

LAFAYETTE HEARING AUTHORITY
January 21, 2025

The Lafayette Hearing Authority met on Tuesday, January 21, 2025 at 9:15 a.m. in the City Council Chambers of Lafayette City Hall. Present were: Gary Henriott and Cindy Murray. Absent: Ron Shriner

Jacque Chosnek, City Attorney, was in attendance.

Mr. Henriott called the meeting to order.

MINUTES

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

OLD BUSINESS

Declaration of Abandonment and Order to Seal and Vacate-1312 Washington Street-Owner-Susan Hudgins

Ms. Chosnek updated the Board of the continued processes with Code Enforcement for abandoned properties, securing properties and cleaning up the neighborhoods. Kara Boyles, Staff Attorney, reminded the Board that last meeting they declared this property as abandoned, ordered to be sealed and vacated. Mrs. Boyles stated that this property was sealed on October 20, 2024 and the cost will be placed on the property taxes. No cleanups have occurred yet.

Declaration of Abandonment and Order to Seal and Vacate-632 Oregon Street-Owner-Paul Nix

Mrs. Boyles reminded the Board that last meeting they declared this property as abandoned, ordered to be sealed and vacated. Mrs. Boyles stated that this property was sealed on October 20, 2024 and the cost will be placed on the property taxes. No cleanups have occurred yet.

NEW BUSINESS

Rehearing on Declaration of Abandonment-1600 Hart Street-Owner-Wolf River Construction

Mrs. Boyles stated that the Board is re-hearing the Declaration for Abandonment for this property. At the previous meeting Mrs. Boyles believed that they had service on the property by mail however the mail ended up being returned. Therefore service needed to be obtained by publication. Ms. Chosnek confirmed that there were no representatives from Wolf River Construction present at this meeting. Mrs. Murray moved to affirm the declaration of abandonment. Mr. Henriott seconded. Motion carried.

Declaration of Abandonment-1307 Washington Street-Owners-Barry and Christopher Richardson

Mrs. Boyles stated that the property owner Barry Richardson is present at the meeting. Jay Rosen, Code Enforcement, stated that this property is currently unoccupied and was brought to his attention by some neighbors complaining about animals/rodents inside and outside of the house. Mr. Rosen went out to the property and documented that the house has broken and boarded up windows, deteriorating mortar/bricks around the foundation, holes in the roof and missing shingles. Mr. Rosen stated that the water has been shut off since 2016. Mr. Rosen stated that the neighbors were also complaining about abandoned vehicles behind the property that is hidden behind tree growth that has grown up over the years. Mr. Rosen stated that there is a porch that is in disrepair and unsafe to be on and the yard was so long that the City mowing crew mowed the property.

Barry Richardson, 2585 N. 1150 W Delphi, IN and property owner at 1307 Washington Street, stated that he has been at this property since 1979 and gave the Board a brief history of the house regarding his family. Mr. Richardson stated that he has someone lined up to continue to mow the yard, but that man recently quit mowing. Mr. Richardson stated that he spoke with Phil Latshaw a while ago and informed him that the property was empty and that he would be working on update and completing the electrical. Mr. Richardson updated the Board on the unpaid and paid tax situation with the property along with his plan for putting money back into the house for repairs. Ms. Chosnek confirmed with Mr. Richardson that he has not lived in the house since 2016 which is nearly 10 years ago. Discussion ensued regarding the length of time the property has set empty and calling Animal Control about the animal/rodents. Ms. Chosnek explained the purpose of the meeting today regarding his property and asked Mr. Richardson what his intentions were with the property. Ms. Chosnek stated that current taxes are unpaid. Ms. Chosnek stated that the property is considered to be abandoned under standards and factors under Indiana Code. Mrs. Boyles stated that the Board is here to determine if the property is abandoned under state statute. The city just wants to see the property be improved and safe. Mrs. Boyle stated that the City gave Mr. Richardson additional time for repairs and went over the details of the declaration order. Mrs. Boyles stated that the property is deemed unsafe and was sealed & ordered for repair on January 28, 2025. Mrs. Murray moved to affirm the declaration of abandonment. Mr. Henriott seconded. Motion carried.

Declaration of Abandonment-2315 N. 26th Street-Owner-T. Capital Group LLC

Mrs. Boyles confirmed that there were no representatives from T. Capital Group LLC present at this meeting. Mr. Rosen stated that the property has broken windows, tree growing out of the foundation, deteriorating mortar, foundation is cracking away and utilities have been shut off. Mr. Rosen stated that Code Enforcement Officer, Mike McIver, was dealing with this property. Mr. Rosen stated that the utilities have been shut off since October 20, 2021. Mr. Henriott confirmed that this property meets all of the criteria of an abandoned property determined by state statute. Mrs. Boyles stated that there is a mortgage on this property and the attorney for the mortgage company has reached out to the City Legal Office. The mortgage company stated that they are working on selling the property. Mrs. Boyles stated that the mortgage company asked for a continuance today. Mrs. Boyles stated that in order to maintain the timeline and protect the city's interests we would be moving forward with this property, but we are optimistic that this property will be turned over to a responsible purchaser. Mrs. Murray moved to affirm the declaration of abandonment. Mr. Henriott seconded. Motion carried.

Declaration of Abandonment-1402 S. 3rd Street-Owner-Dayne Goggans

Mrs. Boyles stated that the owners of the property are present at the meeting. Mr. Rosen stated that the water utility was shut off January 20, 2021 and the other utilities were shut off at some point. Mr. Rosen stated that the water meter was pulled for demolition. Mr. Rosen stated that there are windows boarded up and are broken, doors are boarded up, deteriorated foundation, a basement wall that is bowing, and hole in the roof. Mr. Rosen stated that Phil Latshaw did red tag this property due to work being done without a permit.

Dayne Goggans, Property Owner, stated that he bought the property a couple of years ago to fix it up. Mr. Goggans stated that he started working on the property and the only thing inside that has been done to date is tearing out the old stuff. Mr. Goggans stated that he has boarded up all the open spots on the outside of the house as of last weekend and yesterday. Mr. Goggans explained to the Board all the short-term fixes he has done with the house until he can obtain a building permit and start the repairs and fixes. Mr. Goggans stated that he has every intention to improve the house in the next month or so. President Henriott explained the process of the Hearing Authority and the goal to work with homeowners to improve the properties. Discussion ensued. Mr. Goggans stated that he paid the property taxes and is in good standing with past weekend.

Mrs. Boyles stated that because the taxes have been paid the property would not go to property tax sale this fall. Mrs. Boyles stated that a separate unsafe building order that provides 60 days to repair the exterior of the house and sealed by January 28, 2025. Mr. Goggans confirmed that both of those have

taken place. Mrs. Boyles stated that as long as the city is seeing progress being made, they can continue to extend those deadlines on the property. Mrs. Boyles stated that based on the timeline this property will need to be declared abandoned in order to meet the statutory deadlines. But if after confirmation of the taxes being paid the property will still be declared abandoned but would not go to tax sale this fall. Discussion ensued regarding Mr. Goggans moving forward with the repairs and the Board is happy to hear that he is willing to repair the house. Mr. Henriott confirmed that if the Board takes action to declare this property abandoned but Mr. Goggans paid the taxes, seals up the property for safety and gets the proper permits the declaration will in fact be null and void and the property will not go to tax sale in the fall. Mrs. Murray moved to affirm the declaration of abandonment. Mr. Henriott seconded. Motion carried.

Continued Declaration of Abandonment and Order to Vacate and Seal-1710 Washington Street-Owner-Angel Sanchez

Mrs. Boyles stated that an order for abandonment and order to vacate and seal however the property owners have continued to take action on the property. Mrs. Boyles stated that this will be continued until time uncertain in order to monitor the property and ensure they continue to make progress. There is no action from the Board at this time.

Continued Declaration of Abandonment-901 Washington Street-Owner-Guadalupe Sandoval

Mrs. Boyles stated that she and Mike McIver met with the owner of the property last Friday. The property taxes are not up to date and will be selling the property to a responsible owner order to make progress. There is no action from the Board at this time.

ADJOURNMENT

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

Time: 9:50 a.m.

Gary Henriott s/s
President Pro-Tem

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>.

