

## **December 2015**

The Trail Creek Town Council met in regular session on Tuesday, December 15, 2015 at 7:00 p.m., at the Town Hall, 211 Rainbow Trail, Trail Creek, Indiana.

Council President, Warren Schacht, joined us via conference set up in the meeting room of the town hall and led the Pledge of Allegiance.

**Minutes** A motion was made by Mr. Bayler to approve the meeting minutes from the November 17, 2015 as written; motion was seconded by Mrs. Heath, and was then unanimously carried.

**Approval Of Fund** A motion was made by Mrs. Heath to approve the fund report for November 17, 2015 motion was seconded by Mr. Silcox.

**Approval of Claims** A motion was made by Mr. Studtman to approve the bills in the amount of \$89,227.17 (EIGHTY NINE THOUSAND TWO HUNDRED TWENTY SEVEN DOLLARS AND SEVENTEEN CENTS )the motion was seconded by Mrs. Heath and was then unanimously carried. This motion occurred after Mr. Studtman questioned a Pyramid Bill for the Ford Dump truck repair during leaf season. Also, Brown Equipment per Mr. Bruder, Street Commissioner was for the liners that are changed every year. Also, Mr. Studtman asked police marshal, Steve Dick regarding the repairs to the 2009 Charger, Marshal Dick indicated that the repairs were made due to an accident, however the Town of Trail Creek was reimbursed.

**Correspondence:** Council President, Warren Schacht stated that he received a phone call from a Debra Neumaier, regarding the possibility of grant writing. Ms. Neumaier, was a council member in the past for Dyer, Indiana. She was able to give Joshleen Denham, Clerk-Treasurer some leads on grant writing.

### **Department Reports:**

**MS4:** Ms. Kate Doyle, MS4 Coordinator in to report that there is training available for Elected Officials regarding the MS4 Program, she indicates that she will get a list together and give to the Clerk-Treasurer, Joshleen M. Denham.

She also reports that the annual report will have more information regarding the inlet at Greentree.

**Attorney:** Attorney Herrbach in attendance. Bill reported on the firework display at the Fish and Game Club in July 2015. He wanted to let the council know that there is a statute regarding (IN CODE 22-11-14-2) the control of Municipalities and other organization that put on public firework displays, they must apply for a permit and must be submitted to the state. This application/permit must name an operator, his/her experience in these types of displays and the application fee must be included. The application must be received at least five business days prior to the display at the Division of Fire and Building Safety. No operator who has prior convictions may

operate a display for one year. Every display has to be done by an approved operator, approval is given by the Chief of the Fire Department of the municipality, which would be Coolspring Fire Department. The permit is non transferrable and if the municipality denies it, it must be in writing, and must be hazard to surrounding neighbors . Additionally, there must be a \$10,000.00 damage bond made to the town minimum but not in excess of \$100,000.00. The town would have to have a hearing to determine what the damage bond amount would be and whether or not it would be a hazard to surrounding neighbors. We would have to notify surrounding neighbors.

Bill Herrbach, did send a letter to the Coolspring Township Fire Department advising them of the requirements, and asked if they receive any requests to please make the town aware. Secondly, he mailed a letter to the Fish and Game Club informing them of the statute of what has to be done each year.

Also, Bill stated that he has prepared and given a copy to the Street Commissioner of his 2016 contract with the town. Mr. Jeff Bruder will review, sign and return to Clerk-Treasurer for record keeping.

Additionally, Bill states that repairs to the Police Department; Budget is \$ 65,000.00. Statute says if the cost to do the renovation is more than \$25,000.00 then we must have specifications drawn up and signed by a certified licensed architect or engineer. The town must also advertise for those bids.

Sale of Assets; If the equipment is less than \$10,000.00 then we can advertise to receive sealed bids, with council having the right to reject any and all bids.

Revision of Ordinance Violation letters; Mr. Herrbach will look into this and get back with us at the next scheduled meeting on January 19, 2016

**Engineer:** John Doyle, Town Engineer in attendance. Reported that we received an invoice back from Walsh & Kelly for the 2015 Street Improvements projects completed this year. However, they are asking for approximately \$5,300.00 more than contract price for the extra materials. Would bring our cost to \$88,325.05, Mr. Doyle plans to negotiate this; but will let Ms. Denham, Clerk-Treasurer know when to pay the invoice.

Also, the Engineer states he received a phone call from Indianapolis regarding the highway 20 project, the sign ordinance and the requirements. The Evergreen Plaza sign is over the eighteen foot in height and is a violation; however the plaza owner would have to file a variance to allow for this. Mr. Schacht, Council President asked if the town hall sent letters to the business's regarding the sign ordinance. Ms. Denham, Clerk-Treasurer indicated that yes letters were sent to all business owners as well as property owners. Mr. Herrbach, Town Attorney intervened and stated that all of the business did in fact receive a letter indicating that they would have to comply. It is now the responsibility of the property owner and the state to make sure they are complying. Mr. Studtman, Council Member inquired about the start date on this

project. Mr. Doyle replied by saying that he believed it would be around May 2016 after the hydraulic study was complete.

Mr. Schacht, Council President then asked about the Storm Water Pumping Station and if it is working ok. Mr. Doyle, stated that it has been running fine with the exception of the time we lost a phase due to loss of power throughout Trail Creek.

**Street Department:** Mr. Jeff Bruder, Street Commissioner indicated that leaf pick up season is done. Although there are a few piles out there, at this time we will continue to pick up for an unspecified period of time if the leaves are in yard waste bags. We picked up 142 loads of leaves this year.

The new dump trucks are built, however there was an electronic valve that needs to be repaired. Once the repair is made, the trucks will be delivered. Once the new trucks are delivered we will put an ad in the paper for sealed bids on the current trucks to sell them.

Lastly, Mr. Bruder asked council permission to scrap some of the equipment that is not used. Some of the equipment includes an old mosquito sprayer, a tar machine and many other smaller items. Council recommended that Mr. Bruder put together a list of items that could be sold. Mr. Bruder stated he would have that by next month's meeting.

**NIRPC:** No Report

**Park Department:** No Report

**Building Inspector:** No Report

**Planning and Zoning:** No report

**Police Department:** Marshal Dick in attendance. The Marshal stated that Deputy Nic Korepanow has now been with the Town of Trail Creek Police Department for a year and is now off probationary status. He wanted to extend a thank you to him for his commitment to the department.

He reported that he would like to donate if possible the 2005 Crown Victoria. The vehicle is in very poor shape Power steering is out, the engine dies frequently without notice. Other agencies have done donated to the academy in previous years. The value of the vehicle is less than \$500.00. Bill Herrbach, Town Attorney will look into the statute.

Regarding the 800 MHZ radio, we had a meeting last night. It was a joint meeting between the LaPorte County Council and the County Commissioners. There was some positive feedback. A committee will be formed to look into the project as well as the funding of the project. Marshal Dick volunteered to be on that committee. The timeline will be the late third quarter of 2016. He stated he has no further information on the Interact, which is the program that the police officers use for report writing. He

stated he has no further information regarding the grant he submitted for the E-Ticket or the vests.

Lastly, he wanted to point out that the Town of Trail Creek has been getting a lot of “entered” vehicles during the night. This is happening in a lot of places. Our proactive is we are doing foot patrols for 45 minutes to 1 hour each. A reminder, please lock your car doors at night, and take inside all of your valuables.

**Old Business:**

- See above in town attorney comments

**New Business:**

- Chris Kiser; Joy School: regarding 5k Fundraiser. Ms. Kiser was in attendance to discuss the fundraiser; she handed out a map of the proposed route for May 7, 2016. However, Marshal Dick after reviewing the map indicated that the map does not include Trail Creek as part of the run.
- Delinquent Refuse: Ms. Bruder, Admin Assistant to the Clerk gave council copies of a report that shows the aged receivables at \$190,000.00. However, a very large portion of this is penalties allowed by the ordinance. Council discussed at length, and decided that it would be in the towns best interest to have Mr. Herrbach, town attorney legally try to obtain the monies owed on the top ten delinquent offenders. A collection agency was mentioned; Ms. Denham and Bill Herrbach will look into this and report back at next month’s meeting.
- 2016 Salary Ordinance: Ms. Denham, Clerk-Treasurer indicated that the salary line items for employees have been approved in August; however an ordinance must be signed and recorded. Mr. Silcox asked how many hours each employee receives for leaf pick up. Mr. Bruder stated approximately 35 hours per person every two weeks, for six weeks. After a lengthy discussion regarding the hourly amounts a motion was made by Mr. Bayler to adopt the ordinance # 1-2016, motion was seconded by Mrs. Heath and was then unanimously carried.
- 2016 Appointments: As Follows
  1. Warren Schacht, Council President
  2. Jennifer Heath, Council Vice President
  3. Steve Dick, Marshal
  4. Jeff Bruder, Street Commissioner
  5. Steve Thomas, Building Inspector/Commissioner
  6. Jim Switzer, Electrical Inspector
  7. Tom Argorichas, Heating Inspector
  8. Paul Foreman, Plumbing Inspector
  9. Kate Doyle, MS4 Coordinator

Plan Commission, Board of Zoning, Police Advisory Board, Police Liaison, Park and Recreation and Park Liaison remain the same with the exception of Al Gushrowski, whom is stepping down from the plan commission. Mr. Warren Schacht, Council President took a moment to thank Mr. Gushrowski for his service to the community and to the board.

A motion was made by Mr. Bayler to appoint Warren Schacht as Council President and Jennifer Heath as Vice President of Council to the Town of Trail Creek for the year 2016, motion was seconded by Mr. Studtman and was then unanimously carried .

**Public Comment:** Mr. Dean Chapman, 106 Penny Lane in attendance to express concern over a letter he received regarding an ordinance violation due to a trailer that is parked in the town right of way. After a lengthy conversation by council, Mr. Chapman and Mr. Bill Herrbach, Town Attorney it was decided that the trailer must be moved and if it is not moved in a timely manner it is considered a violation.

**Clerk-Treasurer's Comment:** Ms. Denham, reports that things are going well. Next month there will be a resolution as part of the cleanup for 2015 appropriations and that the annual report will be submitted into gateway in February 2016. Lastly, the training for the new website will be scheduled at some point after the New Year. However, until the training is complete the website developer will continue to update as necessary.

**Council Comment:** Mr. Bayler, Council Member indicated that he would like to see the town hall bought into this decade, by making it safe. Council agreed that hopefully we can make this happen for 2016. Council would like to wish everyone a happy and healthy holiday season.

There being no further business a motion was made by Mr. Studtman to adjourn the meeting at 8:35 p.m.; motion was seconded by Mr. Silcox and was then unanimously carried.

**APPROVED:** \_\_\_\_\_

**Warren Schacht, Council President**

**ATTEST:** \_\_\_\_\_

**Joshleen M. Denham, Clerk-Treasurer**  
**January 19, 2015**