

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF
WORKS AND SAFETY FOR THE CITY OF ATTICA
October 4, 2022**

The Board of Works and Safety for the City of Attica met, pursuant to Public Notice, on Tuesday, October 4, 2022, at 5:00 P.M. in the City Council Room.

Present was Board Members, Andy Smart, Mayor Duane Roderick, Attorney Mallory Redlin, and Clerk-Treasurer Joanne Broadwater

Minutes from the previous meeting:

Smart made a motion to approve the minutes from the September 20, 2022, meeting, Roderick seconded, all were in favor, and the motion passed.

Citizens petitions:

- None

Department Head Reports:

Director of Public Works / Building Commissioner, Eric Swank:

- Swank reported that cleanup on the Beaver property will begin within the next week.

Meeting Suspended for UBO hearings:

- 430 E. Main St – John Smith – Swank reported no change to the property. Smith stated installing a cellar door is the only thing to complete.
Smart made a motion to set a review hearing for November 1st, 2022, Roderick seconded, all were in favor, motion passed.
- 206 W. Pike St. – John Smith reported the house will be tore down by the 11-1-2022.
Smart made a motion to review the UBO for this property on 11-1-2022, Roderick seconded, motion passed.
- 1110 N. Perry St. - Kenneth Bradbury owner.

Attorney Redlin stated Mr. Bradbury is currently incarcerated but was served with UBO paperwork. This is an initial hearing to determine if this property meets the guidelines as an unsafe building.

Redlin swore in DPW Director Eric Swank as a witness. Redlin confirmed Mr. Swank was the City of Attica Building Commissioner and Director of Public Works, she also confirmed that part of Mr. Swank's responsibilities in his positions is to review properties and their condition.

Redlin asked Mr. Swank if he reviewed and has physically visited the property at 1110 N. Perry St. Swank confirmed he has.

Redlin asked if Swank prepared an order of the City of Attica Building Commissioner, Swank confirmed that he did.

Redlin handed Swank what has been marked "Exhibit A" and asked him what is the document? Swank replied it is a copy of his Unsafe Building Order, Redlin asked if it is a true and accurate copy of what he prepared, Swank confirmed that it is.

Redlin moved to admit Exhibit A. **Smart made a motion to admit Exhibit A, Roderick seconded, all were in favor, motion passed.**

Redlin asked Swank to the best of his knowledge has Mr. Bradbury been served a copy of the Unsafe Building Order? Swank confirmed.

Redlin asked if Exhibit B, D and E are proof confirming the UBO was served to Mr. Bradbury? Swank confirmed.

Redlin moved to admit Exhibit B, D and E. **Smart made a motion to admit "Exhibit B, D and E" Roderick seconded, all were in favor, motion passed.**

Redlin asked Mr. Swank what he was most concerned about at this property? Redlin asked if Swank took photos of the property, Swank confirmed. Redlin asked Swank to describe what is marked as "Exhibit C". Swank stated it is pictures of the structure at 1110 N. Perry, page one is the front of the home, siding is missing, and there are open holes in the foundation. Redlin asked Swank to describe page 2, Swank stated there is a hole where a window used to be, picture two shows an open area on the roof and the rear door. Redlin asked if the picture depicted the current condition of the property, Swank responded yes. Redlin asked if Swank took the pictures, Swank said yes. Redlin asked if the document presented as Exhibit C are true and accurate copies of the pictures he took, Swank responded yes.

Redlin moved to admit Exhibit C. **Smart made a motion to admit "Exhibit C" Roderick seconded, all were in favor, motion passed.**

Redlin asked Swank if he believes this property is a hazard to public health, a public nuisance, and is dangerous to a person or property because it is a violation of the Ordinances and Statutes? Swank stated yes in agreement.

Redlin asked what needs to be done to the property that was stated in his order? Swank replied, seal off all the openings, repair the soffit and roof, and replace the siding on the front of the property that faces Perry St.

Roderick stated he received a letter from Kenny Bradbury stating he will be incarcerated until December 23rd 2022 and asked for time, until February 2023 to do the necessary repairs once he is released.

Redlin asked Swank if he believes this building meets the definition of an unsafe building and that the city should find it as such, and that Mr. Bradbury needs to address this property? Swank responded "yes".

Smart made a motion to deem this property as unsafe, Roderick seconded, all were in favor, motion passed.

Smart made a motion to allow until February 28, 2023, to make the necessary repairs to the property, to be brought to a standard that is not unsafe, Roderick seconded, all were in favor, motion passed.

Redlin stated this property will be set for a review hearing on March 7th, 2023.

The regular meeting of the BOW was resumed.

Attica Fire Chief, Mike Little:

- Attended the National Fire Chiefs Academy.
- The AFD is recruiting for volunteer firefighters.
- Little stated the department is struggling to respond to the high number of calls and the need to discuss with the council how to handle this moving forward.
Smart asked about coverage from other departments, Mike stated there are mutual aid agreements in place with other departments.

Police Chief, Garret Miller:

- The department is getting new equipment to improve officer safety.
- The APD should have enough Public Safety funds left this year to purchase a shield for the high school and elementary schools.
- Office Dillon is doing well in the academy.

Unfinished Business:

- None.

New Business:

Utility Credits:

Smart made a motion to approve utility credits, Roderick seconded, all were in favor the motion passed.

Utility Disconnects:

Smart made a motion to approve disconnects, Roderick seconded, all were in favor the motion passed.

Payroll Ledgers:

Smart made a motion to approve the payroll ledgers, Roderick seconded, all were in favor, the motion passed.

Miscellaneous Business:

Elizabeth Lowery asked the BOW to grant an extension on the disconnect portion of her utility bill. She stated she has a water leak in her rental unit and can't get the landlord to repair it.

Lowery stated she can pay approx. \$500 by Thursday October 6th with assistance from the trustee, Salvation Army, and ministerial association.

The BOW discussed the leak and request with Eric Swank.

Smart made a motion to grant the extension and not disconnect until the October 18th, 2022, meeting if the account is not in good standing, Roderick seconded, motion passed.

Claims:

The claims were presented by Clerk-Treasurer Joanne Broadwater, **Smart made a motion to approve claims, Roderick seconded, all were in favor, the motion passed.**

There being no further business, **Smart made a motion to adjourn, Smart seconded, the meeting was adjourned.**

The next Board of Works meeting will be held on Tuesday October 18, 2022, at 5:00 pm, in person, in the City Council meeting room.

Approved: _____

Attest: _____