

LAFAYETTE HEARING AUTHORITY
November 15, 2022

The Lafayette Hearing Authority met on Tuesday, November 15, 2022 at 9:20 a.m. in the City Council Chambers of Lafayette City Hall. Present were: Gary Henriott, Cindy Murray and Ron Shriner

Jacque Chosnek, City Attorney, was also present.

Mr. Shriner called the meeting to order.

MINUTES

Mr. Henriott moved for approval of the September 20, 2022 minutes. Mrs. Murray seconded. Motion Carried.

NEW BUSINESS

Order to Comply and Notice to Appear at Demolition Hearing-118 S. 31st Street, Lafayette Indiana (Garage Only)

Mrs. Chosnek stated that the order for demolition for a garage located at 118 S. 31st Street owned by Eric Qualkinbush. The notice of today's hearing was posted on the door of the property and mailed on October 31, 2022. Mrs. Chosnek stated that the owner is not present at today's hearing.

Phil Latshaw, City of Lafayette Inspector, stated that he has done several inspections on this property and has talked to the property owner a few weeks ago where the owner talked about taking the building down himself by this week. Mr. Latshaw stated that he went by the property yesterday and no work has been done. Mr. Latshaw stated that the roof has several holes in it, there is debris inside and the south wall of the building is bowing out. Mr. Latshaw stated that he has sent the owner numerous letters about getting the garage compliant and the owner has not done anything to the garage. Mr. Latshaw recommended demolition of the garage. Mr. Henriott moved to affirm the demolition order. Mrs. Murray seconded. Motion Carried.

Mrs. Chosnek stated that the order has given the owner until this Friday to take the garage down or the City will evaluate if the Street/Sanitation Department can take the structure down in-house. Discussion ensued.

Order to Take Action-Clean, Safe & Sanitary-2518 Main Street

Mrs. Chosnek stated that this is the order to take action for clean, safe and sanitary for 2518 Main Street. Mrs. Chosnek explained the process of how the City can use a procedure for cleaning up (exterior) unsightly and upkept properties within the city limits. Mrs. Chosnek stated that if an order is issued for the property owner to take action to clean up the property-those order become final 10 days after they are received unless the owner requests a hearing. The property owner for 2518 Main Street is Norman Howard and he has requested a hearing for this order to take action. Mrs. Chosnek stated that the duty of the Board is to look at the conditions of the property as it is presented and determine if the conditions violate the clean, safe and sanitary ordinances. If they do violate the ordinances, the Hearing Authority would affirm the order to take action to clean the property.

Jay Rosen, Code Enforcement Officer for the City of Lafayette, stated that he has been writing tickets to this property since November 4, 2021 to present. Mr. Rosen stated that the property is in continual violation of the Stopping Standing & Parking Ordinance where there are vehicles with expired or no license plates in the drive way and are also filed up with trash. Mr. Rosen stated that the property is also in continual violation of the Clean, Safe & Sanitary Ordinance where the outside/exterior of the property that is filled with trash, garage debris, old furniture, trash bags and boxes. Mr. Rosen presented the Board with pictures of the property dated November 9, 2022 and the current conditions of the exterior. Mrs.

Chosnek gave a brief description of the Clean, Safe and Sanitary Ordinance to the Board. Mrs. Chosnek stated that the City does receive regular complaints about the exterior condition of the property. Norman Howard, Owner of 2518 Main Street, stated that his daughter was in school and she got Covid-19 twice so now she is homeschooled. Mr. Howard stated that they had a water break pipe/line in the basement and with her having Covid-19 everything in his daughters' room had to be taken out and was placed in the yard and driveway in boxes. Mr. Howard stated that he had access to a dumpster and now has the dumpster again. Mr. Howard stated that they were out of the county and therefore could not get anything done on the property that was requested by the City. Mr. Howard stated that he had a friend start working on the property but then he got sick as well. Mr. Howard said that he has started putting things in the dumpster and asked for more time to the end of the week to get it cleaned up. Mr. Howard stated that his vehicles are insured and plates are up to date.

Mr. Shriner let Mr. Howard know that the City Sanitation Department come weekly to pick up residential trash and debris if it is put at the curb. Mr. Howard stated that he didn't want to have to put that much trash out at the curb all at once. Mr. Howard now has a dumpster on the property and it is emptied three days a week.

Mr. Henriott stated that he is concerned that this has been going on for a year with no regard to the many notices from the Engineering Office. Mr. Rosen stated that there is documentation of complaints and ordinance violations going back to at least 2016 on this property. Mr. Henriott stated that as the property owner Mr. Howard has to clean it up or the City will take action to clean it up and any cost that is incurred will go onto the tax bill for the property.

Mrs. Chosnek stated that the proposed order gives Mr. Howard an additional week of time that ends on November 23, 2022 to get the property cleaned up. If the order is affirmed and the property is not cleaned up by November 23, 2022 the City will be able to enter onto the property and clean it up. Mr. Henriott moved to affirm the order to take action. Mrs. Murray seconded. Motion Carried.

Mr. Latshaw stated that the Clean, Safe and Sanitary is not the only ordinance that is an issue for this property. Mr. Latshaw noted to the Board that there are other issues that need to be addressed for the safety of this home.

ADJOURNMENT

Time: 9:37 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>.