

Trafalgar Town Council

February 25, 2016

Jeff opened the meeting at 7:00p.m.

Roll was taken. Jeff Eisenmenger, David Moore, Steve Scott, Jason Ramey, Betty Davis and Danny Paul filling in for Town Attorney Bill Barrett.

Betty Davis led the Pledge of Allegiance.

Wastewater Credits/Utility Office: Nothing to report.

New Business:

Review minutes from Town Council Meeting January 21, 2016, Jeff made a motion to accept the January 21st meeting minutes as written, Betty 2nd. All in favor. Motion passed 5-0.

Mike Wood – Touch Me Not Carwash was absent from the meeting.

Park Project - Betty Davis introduced John Lester, Lester Recreation Designs. Mr. Lester passed out a presentation introducing guidelines and standards for Public Playground Safety. To establish a playground you need to look at why and how you do it. The Federal Government as with most states has established guidelines for Standard Consumer Safety & Performance Specification for Playground Equipment for Public Use. Mr. Lester looked at the playground equipment behind the school for the new park. He said the value of the equipment was in the range of \$25,000-\$30,000 and the equipment was probably 10-15 years old, there was some damage to a couple pieces of the equipment but the equipment is not bad. On his flash drive he mentioned that there are names of sources to purchase Public Playground Equipment from. He provided us with a copy of the Consumer Product Safety Commission (CPCS) on a flash drive. He suggested that we use a Company to remove and relocate the existing equipment. The cost to hire a Company to do this would be in the range of \$8,000-\$10,000 and to have a reputable Company move the equipment. He suggested that we have a group that will look at the proposed area and the placement of the equipment. Jeff mentioned that Mr. Woodke last year made reference to the school donating equipment to the Town, but a firm answer from the school has not been received.

Town Council Monthly Meeting's - Jeff Eisenmenger brought up changing the Town Council monthly meeting to the 3rd. Thursday of the Month, currently it is the Thursday following the 3rd. Monday. Steve made a motion to establish the 3rd Thursday of the Month as the Town

Council Meeting. Jeff 2nd. All in favor. Motion passed 5-0, this will take effect in March. Donna will provide the Daily Journal with the new schedule to publish.

2011 Payroll Dispute Kellie Anderson- Kellie presented the Town Council with her 2011 payroll concern. She provided the Council with her statement and copies of 2 employee's time sheets and was present if anyone had questions. Jeff said he had not investigated this but the Town Attorney's had so he would turn this over to Danny Paul who is sitting in for Bill Barrett. We reviewed this but had not seen any of the source documents respect to the wage claim but from the legal side a wage claim typically has to be brought up within 2 years. This does not prevent the Council from choosing one path or another with respect to Mrs. Anderson's claim. Given the time frame involved and the fact the issue is 4 years old this would create an accounting issue, and Mr. Paul would recommend going to the SBOA on how to pay the claim if the Town Council chooses to pay Mrs. Anderson, from a legal standpoint the limitations would be 2 years. Mrs. Anderson said it was brought forth to the State of Indiana in 2012, and that a note would be put in the file for the next Town audit. Steve brought up that the Town was audited last year and that this issue was brought up and that the auditor felt looking at the Town's record's that Mrs. Anderson was not due the money. Steve said that the State Auditor was going off of 26 pay periods and that is what was paid. Steve suggested that Kellie get back with the SBOA. Kellie asks that someone supply her with a number. Donna will give Kellie that information on Friday.

Old Business:

Recycling Containers- Jason Ramey contacted the Solid Waste Management; the containers were removed at the request of the property owner. Looking for a better site for the containers we defiantly need to find public property so we don't run into a similar type of issue in the future. Nothing currently would be accessible for the containers, one of the ideas Mr. Ramey would have and this would be looking out at a year or two would be working with the Fire Department District Board. They are going to build a new firehouse in the future, and they will have an area in the parking lot, but again this would be a preliminary plan and it would be a year or two out.

Indian Creek Elementary School Building - Jeff has supplied everyone with the utility billing report from the School Administration, it would be a comparison from 2013-2015. Jason Ramey said the average of the utilities was about \$76,000.00 a year and although we wouldn't have the same usage that we would not want that handed to us because he did not think that would be feasible or affordable. Mr. Ramey suggested putting thought into keeping and maintaining the gym section as a Community Center.

Jeff Eisenmenger mentioned that the center building was built in 1986 and he did not see how that could not be efficient. Jeff thought the building would be great for a Town Hall and Police Department; it would have much more parking. Also, we are the only Town around that does not have Senior Citizen's Center's which could also be accommodated there and it would be a wonderful resource for the Town.

Steve Scott suggested that we continue to let the School take care of the building in the hopes that another school would come in, possibly a Private or Charter School, then when it gets a little closer to the end maybe we could work out some kind of a deal to get the school to tear down the old part the unusable part and try and keep the middle building and gym, but as of right now we really can't do anything. Steve said the school had to maintain it for 2 years after they move out. Judy Misiniec said they would have to maintain it for 2 years unless they gave it to the Town Trustee. Judy said if it was turned over to the Town Trustee she did not know what they would do with it.

Judy suggested that the best thing would be to have a conversation between both the Town Council and School Board to talk about whether it's a viable option or not. Judy had spoken with Dr. Edsel and he wanted her to ask if the Council would like to meet with the School Board, Hensley Township Trustee and their lawyers to discuss this openly and answer any questions and make decisions from that. Then if it was decided that the Town was not interested and the Trustee is not interested then the School would move forward from there.

David Moore wanted to say something about the Charter School that Steve referenced, that everyone needed to take a look at the areas where the Charter Schools were at and that usually they were in areas because of a failing Schools. Judy agreed and said there was a big difference between a Charter School and a Parochial or Private School; she said it would have to be a Charter School that would take it before the 2 years were up. David said when Charter Schools come into an area it is because the school system is substandard. He ask Judy what our rating was, Judy said our school system was an A rating. Judy mentioned that a Religious School could not go in before the 2 years are up. Judy said she thought that some people thought that some of the Church's would maybe put together a school and that does not meet the criteria that is been set by the State. Judy said that Jeff and Dr. Edsel could put together a meeting so both Boards could meet and discuss things and go from there. Jeff agreed and said we need to do research and have discussions before closing doors on the proposal, Betty Davis also agreed.

Update on letter regarding Ordinance Violation – 601 Park St. Wendy provided Jeff with a copy of the letter that was sent out. No update after the letter was sent.

Update on yellow house on Main St. Ordinance Violation – Danny Paul will give update. The owners of the property will have the right to appeal at the March Council Meeting to give their

side of the story if they are so inclined. Mr. Paul said that property is under negotiations for a sale. Jeff Eisenmenger said he was in the process of buying the property. He said if the sale went through he would be bulldozing it all over. Danny Paul said the lawsuit is ready to go due to the violation if needed. A sale of the property would be the most effective means by far of the property. Jeff asks if anyone had any questions or concerns regarding the property, there were none. Steve Scott suggested that we continue with the legal process that way if the sale did not go through then there would be no time wasted. Jason Ramey also agreed to move on with the lawsuit.

Planning Commission & BZA – Lee Rogers said he has not seen the minutes but did not think there was anything to report. The Dentist office permit has been approved but they have not picked it up. AngelCare did pick up their permit.

Board of Metropolitan Police Commissioners – David Moore wanted to propose filling the vacant spot on the Board with Tyler Church; David feels the Town needs the participation of younger people on the Town Boards to get younger people in the Community involved. The younger people in the Town are also voters in the Community and we want to involve them. Tyler works full time and goes to college and has lived in the Community his whole life. David wanted to nominate Tyler Church for vacant seat. Jason Ramey also wanted to add that he had asked around about filling that position as well and in his neighborhood there is a gentleman that has lived in the Community a little over 5 years and does have a Public Safety background, which can be or cannot be beneficial to that seat, Todd Bridges is a full time Fireman for the City of Franklin, he has a wife and 2 children and is involved in the school and Mr. Bridges is interested as well. Betty Davis thought it was wonderful that there are 2 people interested in the position. Betty suggested that it comes down to who has the time and who is available to fill the position. Steve Scott suggested that we invite both to the next meeting and they could tell us a little about themselves this way Jeff Eisenmenger would be able to interview them both.

Water/Wastewater Treatment Plant – Lee Rogers would like to update the chart we currently have on water usage for the hook-up fees working with our Engineers. The current chart is about 20 years old. We need to standardize it so when we have new business development we are not going back and forth trying to calculate new data. This just recently happened with the new Dental office and also the AngelCare facility. Jeff mentioned we have 4 or 5 new places coming into Town so this is something that needs to be updated.

Lee checked into the price of the light for Tower Street & 252, it would run around \$4000.00, which is an estimate REMC came up with. The monthly fee would be \$17.55. David Moore said we defiantly need a light there. Lee said he would get with Donna and look at the budget.

Jeff also said the light was extremely needed and to check the budget and see where we could come up with the money.

Lee also said the site visit was today Feb. 25 for the Planning Grant so we will be moving forward on that. We need approximately 55 more income surveys, but everything else is moving smoothly.

Lee also would like to see the information that Mr. Lester left to also get moving forward on the park plans. Jeff suggested that the Council hold a special meeting on the park planning. Jason Ramey mentioned one of the things was the cost of equipment for the park, and the Johnson County Community Foundation has opened up their Grants again for this coming year. They look at how it would fundamental change your Town, and with this being the first park for the Town that would put it very high on the scale. This is not a matching Grant it is free money, what we have to do is get a letter of intent sent in by March 4th, and with that there is some financial information that would be needed. Mr. Ramey said he would work with Donna to submit the letter of intent.

Lee also wanted to bring up the mini excavator that we purchased at the end of 2015, we put down 2015 money on the balance and they gave us 60 days to pay it off. The payoff is \$18,324.27 and my suggestion is that we split that 3 ways General, Water & Wastewater. Jason Ramey made a motion to pay off the mini excavator. Jeff Eisenmenger 2nd. All in favor. Motion passed 5-0.

Betty Davis is still concerned about not putting in restrooms for the park area, Jeff mentioned that the restrooms was not totally out of the question and that it was going to be revisited. Jason suggested that the cost of restrooms would probably be rather high and maybe this could be something for a second phase of the project since so much work has already been put in place. Port O Pots could be used until a final decision was made on the permanent restrooms. Danny Paul suggested that there are parks around where the cost of use and development could be gathered from. Jason said the CAD plan would be available for the March meeting, and that they ask them to walk it off and get true measurements, they took pictures from several angles. They will do from a computerized drawing giving us the demission's, putting in shelter houses, grills, basketball court and landscaping and then we can move those around however we would want.

A resident Phil Hubbard was concerned about the noise of the park, David mention that it would be fenced in would have hours of operation. Mr. Hubbard suggested that he purchase part of the park property that is by his area, or maybe do a land swap with the Town. Jeff said Mr. Hubbard could have a few minutes to draw out his proposal. Steve Scott wanted to ask Danny Paul if the property was donated to the Town then would the Town be able to sell it.

Mr. Paul said it would depend on the terms of the donation. There could be restrictive covenants with respect to the donation. Mr. Hubbard drew his proposal on the board. Jason Ramey suggested that he make the proposal with accurate to scale drawings with side by side comparison and bring those back to the Council with the different options. Jeff told Mr. Hubbard to make sure he called the Town to get on the March agenda.

Police – Charles Roberts reported that Officer Clint Abbott graduated from the Academy with a 94.8 GPA, and he met and exceeded his expectations.

The first of the Year County changed their schedule and the Officer who worked on a rotation moved to a different rotation so I had no one to cover night shift. The Merit Board gave approval to hire Jason Wools; he is currently a Johnson County Deputy with 6 years as a paid Part-Time Officer on the Department. He will be working on an as-needed basis.

The 911 Board of Johnson County is no longer paying for our radios or computers or maintenance and upkeep on the laptop computers in the vehicles. I have a copy of a quote from VIA, it would be \$15.00 a month per computer; we have a total of 8 computers for the Police Department. They gave a quote for 11 computers, which would be for all the computers the Town owns. This would be for technical support. I would like approval to continue with them since they know our equipment. I have \$4100.00 in the line item machinery and equipment budget. It was determined that VIA would just give the technical support for the 8 computers for the Police and the Town would maintain Roadrunner for the other 3 computers. Jeff made a motion for the Police Department to use VIA for their 8 computers; the money would be coming from the Appropriation Account item no. 101001441.000 Machinery and Equipment. Jason 2nd. All in favor. Motion passed 5-0.

There is a Company called Buy Crash, they will distribute the accident reports and for every report they pay the Town \$8.00, they sell the reports for \$12.00-\$15.00. If someone wants a report they go to Buy Crash.com. There is contract to sign with Buy Crash. Danny Paul suggested the contract be reviewed by the Board of Metropolitan Police and Attorney.

The 2015 Durango currently has a payoff of \$7709.11 as of today, I reviewed my budget and I have enough money coming from the CCD Fund 402, Appropriation Account item no. 402001450.000 to pay the loan off. Jeff made a motion to pay off the 2015 Durango from the CCD Fund 402, item no. 402001450.000 in the amount of \$7709.11. Steve 2nd. All in favor. Motion passed 5-0.

That brings that line item down to approximately \$18144.00; I would like to have permission to look for a new police vehicle. On the sheet I handed out it has a list of the vehicles and the mileage for each. I would like to purchase this vehicle for Lee Britt. Lee's vehicle currently has 106,872 miles. Charles said there was money put in the Budget this year for a new vehicle.

Jason Ramey thought the vehicles have been well maintained and this vehicle is probably overdue for a new vehicle and to get pricing and bring back to the Board. Jeff suggested that we wait; we have 5 vehicles and 4 drivers. David Moore said he did agree with Jason that he also thought Charles should get pricing and bring back to the Board. Jason made a motion for Charles to bring back pricing on replacing Lee Britt's vehicle. Steve 2nd. In favor, Jason Ramey, Steve Scott, David Moore, Betty Davis. Opposed, Jeff Eisenmenger. Motion passed 4-0.

The police are still walking through the halls of the schools just about every day, the Elementary School gave Officer Rather and Officer Brody cards thanking Doug for bringing Brody into their classrooms.

Jason Ramey would like to do some riding with the Officers; he would like to find out what would be needed to ride with the Officers. Danny Paul said Mr. Ramey would need to sign a waiver.

Clerk Treasurer – Donna Moore

The minutes from the January 21st Meeting will be passed around to sign and also the payable voucher for signatures. Also, passed out were copies of the Appropriation Report with the new 2016 approved Budget amounts, and the 2016 Budget Order. There were 3 Fund items that were decreased, 0061 Rainy Day, 2379 CCI and 2391 CCD so those changes were made on the 2016 Revenue Accounts.

For our Town web page we need to have updated photos since we have a new Officer and new Board Members, I will need the name of the person who was used in the past. Jason said he would give me the number for Julie who did this before.

The Town Records currently being stored downstairs and in the hallway need to be archived. I have left a message for the Indiana State Records Center to find out about moving some of the inactive records. The retention period on a lot of the records are permanent, and they probably should be moved to a more secure location. If something ever happen to the building all of the Town's records could be lost. The records that are kept should be in a secure area.

Attorney – Danny Paul, there are two items I would like to bring up, Bill had mentioned that the Town had some questions whether or not with respect to the Park Project that Kentucky St. could be via an Ordinance closed off and the answer is yes. The second issue is I don't think the RDC needs to be convened next month as based upon the report that was given because the Appropriation is not ready yet. In regards to the employment records that were copied that is an issue because not all of the records being stored are subject to disclosure and I would recommend if nothing else perhaps a lock on the door until a more permanent solution is

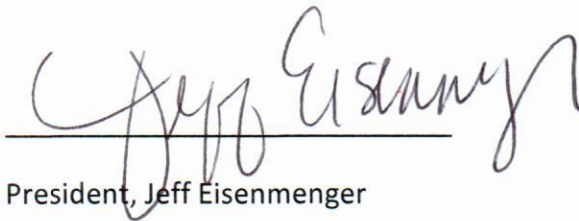
found. The records that Mrs. Anderson made copies of are probably records she should not have had.

Jeff opened the meeting to the Town - Mr. Hubbard wondered if the Town had a leash law. It was mentioned that the County has a leash law. He also wondered if the Town had any Ordinance banning people from walking their dogs and them going to the bathroom in your yard. Jason Ramey said he was not aware of any law preventing this from happening.

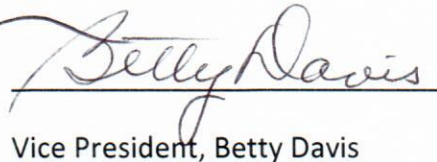
David wanted to remind Jason about sending out emails to the entire Council, when he responded to the email that Jason had sent out, Jeff said Bill was going to address at the next meeting because you can't send mass emails to the entire Council body because that's illegal, it would be considered a meeting and meetings have to be publicized and announced in the paper. Danny Paul said it was an open door law.

Adjourn

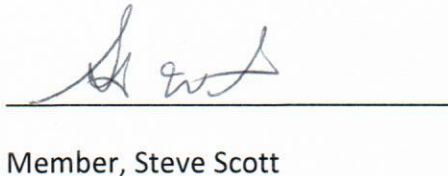
Jeff made a motion to adjourn the Trafalgar Town Council Meeting at 9:00p.m, David 2nd. All in favor. Motion passed 5-0.



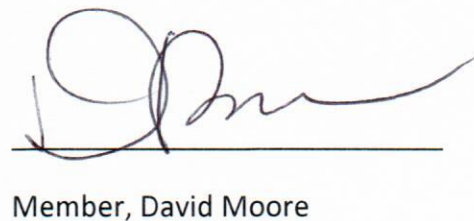
President, Jeff Eisenmenger



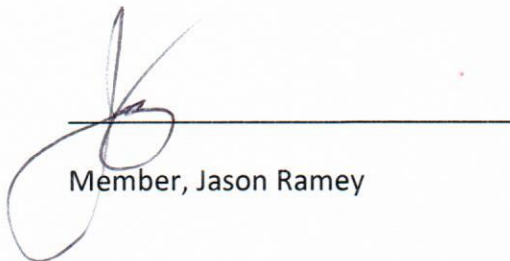
Vice President, Betty Davis



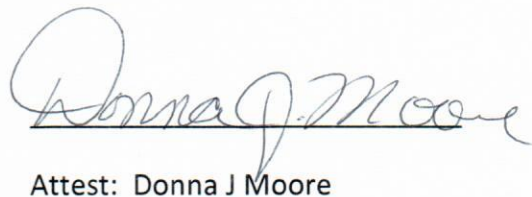
Member, Steve Scott



Member, David Moore



Member, Jason Ramey



Attest: Donna J Moore