.gov/agendacenter>.