

## **Trafalgar Town Council**

**March 17, 2016**

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

Roll was taken. Jeff Eisenmenger, David Moore, Steve Scott, Jason Ramey, Betty Davis, Donna Moore Clerk Treasurer and 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 February 25, 2016 and also the December 31, 2015 minutes, Jeff made a motion to accept the December 31<sup>st</sup> meeting minutes as written, Betty 2<sup>nd</sup>. All in favor. Motion passed 5-0. Jeff made a motion to accept the February 25<sup>th</sup> meeting minutes as written, David 2<sup>nd</sup>. All in Favor. Motion passed 5-0.

**Amanda Arnold** – Contact form inquiry Crest Ridge Estates. Resident wanted to find out if there were any regulations on having backyard chickens. Jeff said there was a Town Ordinance against farm animals inside the city limits. Donna said this would probably be in the covenant of the HOA for Crest Ridge. Donna will let Ms. Arnold know to check with her HOA.

**Cyber Liability** – David Moore presented a copy of a Cyber Liability and Privacy Coverage Application to cover the Town for liability claims. David has spoken with Kevin Parks, since cyber hacking is increasing popular with large Companies like Target, Walmart. The policy would cover our Town if the systems were hacked and utility customer information or employee information was stolen. The policies are for \$1M and \$2M coverage. It would cover checking credit reports for the customer/employee for a period of time. The \$1M policy is \$1,553.00 annually and the \$2M policy is \$2,019.00 annually. It would cover all of the Town's computers. Betty wanted to know if systems are hacked do they also destroy information. David mentioned that a virus or "worms" could be used to destroy systems. Also, David inquired about insurance for the Elementary School, the current Town Hall has \$700,000 liability, and Kevin thinks it would be relatively similar to the annual coverage amounts we currently have. Jeff asks if any of the other members had any other question regarding the cyber liability. Jason Ramey said that he would agree that the cyber liability coverage would probably be a good idea and that the \$1M coverage should be sufficient. Bill Barrett said there was a cap of \$700,000 for liability claims. Jeff also agreed, he asks if the water utilities collected



social security numbers. Wendy said this was not on the application any longer. David mentioned that Charles may have information with social security numbers on the Police computers. Jeff asks if the Town Council would like to purchase the \$1M policy for coverage. Steve Scott wanted to get a couple more quotes. Betty wanted to know what the policy covered. Bill said it would cover the cost of required notices to the individuals who may have information that was hacked and liability in case of being sued. Jeff asks Mr. Parks to give a brief synopsis of the Cyber Liability to the Town Council. Mr. Parks said Cyber Liability is becoming a big issue. Basically if the systems were compromised and get into the wrong hands there is a market for that information and someone's personal credit can be damaged so that is what the cyber security coverage is for. It would assist in hiring a Company to come in and help clean the matter up and provide some type of credit monitoring to customers or employees. This is becoming more popular with Companies information be compromised. Steve suggested that Donna look at the budget and see where the money could come from for the cyber coverage expense. Jason stated that since the Town had there other coverage with Mr. Parks that it would make since to add the additional coverage with him as well. Donna will check the budget for the cost to be split 3 ways general, wastewater & water. This will be tabled for the April 21<sup>st</sup> meeting.

**Park and Surrounding Property Phil Hubbard** – Mr. Hubbard has the actual plans for Pearl St. that is right in front of his building, he has an issue with the property adjoining. There is a 17 ft. access that you can drive in, what the contractor told him was that an access was not going to be installed and that parking would be allowed in front of his property. He said the original plans did not show the parking and Jeff agreed and said the plans were revised and approved last year. Mr. Hubbard wanted to know who was paying the extra for the parking. David stated the Town was paying for the project with grant money. Jason said that this is something he would like to know more about but that Mr. Hubbard was on the agenda for the park and surrounding property and this is the topic that should be discussed. Jeff stated that there was an Ordinance that allowed street parking and that's reason for the street parking in front of Mr. Hubbard's building.

Mr. Hubbard presented a map of the property in question. Mr. Hubbard said the piece of property was .021 of an acre, and that the fence for the park would be against his property and he would not like that. He would like to offer to purchase this piece of ground, the tax dollar is \$800.00 and he would offer \$1000.00. This would be option 1. Option 2 would be trading the Town a piece of ground that he owns for a piece of ground that will be the Trafalgar Park including the building the Town owns on that property for \$20,000.00. Jason stated that he is aware that there is a process that has to take place, that it has to be advertised and that you cannot take no less than 90% of 3 estimates. There is a municipal process that would have to be followed and once that is done everyone would have a viable option to purchase that



property, so regardless of what would happen you could be out bid on the property. Bill stated that the Legislator requires that public owned property be disposed of in a way that's fair and open and honest to the taxpayers. Steve suggested that Mr. Hubbard get an estimate on his piece of property and then if the Town agreed they would go through the process of listing the piece of ground by the park owned by the Town. Bill suggested that it be made with one contingent on the other. Steve suggested that Mr. Hubbard compose a letter with his offer then the Town Council would discuss it and see if they wanted to proceed with it. Jason stated what Mr. Hubbard wants to do is possible but there are certain procedures that have to be done to complete the process.

Steve stated that it was in the original plans to have an access to his property, and that it would only be losing 1 parking spot and he would agree to the access for Mr. Hubbard's property. Jason also agreed. Steve made a motion to put the access ramp in on Pearl St. so Mr. Hubbard would have access to his property. Jason 2<sup>nd</sup>. All in favor. Motion passed 4-1.

**Police Commission Board vacant position-** Jeff introduced Tyler Church and Todd Bridges. Tyler Church introduced himself and said he lived in the addition behind Floyd's. He has lived in the Community his entire life and believes that a younger generation should also be involved in the Community to possibly bring forth better ideas and discussion, and this was the reason he would like to be a member of the Police Commission Board. Jeff agreed that getting younger people involved in the Community was a great idea. Tyler stated he was employed at the CVS warehouse in Indianapolis full time and attends Ivy Tech part-time pursuing an IT degree. Jeff introduced Todd Bridges. Todd Bridges introduced himself and said he has lived in Town about 10 years in the Spring Lake addition; he's married and has 2 children. He's employed by the City of Franklin Fire Department and has been there 10 years. He attended Ivy Tech and graduated in 2003 with a degree in Public Safety. He has been involved in some hiring and promotional type of things in Franklin. He thought the Commission aspect was fairly similar with the Fire Department and Police. He has a good working relationship with some of the Police Officers in Franklin. He would like to become more involved in the government aspect of the Community. Jeff opened the discussion up to the Council to see if anyone had any question for Tyler Church or Todd Bridges. Jeff asks if the Board would like to make a decision or if they would like to have time to consider both candidates and make a decision at the next meeting. Steve suggested waiting until the April 21<sup>st</sup> meeting. Jeff said there was probably placement for both individuals to serve because of having vacancies on other Boards. Jeff acknowledged both Tyler and Todd for coming and introducing themselves to the Council.



## **Old Business:**

**Park Project** - Jeff asks Lee Rogers if there were any updates. Jason said he did receive a couple drawings back in regards to the design of the shelters, playground etc. but with Mr. Hubbard's proposal it would be useless until that decision was made. Lee suggested that construction start but leave the north end open for now until a decision was made on the piece of property Mr. Hubbard had proposed.

**Indian Creek Elementary School Building** - Kevin Parks has sent a letter to the Insurance Bureau to get an idea of what it would cost to insure the building. He suggested that there were 3 scenarios to look at for insurance purposes. First would be replacement value, second would be to have some type of agreed value this would be something the Council would need to discuss. Third would be market value cost. Mr. Parks suggested that some type of agreed value would be the best option. Mr. Parks said the gymnasium was in good condition there was some issues with water in the locker room. The middle section of the building is probably what would be used as the Town Hall and was completed in 1986 that section is probably not in very bad shape. The third section of the building was built in approximately 1957 and that's probably where a lot of the problems are with the building. Betty asks what the liability would run on the property; Mr. Parks said there would not be much cost involved in that. Judy Misiniec suggested that the first approach should start with Beth Baird the Hensley Township Trustee. Ms. Baird would have to agree to take over the building then give it to the Town of Trafalgar. Judy said before tours or any other steps were taken Ms. Baird would need to be approached to see if she would consider this. Mr. Parks stated that some people might be under the impression that a Charter School could come in and take possession but what Dr. Edsel told the School Board is that to his knowledge there were no Charter Schools in Indiana in rural areas. David asks Kevin about the water issue he was referring to in back of the gymnasium. Kevin said it was probably due to the drainage with it being in the basement.

**Planning Commission & BZA** – Lee Rogers said they had went through some of the Town's Ordinance's in regards to some of the new businesses coming and they did not see any major issues. There were a couple of building permits ready to pick up, one for the Spring Lake Addition and one for the dentist office. Lee mentioned that Donna has received an application in the mail and it appears to be a 120 ft. pole by the Crowbar and Apartment believed to have some type of Communications satellite on it, for farm equipment GPS but they were going to get more information on exactly what it was.

**Board of Metropolitan Police Commissioners** – Next Meeting was on April 6, 2016.

**Water/Wastewater Treatment Plant and Street Commission** – Lee Rogers said that currently the construction project was around \$46,000 over budget, most of that was the sub-grade prep



on the road where it did not pass. So, we need to look at our avenues where we are going to pay this from because they will be submitting final payment in April. There could be around \$5,000 in over run on the existing sidewalk in front of the Lords Locker and the property at Pleasant and Pearl.

**Police** – Charles Roberts stated they had received the bullet proof vest that was paid for last year. Clint Abbott graduated from the Academy and is doing very well. Charles asks if Bill had a chance to review the contract from Buy Crash.com, Bill had not. Charles had priced new vehicles 2016 models. The 2016 Dodge Durango was \$28,593.00 and the 2016 Ford Explorer was \$28,298.00. The officer would rather have the Durango. It is approximately \$400.00 for the Police decals. Jason Ramey made a motion to purchase the 2016 Dodge Durango for the \$28,593.00. Steve 2<sup>nd</sup>. All in favor. Motion passed 5-0. Bill wanted to also mention that a House Bill 1019 was passed on Police body cameras but the Governor had not signed it yet.

**Clerk Treasurer** – Donna Moore

The Town Council minutes from the February 25th meeting and the minutes from the December 31, 2015 meeting will be passed around to sign and the payable vouchers. There are also two invoices for approval, Williams Barrett & Wilkowski for \$6163.89 and SRF wastewater treatment payment for \$127,800.00. The motion was made to approve the invoice from Williams Barrett & Wilkowski for \$6163.89. David 2<sup>nd</sup>. All in favor. Motion passed 5-0. The motion was made to approve the invoice from SRF for \$127,800.00. David 2<sup>nd</sup>. All in favor. Motion passed 5-0.

Everyone was also provide with a quote from DialMyCalls, this is a Community Broadcast System to notify the resident's if needed for water breaks, lost children, silver alerts etc. This might be something the Town would be interested in. Jeff asks if the Council would like to review and discuss this at the next meeting. All agreed.

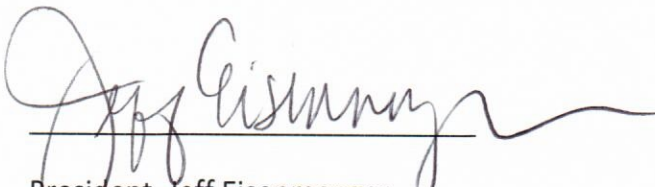
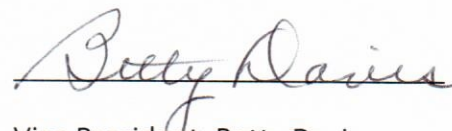

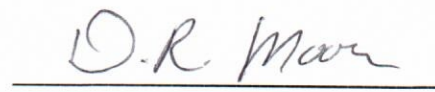
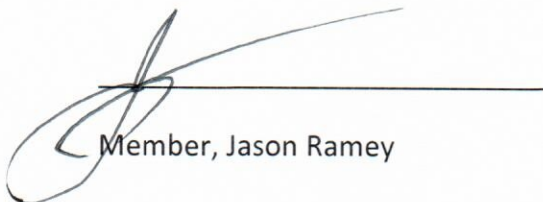
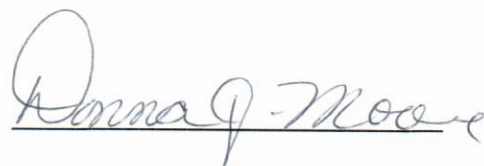
Donna asks if the Town Ordinance's that American Legal arranged in a systematic form were approved by the Council. Jeff said they were approved by the Board. Jeff said our prior Town Attorney did make corrections and sent them to American Legal to update. American Legal will do updates annually and also process the documents for publication to the Town's web page. Bill stated that they had gone to the expense of codification of the Ordinances and it should be maintained by this Company. Jeff asks for Donna to get the cost information to update and process for the publication to the web page.

**Attorney** – Bill would like to discuss the property at 301 Pearl St. and that Jeff is potentially involved in purchasing the property, so Jeff will be withdrawn from the discussions. Betty will be acting in place. There are two tracks to this property, one of which is administrative where we are seeking to have the property declared an unsafe building, under the unsafe building

Ordinance which gives the property owner due process for a hearing. That hearing is scheduled for next week March 24<sup>th</sup>. The second is we have filed a common law nuisance claim which gives the ability to have a Judge in force the Ordinance. The question now that it's filed for the 4 Council members excluding Jeff is how hard to press forward at this point. Steve asks if Jeff had a closing date at this time, Jeff said he did not. We will pursue on the litigation side if we don't get an answer from them. The other option is putting it on the calendar for the April 21<sup>st</sup> meeting. Everyone agreed to have the meeting on Thursday March 24<sup>th</sup>. David Parsley will also attend the meeting. If we are meeting next week then we should also schedule an RDC meeting at 6:45 pm for the Clerk Treasurer to give the 2015 Financial Report.

### Adjourn

Jeff made a motion to adjourn the Trafalgar Town Council Meeting at 8:55pm, David 2<sup>nd</sup>. All in favor. Motion passed 5-0.

  
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President, Jeff Eisenmenger  
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Vice President, Betty Davis  
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Member, Steve Scott  
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Member, David Moore  
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Member, Jason Ramey  
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Attest: Donna J Moore