

**COUNCIL PROCEEDINGS
CITY OF ATTICA**

12-14-2020

The Common Council for the City of Attica met on December 14th, 2020, at 6:00 P.M.

Those present at the meeting were: Council Members; Mr. Larry Grant, Mrs. Kaylie Carnahan, Mrs. Valarie Maus, Mrs. Patricia Hargan and Mr. Scott Voorhees, Also, present were Attorney Jud and Ingrid Barce, Mayor Duane Roderick, and Clerk-Treasurer Joanne Broadwater.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS:

- Carnahan made a motion to approve the minutes for the November 9th, council meeting, Voorhees seconded, all were in favor and the motion passed.

CITIZENS PETITIONS:

- Tony Crane spoke about the city trees in Armes woods that have fallen on his property this year beginning in August 2020. One of the trees fell on Tony's house and did substantial damage. Tony wants to make the Council aware that there are a lot of trees in the city parks that are old and dangerous and could hurt people using the parks. Roderick commented that Swank has gone around and identified trees that need to be taken down and the city will follow up with this. Swank reported his has reached out to Jeremy Smith regarding tree removal.

COMMITTEE REPORTS:

NONE

DEPARTMENT HEADS:

Eric Swank Director of Public Works:

- Reported that there is enough money left in several expense accounts to purchase the hydro excavator for a price of \$98,000.
- Swank reported that there were 4 residents whose water had been disconnected by the city that turned their water back on without paying their bill. Roderick asked City Attorney Barce how the city should handle this? Barce reported that this is utility theft and is a felony. Grant stated he felt the city attorney should send a letter to everyone who turned their own water back on letting them know what the penalties will be if it occurs again. City Clerk Broadwater stated of the 4 who turned their water back on 3 of them made a payment to cover their disconnect, but the 4th was short on his payment. There was additional discussion regarding this issue.

Chief Durnil, Police Chief:

- Provided an update of officers attending the police academy.

Chief Little, Fire Chief:

- Three individuals passed their EMR class.
- The Attica Fire Department had their own parade through town for Christmas, it included Williamsport and West Lebanon.
- 2020 has been a record year for runs for the department, there have been approximately 370.

Mr. Pycke, Building Commissioner:

- Provided an update on the open unsafe building orders:
 1. 200 West St. – reviewed progress, an extension was granted until February 2021.
 2. 404 S. Perry St – reported that it is sealed up and will check on this property at the April BOW meeting for additional work that needs done.
 3. 902 E. Main St- the owner was not able to attend the meeting, so the hearing was postponed until the first meeting in January 2021.
 4. 907 E. Summit – a hearing was held, the owner reported he planned to tear the property down as soon as he can find a contractor to do the work.
 5. 204 W. Pike – review hearing postponed until January 4th, 2021 BOW meeting.
 6. 206 W. Pike – is scheduled for an initial hearing at the January 4th, 2021 meeting.
 7. 908 S. Brady – is scheduled for an initial hearing at the January 4th, 2021 meeting.

Roderick asked about the house on Columbia St. that burnt. Pycke stated Attorney Mallory Redlin has been working with the property owner to transfer this property to the city.

Pycke had nothing further to report.

Rod Bannon, Economic Development Director:

Reported he has met with developers for the 200 block of Perry St. and has one that is interested in working on this project. Bannon stated he will have an agreement that he can present to the Council at the January meeting. He will also schedule a time when the developer can come in and present the plans to the Council. Hargan asked about

the amount of retail space that has been taken out. Bannon indicated very little; the footprint has been reworked.

Bannon also provided an update on the non-profit that he has been working on.

Bannon met with the representative from Indiana Landmarks and the head of OCRA and showed them Attica and the tentative plans that are in the works.

UNFINISHED BUSINESS:

- Ordinance authorizing additional appropriations. Maus motioned to approve the additional appropriations, Carnahan seconded, roll call was taken, all were in favor, motion passed.
- Amending the Utility Disconnect Ordinance, the language was modified to make it clear when disconnects would occur, and to state that the disconnection fee of \$75.00 would be applied to the account whether actual disconnection occurred or not. Hargan made a motion to approve, Grant seconded, roll call was taken, all were in favor motion passed.
- Resolution to declare surplus real estate. Barce explained this process to the Council, a person needs to be named to be the city "appraiser" for city surplus property. Roderick stated Eric Swank would fill that position. The Council engaged in further discussion regarding the price and process for surplus property on N. Perry St. It was also determined that the properties are located outside city limits and Grant asked if the properties should be annexed into the city prior to selling them. The Council agreed with the annexation proposal. Barce will report back on this process. Grant made a motion that the N. Perry street property owned by the city would be declared surplus property subject to annexation with the stipulation that a house must be build on the property within two years or the property would be sold back to the city for the original purchase price, Maus seconded, roll call was taken, all were in favor, motion passed.
- Resolution to sell property to the Community Action Program (which is a non-profit), it is a single lot and the city agreed to sell it for \$5000.00. Hargan asked what the finished duplexes will look like. Roderick stated he would check with JD Taggart to see if he has renderings. Grant made a motion to sell the property, Voorhees seconded, roll call was taken and all voted in the affirmative, motion passed.
- Ordinance amending the zone map based on a favorable recommendation from the plan commission, to change 605 N. Perry St. from R1 to R2 to allow the residence to be changed from a single-family residence to a duplex. Maus made a motion, Voorhees seconded, roll call taken, all were in favor, motion passed.
- Ordinance amending the city zone code to state that if work authorized by a building permit is not completed within 180 days a \$50.00 per day fine can be assessed against the permit holder unless an extension is granted by the City

Building Inspector. Voorhees made a motion to approve this amendment, Carnahan seconded, roll call was taken, all were in favor, motion passed.

- Ordinance prohibiting accessory buildings to be built on a lot unless a principal building remains occupied. This went before the Plan Commission and received a favorable recommendation. The purpose is to prevent accessory buildings from being built on property without an occupied house. Hargan made a motion to approve this Ordinance, Grant seconded, roll call was taken, all were in favor, motion passed.
- Annual Certification requiring each elected official to sign, before the end of the year, that they are not in violation of state Nepotism policy. There are two forms each elected official must sign and return to the Mayor or Clerk-Treasurer before the end of the year.

Grant discussed a list of properties that he compiled that have trash on their property. Grant stated he thinks we need to create a mechanism to track ordinance violations and make sure these are being taken care of. There was additional discussion regarding this issue by the Council.

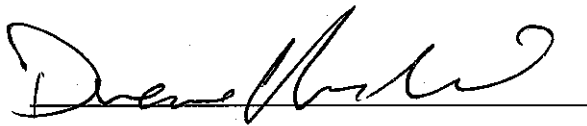
NEW BUSINESS:

None

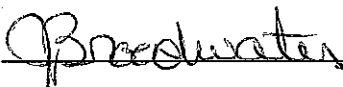
ADJORNMENT:

Roderick stated he had no further business and requested a motion to adjourn. The next Council meeting will be held Monday, December 28th, 2020 at 6:00pm.

Maus made the motion to adjourn, Hargan seconded, all were in favor, motion passed, meeting adjourned.



Duane Roderick, Mayor

ATTEST: 

Joanne Broadwater, Clerk-Treasurer