

CITY OF EAST CHICAGO  
BOARD OF PUBLIC SAFETY

BOARD MEMBERS

MILTON REED, President  
RICHARD TREMBZYNSKI, Vice President  
THOMAS DAVIS, Member

Regular Meeting Minutes  
Wednesday, January 23, 2019 @ 5:00 p.m.

Reported for Fissinger & Associates  
By: Lisa Pena

Call to Order: 5:04 p.m.

Pledge of Allegiance:

Roll Call: Present: Milton Reed, Thomas Davis.

Minutes: Regular Meeting December 12, 2018  
Regular Meeting January 9, 2019

Motion to accept Regular Meeting Minutes from December 12, 2018 and January 9, 2019 made by Thomas Davis. Second by Milton Reed.

Questions/Comments: None

Roll Call: "All in Favor": All Abstain: None  
Opposed: None Motion Carries.

Correspondence: None.

New Business

MR. REED: We have no correspondence before us. We'll go to straight to the Building Department.

MR. SMITH: Good evening, Mr. President and Board. We're here on several status demolitions that I believe we'll be able to move through relatively quickly.

So the first property, Mr. President, is 1026 138th Place. You may recall this was a property that an attorney from Mr. Woodward's Office was here last time. They filed a foreclosure. We entered an order in October.

1           There have been no permits issued and no work has  
2           been done. So we will be moving forward and would request  
3           the Board's permission to move this out to bid.

3           Would you like me to keep going through the list?

4           MR. REED: Yes. We'll take them all together.

5           MR. SMITH: 4931 Baring Avenue. There has been a  
6           permit issued to Champion Tech Services on October 8 and  
7           work has been done. There is work in progress. And the  
8           request of the Building Department is continue this to the  
9           next status date which is April 24 of 2019.

8           3820 Butternut Street. Similarly Mr. Arafat was  
9           here before. A permit has been issued and work is in  
10          progress. It is the Building Department's request to  
11          continue this for status until April 24.

10          3826 Drummond Street. Permit has been issued.  
11          Mr. Ventura has indicated that there are no exterior issues  
12          going on and continues to be a work in progress. The  
13          request would be to continue to 4/24/19.

13          MR. REED: You said there is work on this one?

14          MR. SMITH: There is work, yes. Permit has been  
15          issued and there are no exterior issues at this point. So  
16          work is continuing to go on on this property.

16          3920 Euclid. I have with me to present to the  
17          Board -- the work has been completed. So this is an Order  
18          to Rescind the Order to Demolish.

18          This is another success story for the City. And  
19          we're going to present that to your for your signature. So  
20          that would be an Order to Rescind the Demolition Order.

20          4450 Euclid Avenue. This is a property that also  
21          has work that has been complete. Unfortunately we didn't  
22          have the information soon enough. But we will present the  
23          order to Olga at a later date.

22          Oh, no order was entered. Thank you. Ms.  
23          Kantar just pointed out to me that no order was entered.  
24          So on this matter we are going to request the Building  
25          Department to simply remove from the Demolition List. The  
26          work is complete satisfactorily.

1           4722 Euclid Avenue. I believe we do have  
Attorney Kacmarik here. He was here. And he also had  
2 Mr. Dragovich here with him.

3           As you may recall this is a garage in pretty poor  
shape. They've indicated they would like to attempt self  
4 demolition, self demolish the property. Unfortunately the  
same matter or the same issue that they had back in  
5 October. That was what they represented to the Board. So  
at this point we're going to request that this matter go  
6 out for bid.

7           3430 Fir Street. Mr. Mesa was here earlier. I'm  
sorry. Back in October. And a Demolition Order was  
8 entered. However there has been work progressing on this  
property. And the Building Commissioner would like to  
9 continue this to April 24.

10          3508 Fir Street, garage. Miss Bantatua, you may  
recall her. She came up and actually sat here with us at  
11 the podium. And she I believe unfortunately has not yet  
been able to get a contractor and she is not here tonight.  
12 So we would like to at least bid this out. And of course  
we'll continue to keep the Board apprised if there's any  
13 progress on this.

14          3812 Fir Street. Mr. Raul Davilla was here  
earlier. I spoke with him out in the hallway. James has  
15 confirmed that substantial work has been done on this.

16          I did see some receipts from Mr. Davilla.  
He is trying to apparently refinance the property. We're  
17 going to try to work with him to have this order rescinded.  
And if so we'll have it for you at a future date.

18          But at this point the Building Commissioner's  
19 request is to continue this to April 24.

20          3735 Grand Boulevard, garage. This is a garage  
only. The owner is Fernandez. A Demolition Order was  
21 entered. However this is another piece of good news. The  
Fernandezes are working on the garage. It is a work in  
22 progress. We're going to request that it be continued to  
April 24.

23          4313 Ivy Street. I did speak with Attorney  
24 Sosniak last week. I am not sure if there is anybody else  
here on this property. Yes. He is here.

25

1           So I did speak with Miss Sosniak last week. I  
2 indicated to her that this is a process. And you may  
3 recall there was a fire on this property. The owner is  
4 having some issues with State Farm as to whether or not  
5 they're going to pay or not. And I believe that the owner  
6 is here today. Mr. Reyes is here as well.

7           And so I explained to Miss Sosniak that sometimes  
8 the best thing to do with an insurance company is to keep  
9 the pressure on them. And perhaps bidding this out which  
10 is the next step in our process is to bid it out for  
11 demolition. That would be the request of the Building  
12 Department.

13           She asked to -- I am sure Mr. Anderson will  
14 probably speak to this as well in a second. She asked that  
15 we hold off on that.

16           I explained to her that I would speak with the  
17 Building Department. But it would most likely be our  
18 intention to ask that it be bid out to keep the pressure on  
19 both State Farm and potentially Mr. Reyes although I  
20 believe that Mr. Reyes is doing everything that he can to  
21 get his family back into the property.

22           So that's our position. I guess at this point  
23 Mr. Anderson has something to say.

24           MR. ANDERSON: I'm Attorney Mike Anderson. I  
25 represent the mortgage lender. This is Mr. Reyes here. As  
26 Attorney Smith said this is an issue basically with State  
27 Farm. And we are waiting for final determination on the  
28 distribution of the insurance proceeds. And the repair  
29 estimate is within the policy limits and the property can  
30 be repaired.

31           It's my understanding that there is no structural  
32 damage and the property is able to be repaired. Mr. Reyes  
33 is willing to repair the property.

34           I agree with Attorney Smith that perhaps the  
35 original Demolition Order I don't think made its way to  
36 State Farm. And that could help to put a fire underneath  
37 them. And I'm more than willing to forward that along.  
38 But my client wishes to protect his security and is looking  
39 to have this pushed out to the April date so we can let  
40 State Farm make its determination.

41           And unfortunately we're all at the mercy of State

1 Farm, my client, the mortgage lender, Mr. Reyes which I  
2 believe he will speak to this as well. We would like to  
push it out just to the April date.

3 I don't represent Mr. Reyes. But I know he can  
4 speak to a deposition he sat for on December 18. Why don't  
you go ahead and tell the Board about that.

5 MR. REYES: I just had to where they copy of  
6 everything under oath. I just did that on the 18th, turned  
in the paperwork. So now I'm just waiting for them to  
7 decide on their plan.

8 I mean I plan to fix the house once I get the  
9 money. So just gives more time for them to decide what  
they want to do.

10 MR. REED: Thank you for your comments. I believe  
11 though the recommendation for the Building Department is to  
go to our next step. And that does not mean automatic  
12 demolition. It just means that we're still continuing the  
process on our time frame. And I think you will have ample  
13 opportunity to come back and say, hey, we still haven't  
heard from State Farm.

14 The pause that you're looking for this is  
15 probably just not the right stage for that pause. So we're  
going to keep our process moving. We'll accept the  
recommendation of the Building Department.

16 But again you will have an opportunity to come  
17 back and say, hey, this is really what it is before it gets  
to actual demolition. But we don't want to stop our  
18 process. But you will have another chance.

19 MR. ANDERSON: Understood. Anything to light a fire  
20 under State Farm that I could use to send along I would  
appreciate. We are all on the same side here. Just to  
get State Farm to issue the proceeds. That's what we want.

21 MR. MORRISROE: May we proceed with our process and  
22 still continue it to 4/24?

23 MR. SMITH: Yes. I think we're going to continue with  
the process. And we'll give Mr. Anderson a copy of the  
24 Order as soon as we get that recorded.

25 MR. MORRISROE: They can put it on our Agenda for  
4/24.

1 MR. SMITH: Well, no. It will be bid out now. So it  
will be whatever that next bid date would be.

2 And Mr. Reyes and Mr. Anderson will both get  
3 noticed.

4 MR. MORRISROE: Will that be April 24 or March?

5 MR. SMITH: It's all up to Board of Works as to when  
they want to set it. It would probably be at least March I  
6 would think.

7 MR. MORRISROE: We can put it on the March Agenda  
then?

8 MR. SMITH: Well, we need to get the notice out and  
9 publication. At this point I think the best thing to do is  
just -- we always send them notice. So we'll send them  
10 notice. They'll get it. I don't know if it will be March  
or April. It will up to the folks to tell us.

11 MR. REED: I guess what Mr. Morrisroe was getting at  
12 is that even though it's going out for bid to Board of  
Works we want to give them another opportunity to say, hey,  
13 we still haven't heard from State Farm before we actually  
say, okay, we'll proceed.

14 MR. SMITH: There's nothing wrong, Mr. President, with  
15 setting this for April 24 as a status just to make sure.  
And you can all hear from them as well.

16 MR. REED: What's the recommendation again?

17 MR. SMITH: Recommendation is we would like to go to  
18 bid which we will do through Board of Works. But if you  
would like to set it for status so that we can stay  
19 demolition and set it for 4/24, that's fine.

20 MR. VENTURA: That's our position, what Kevin Smith  
said. We want to move forward with the process. However  
21 you do have time. We're not knocking the property down or  
anything like that. So there's time.

22 MR. REED: So we'll do that. We'll go forward with  
23 the bids and we'll also give status update.

24 MR. SMITH: So 4/24 will be the next status here. And  
I just don't know the bid date yet.

25

1 MR. REED: And, Damien, you will kind of be --

2 MR. VENTURA: Yes. Absolutely.

3 MR. REED: As long as it doesn't fall through the  
4 cracks.

5 MR. VENTURA: Yes.

6 MR. REED: Thank you.

7 MR. SMITH: 3922 Parish is the next one,  
8 Mr. President. Mr. Morales is fixing up his garage. So we  
9 would like to continue that to April 24, 2019.

10 4436 Tod Avenue. We were hoping that  
11 Miss Rodriguez who received a land contract from  
12 Mr. Wisnewski was going to get an inspection and rehab  
13 agreement. However that hasn't happened yet according to  
14 the Building Commissioner and Department. So therefore we  
15 would request that this be bid out.

16 And finally 5029 Walsh Avenue, front and rear.  
17 Mr. Vandersteen was here. And he has been fixing it up  
18 since May. The rear has also already been rehabbed  
19 totally. The front is in progress. So this will also be a  
20 monitor and continued to April 24, 2019.

21 Those are the properties, Mr. President.

22 MR. REED: So this one is coming up on a year though,  
23 right?

24 MR. SMITH: It is, yes. About ten months. About nine  
25 months right now.

MR. REED: So they've done substantial work. But  
they've got to finish the job.

MR. SMITH: And they're under a Rehab Agreement. It's  
in progress. So being patient with them.

There is one other property that is not on the  
list. I don't know if you wanted to -- maybe the best  
thing is to do every one first. But we have one other  
property. But it wasn't on the list. Did you want to go  
ahead?

MR. REED: Let me adopt these and then we'll take

1 that.

2 Motion to accept Building Department Recommendation made by  
3 Thomas Davis. Second by Milton Reed.

4 Questions/Comments: None

5 Roll Call: "All in Favor": All Abstain: None  
6 Opposed: None Motion Carries.

7 MR. REED: So this Order to Rescind, do we need to  
8 adopt that separately?

9 MS. KANTAR: I just need it signed so we can get it  
10 recorded. That's all.

11 MR. REED: So there's one more.

12 MR. SMITH: We have one last order of New Business  
13 with the Board. And that is 620 West Chicago Avenue.  
14 Mr. Kwan is here and his wife. They are present here  
15 today.

16 This property is Kwan's Chinese Restaurant. And  
17 they are trying to sell it. They had some issues because  
18 we do have a demolition order on the property. And I  
19 explained or Kris and I both explained to the Kwans that  
20 Demolition Order stays on the property.

21 But of course we would be willing to work as the  
22 Building Department would with any potential purchaser to  
23 set up a rehab agreement and allow them time.

24 And I think what the Kwans are here to ask for is  
25 just to make sure that even though we may bid out the  
property that that doesn't mean it's going to get knocked  
down and that we will of course work with them and their  
potential purchaser to enter into a rehab agreement and get  
it fixed up. We just can't rescind the Demo Order now.

MR. REED: When was the demo order entered again?

MR. SMITH: July.

MR. REED: So what has happened between now and July  
that there hasn't been -- that's the disconnect right  
there. In July that was the time to start having a  
conversation with the Building Department. And I will let  
you speak as to what happened.

1 MS. IRENE: First of all -- I'm sorry. I represent  
myself. I am here today to show my good faith.

2 MR. SMITH: Ma'am, can we just have your name?

3 MS. IRENE: My name is Irene. I'm the general owner.  
4 My husband, Kwan, my husband operate the business in this  
area for over 20 years.

5 The reason because the fire next-door fell our  
6 building. There's a fire next-door. We have some minor  
damage. Not that much damage.

7 I didn't know there's a Demo Order entered last  
8 year because we don't receive any notice at all for some  
reason. So I didn't receive nothing until there's a buyer  
9 comes along and told us you have Demo Order on your  
building, we're not going to buy it. So then I realize. I  
10 know.

11 Then I come in to talk to the Building  
Department. I mean this gentleman. And then I just  
12 realize it. But otherwise I did not know anything about  
any Demo Order.

13 But we are trying very hard to find a buyer. I  
14 put it in the real estate. I put a sign. Someone took the  
sign off. I do everything. I try to see. I talk to the  
15 neighborhood, everybody, the neighbors, you know, tell  
next-door guys, the Mexican grocery store. And they  
16 talking and talking. But I don't really find a really able  
buyer to take over now.

17 But I'm pleading today trying to get your Board  
18 to hold on the demo so I have enough time to find a buyer.  
Because otherwise I cannot do anything if you're going to  
19 knock down the building.

20 The building is no safety issue. It's board up  
safely and sound.

21 MR. REED: You have no interest in doing the rehab  
22 yourself is what you're saying?

23 MS. IRENE: We're not going. My husband have heart  
problem. So we're not going to do anymore business.

24 MR. REED: And you said you did go to the Building  
25 Department and talked with them recently?

1 MS. IRENE: Couple months ago talked to -- tried to  
2 talk to James. But he wasn't there. And then he called me  
back. And they told me there's a demo.

3 MR. REED: So you've been looking for a buyer at least  
4 for a couple of months now?

5 MS. IRENE: I've been looking since last year.

6 MR. SMITH: Is this how it looks still?

7 MS. IRENE: Yes. I have many people call me. I put  
8 the sign up. And they all asking me. I say you need cash  
to buy it. And then they just talking and talking. But I  
don't have anything in writing.

9 And I thought somebody but they backed out  
10 because they find out a demo. They don't want to get into  
trouble. So that is why really -- the Demo Order really  
hinder me, you know.

11 MR. REED: How long has the business been closed  
12 there?

13 MS. IRENE: Since the fire.

14 MR. REED: That was about a year ago?

15 MR. SMITH: Yeah. About a year ago.

16 MS. IRENE: It happened just so suddenly.

17 MR. REED: So I guess this situation creates a bit of  
18 a dilemma. It does resonate some if you did not receive  
the notice.

19 If there were some steps that you would have  
20 taken as building owner in spite of your intent to sell. I  
don't think the City can just let it drift on and on and on  
while you're looking a buyer.

21 You have you been looking for several months.  
22 That's why I asked. You've been looking for months now.  
23 And so that is not necessarily an indication that a buyer  
is right around the corner.

24 It would be a little different if you just  
25 started looking for a buyer. You've been looking for a  
buyer for awhile.

1 I think you still need to talk to the City and  
2 say even though you're looking for a buyer what are the  
3 minimum requirements that the City would have you do on  
4 this building.

5 Even though you're going to sell you still have  
6 that responsibility. And I understand there is no Rehab  
7 Agreement or anything in place. But there could be a  
8 minimum standard saying, hey, you don't have to go  
9 overboard. But at a minimum we cannot have a boarded up  
10 building in our main thoroughfare for months and months and  
11 months.

12 Let me just finish this so you can hear me out  
13 and I'll hear you out.

14 Again you've been looking for a buyer for awhile.  
15 So what I think we need to do just in light of you may not  
16 have received the notice and we have to pretty much stand  
17 on we sent the notice. We understand it wasn't received.  
18 But to give you a quick change to get in and come up with  
19 minimum requirements of what it will be that the City is  
20 requiring.

21 It's been boarded up for awhile now. So it's not  
22 going to be able to stand. So I think we're going to have  
23 to do that right away.

24 Damien, you tell me does that sound reasonable?

25 MR. VENTURA: Yes. May I approach?

MR. REED: Yes.

MR. VENTURA: So as the attorney noted it has been  
sitting for a year. I think we've given a lot of grace.  
We're still willing to work. There still is time to find a  
buyer as long as they express to the buyer that there's a  
Demo Order and they would have enter into a Rehab  
Agreement.

MR. REED: Here's what I think. My thing is I just  
don't see a buyer coming around the corner that quick.  
They've been looking for months. This is what the owner  
has to do now I think is where we are.

MR. IRENE: I have many buyers. But they need cash.  
That's the issue. That's the problem. They cannot get the  
loan.

1 MR. MORRISROE: If I may, Damien, do you have a  
2 ballpark figure of what would bring it up to code, the  
3 exterior. If they would have that, then when they're  
4 talking to a prospective buyer --

5 MR. VENTURA: We can send an inspector out there to do  
6 an inspection.

7 MR. MORRISROE: To give you some idea so when you're  
8 talking to prospective buyers you know in addition to  
9 buying it from what it's going to take to bring it up to  
10 the minimum standard.

11 MS. IRENE: They can bring along their contractor to  
12 get an estimate. But they didn't show the sincere  
13 interest. I have buyer. They give me offer and then they  
14 back out. They find the Demo Order. Oh, it's a lot of  
15 work. They have all kind of excuses.

16 I have buyer all the time. But I just have to  
17 find a ready, willing, able buyer to do it. Not just  
18 everybody from the street. So I need the time to do it.

19 If worse comes to worse and we cannot find a  
20 buyer if you give me enough time, then I would donate this  
21 building to the City.

22 MR. REED: This is what I'm saying.

23 MS. IRENE: That's my final decision.

24 MR. REED: The City even giving you time you still  
25 have to do some repairs.

MS. IRENE: Of course.

MR. REED: It's not an either or.

MS. IRENE: If we do repairs, then we're not selling  
it. Why we do repairs. We have nothing. Inside is not so  
bad.

MR. REED: What is the recommendation from the  
Building Department?

MR. VENTURA: Recommendation is to move forward with  
the bid process. And during that time if she comes up with  
a serious buyer then again they would have to enter into a  
Rehab Agreement to fix up the property. If not then we

1 just keep the process.

2 MR. SMITH: A lot of times what happens when we have  
3 this situation is as long as the owner can get the buyer in  
4 touch with the Building Department that gives the buyer a  
5 comfort level that, okay, they're going to work with us.  
6 We're going to enter a Rehab Agreement. Then they're okay  
7 we'll buy it. And that works.

8 The Building Department is usually more than  
9 happy to work with the new buyer.

10 MR. REED: We're going to take the recommendation of  
11 the Building Department. And we will put this in the  
12 process. It will go out for bid.

13 And you still have the opportunity yourself to  
14 enter into a Rehab Agreement for the minimum amount of  
15 things or to advise your potential buyer.

16 But if for some reason your buyer continues to  
17 treat you in the way that you have been treated, it's going  
18 to be incumbent upon you to enter into that agreement  
19 yourself before this goes beyond where you really want it  
20 to go.

21 The only thing now is you have to kind walk two  
22 different paths at once.

23 MS. IRENE: We have a final decision. If nobody buy  
24 within this year or within six months, whatever, we'll give  
25 to the City. City can have it. City can knock it down.  
City can donate. I can donate to the church.

MR. REED: You understand what I'm saying. The City  
is not going to let the building stay in that condition for  
another six months. That's what I'm saying. In the  
condition that it's in that will not be acceptable to our  
process.

21 So again talk with the Building Department.  
22 They're very well equipped. You seem like you've been  
23 doing some of your homework and things like that. But this  
24 is in our main thoroughfare. This cannot stay like this  
25 for the next six months.

26 And we have to be fair to everyone in this  
27 process. If we say this one building we'll let it ride out  
28 for six months or nine months until you get a buyer, we

1 have to do that for everyone.

2 MS. IRENE: I work hard everyday to get a buyer.

3 MR. REED: I can tell. I think you'll find the  
4 Building Department not that difficult. We're on the same  
5 side here. And I think you'll find them very agreeable and  
6 they will work with you.

7 And from looking at the pictures I think you're  
8 not as far as off as you may think you're going need to be.

9 So have a conversation with them first. And  
10 we'll just take that path as recommendation.

11 Thank you for your comments. Thanks for coming  
12 out.

13 Motion to accept Building Department Recommendation made by  
14 Thomas Davis. Second by Milton Reed.

15 Questions/Comments: None

16 Roll Call: "All in Favor": All Abstain: None  
17 Opposed: None Motion Carries.

18 MR. SMITH: That's all we have, Mr. President.

19 MR. REED: Thank you.

20 Old Business: None.

21 Other/Audience Participation:

22 MR. MORRISROE: There is the item that I briefly  
23 mentioned to you. It's not on the agenda. However can we  
24 put in under Audience Participation. It concerns 4730  
25 Baring.

26 There was a lien from 2012 of \$548. The lien was  
27 paid. I have the documentation from the County Treasurer  
28 for that. And simply ask approval so that I can then  
29 prepare the release of lien and the resolution and present  
30 them to you for signature if there is approval of the  
31 release of lien.

32 The address is 4730 Baring Avenue. The lien  
33 holder has been Fidelity which is mortgage lender. And  
34 they simply want to release the money which they've been

1 sitting on, \$548, for some time. And they need the  
recorded release of lien to do that.

2 Motion to provide Release of Lien for 4730 Baring Avenue  
3 made by Thomas Davis. Second by Milton Reed.

4 Questions/Comments: None

5 Roll Call: "All in Favor": All Abstain: None  
Opposed: None Motion Carries.

6 \* Next Regular Meeting Date: Wednesday, February 13,  
7 2019 @ 5:00 p.m.

8 Motion to adjourn was made by Thomas Davis. Second by  
Milton Reed.

9 \* The Meeting ended at 5:37 p.m.

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1                   Approval of the Meeting Minutes of  
2                    Wednesday, January 23, 2019  
3                   Approved and signed \_\_\_\_\_

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5 \_\_\_\_\_  
6 Milton Reed, President

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8 \_\_\_\_\_  
9 Richard Trembczynski, Vice President

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12 \_\_\_\_\_  
13 Thomas Davis, Member

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16 Olga Cosme, Board Secretary

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C E R T I F I C A T E

I, LISA PENA, a competent and duly qualified court reporter, do hereby certify that I did report in machine shorthand the foregoing proceedings and that my shorthand notes so taken at said time and place were thereafter reduced to typewriting under my personal direction.

I further certify that the foregoing typewritten transcript constitutes minutes of said proceedings taken at said time and place, so ordered to be transcribed.

Dated at Portage, Indiana, this 12th day of February 2019.

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LISA PENA  
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