

**Trafalgar Town Council
Meeting Minutes
August 18, 2016**

Jeff opened the meeting at 7:04 p.m.

Roll was taken. Jeff Eisenmenger - President, Betty Davis - Vice President, Jason Ramey, David Moore, Steve Scott - Absent, Donna Moore - Clerk Treasurer and Town Attorney Bill Barrett.

Betty Davis led the Pledge of Allegiance.

Wastewater Credits/Utility Office: No credits to report for this month.

New Business:

Review and approve the minutes from Town Council Meeting for July 21, 2016, Jeff made a motion to accept and approve the Trafalgar Town Council Minutes from July 21, 2016, Betty 2nd. All in favor. Motion passed 4-0.

Kristie Jerrell, Jerrell Consulting - Kristie reviewed the Grant application for the Water/Wastewater Planning Study. This will identify problems and or issues and how those can be addressed, including cost estimates and recommendations. The funds come from Housing and Urban Development. We are asking for a Grant in the amount of \$45,000, and the Town is putting up \$4,000 for Local Match which will be coming from Water/Wastewater funds.

With the current IOCRA Stormwater Project we are expecting completion next week. The total project cost was \$580,000; IOCRA Grant Funds were \$500,000 with Local Match of \$80,000. There was a change order submitted which Lee stated was due to contaminated soil, which added about \$110,416.40 to the project. So at the end of the project the Town will actually be committing \$227,862.

Kristie also discussed future Grant opportunities for the Community. There is a Park Planning Study Grant through IOCRA which would also open the door for the Town to also apply for Indiana Department of Natural Resource Grants. This is a non-competitive grant and you can apply anytime. It would be a \$20,000 Grant with \$4,000 Local Match.

The Grant possibilities for the Old School Building for a Town Hall/Community Center are 1.) IOCRA has a Competitive Grant. There are 2 rounds per year (June and October). This year only 1 person put it for the round. The amount was \$400,000 but they are rising the amount to \$500,000 in Grant money with 10% Local Match. 2.) USDA Rural Development has a

Community Facilities Program and is mainly a 40-year Low Interest Loan Program. Both the IOCRA Grant and UDSA RD Loan could be combined for the School Building Project.

There is also a program through IOCRA for the new Fire Station. The Grant would be in the amount of \$400,000 to \$500,000. The Town could be the lead applicant and the Fire Station would be the sub-recipient. There are also 2 rounds per year (June and October).

Also, your Community is not listed on the Indiana Main Street Community. Once you are in Indiana Main Street Community it opens you up for many Grants such as: Downtown Enhancement, Main Street Revitalization, and Historic Renovation.

A Grant Opportunity for Owner-Occupied Rehabilitation through IHCD is also a Competitive Grant, there is 1 round each year and applications are due July 1. It would be up to \$300,000 in CDBG Grant dollars with 10% Local Match from the Town. The purpose of the CDBG program is to provide habitable and affordable housing as well as economic opportunities for low and moderate income. Minor repairs which can include, but are not limited to, an inoperable or faulty furnace, leaking roof, unsafe electrical wiring and plumbing, hazardous structural conditions, etc.

David thought it would be a good idea to have an Executive Board Meeting to discuss the opportunities the Town would have with the various Grant possibilities.

Mike Wood - was not present. Bill mentioned the question of water meter size which is something that is committed to your discretion. The issue in addressing a request is whether your decision is based on something that is arbitrary or might be said to be discriminatory. No action should not be taken at tonight's meeting. Next month we are trying to get Sue Haas from London Witte to walk through the survey to talk about the effect of the revenue of the change. Because of the outstanding Bond issues, the Bond was done with current meter size in place, which would also need to be factored in.

Jeffery Kondy -CKW Land Surveying, Paul Maurer- Maurer Surveying – Land Survey Issue

Mr. Kondy was hired by Mr. Hubbard to stake the property he owns in downtown Trafalgar. The results I've come up with are: The plat doesn't match the physical ground. Paul Maurer with Maurer Surveying representing the Town of Trafalgar was also present. Mr. Maurer said the plats are from the 1850's which does not fit with the physical locations of the roads. Mr. Maurer presented several exhibits to the Town Council. The first exhibit shows the railroad right-a-way which is from 1853. Mr. Maurer said both him and Mr. Kondy have tried to tag down evidence to establish the entire block around Mr. Hubbard's property. Mr. Kondy said as a result of the survey the Town had done, Mr. Hubbard said he would have no access to his building. Upon Mr. Kondy's investigations he recovered a spike, which is exactly 76 feet from

the corner of the building, which is a 100 foot building and the plat shows 176 feet. Mr. Kondy said there are conflicting surveys which need to be resolved. Jeff disagreed with Mr. Kondy's statement that the Town's survey allowed no access to Mr. Hubbard's building; our survey does not go to his building so how would he not have access. Jeff said Mr. Hubbard has access to his building but does not have access to pull a car into his building, but has access to every side of his building. Mr. Kondy said yes, he has access but it does not allow vehicle access to a garage in his building that is correct. Mr. Kondy has not finalized his survey yet. His timeline was to finalize the survey and present it to the Town Council at the September 12 meeting. Mr. Maurer said if the dispute did go to Court a 3rd survey would need to be done.

Mr. Barrett responded regarding the railroad issue in which Mr. Maurer was partially correct on how the right-a-way was divided in the event the railroad abandons it. If the railroad is given right-a-way as opposed to a fee interest then it's divided up as you suggested. Our records would show that a fee interest that was conveyed which would be a fee interest back out to the Co-Op, a fee interest that was granted to the Co-Op more than 50 years ago. So there would be issues on statute of limitations, adverse possession, latches. And as both surveyors have suggested except by agreement by all affected land owners, a Judge would ultimately make that decision if no one agreed. David ask if any of the cornerstone's had been located. Both surveyors said they had not found any of the cornerstones. Neither surveyor's started from a found cornerstone. Mr. Kondy said non- existed that controlled the 3 plats in question.

Old Business:

Property at 202 E Ohio St. (Trailer) – Bill asks Dave Parsley if he had inspected the property, Mr. Parsley said there is no electric or water at the property. The underpinning is coming loose; there is also a window open. Donna said she had spoken to the owner and was told they are using the trailer as storage but did not elaborate on what was being stored. Bill said at this point it could be declared as an unsafe building under the Town's unsafe building Ordinance as a public safety hazard. Bill said his office would proceed with the administrative proceedings on the property. Jason made a motion to proceed with the unsafe/nuisance building Ordinance on the property at 202 E Ohio St. David 2nd. All in favor. Motion passed 4-0.

Indian Creek Elementary – Jason said he had been in contact with Mr. Barrett's office and he had received the information for 3 different firms that would handle the feasibility study. Jason said 2 of the three have contacted him with some dates they would be available, the end of August and the first of September to either meet at the site or here at the Town Hall. Jason said he would set up the meetings with the firms. David also would like to attend the meetings as well.

Charles also discussed Brody's age and that he was getting slower and spoke with Dr. Edsel about the possibility of writing another School Grant to assist us with another dog. Dr. Edsel said he would speak with Mr. Kline. The dog would be a kindergarten friendly dog like Brody just to track and check for drugs. This will be revisited by the Council.

Clerk Treasurer – Donna presented the new 2016-2017 Interlocal Cooperation Agreement between the Town of Trafalgar and Nineveh-Hensley-Jackson School Corporation for the bus detail. Both Jeff and Bill agreed they would like to review the document before signing; Donna will email the document to them to review. The Town Council will need to review and accept the July 21, 2016 Fund Report. Jason made a motion to accept the July 21, 2016 Fund Report. Jeff 2nd. All in favor. Motion passed 4-0.

Donna also passed out the 2017 Budget Estimate and the worksheets providing percentage increases. She would like any input that the Council members might have. Also, Donna sent out the Proposed 2017 Budget timetable to the Council members. The first public hearing will be September 15, 2016 at 6:30p.m.

Donna also wanted to bring up some issues she has been having with her computer, recently I have spent around \$400.00 on repairs. Mike Beldon said the computer was refurbished and is approximately 5 years old. Jason suggested with the importance of the Clerk-Treasurer work the computer should probably be replaced every couple of years. Donna will get estimates and present to the Council, cost associated with replacing her computer.

Attorney – Last month the Council passed on first reading the Ordinance 2016-001; Closing a portion of Kentucky St., tonight that is before the Council on second reading. Jeff made a motion to accept Ordinance 2016-001 Closing A Portion Of Kentucky St. And Repealing All Ordinances Or Parts Of Ordinances In Conflict Herewith. Betty 2nd. All in favor. Motion passed 4-0.

Last week Donna and I both received a lawsuit from Nebraska Alliance Reality Company and they are the people who bought at tax sale the old Thompson Grocery at 17 Trafalgar Sq. Once the period of redemption expires you may file a lawsuit to get clean title. When you do that you should serve everyone certified mail and the Town of Trafalgar did not receive such notice. This is probably only because the property is located in the Town of Trafalgar and the property could have liens. Bill will like the Council's approval to contact the attorney to find out if the Town has something involved in the lawsuit. The Council agreed to have Bill contact the attorney involved in the lawsuit.

Bill will send his invoice so the Council can look at it next month.

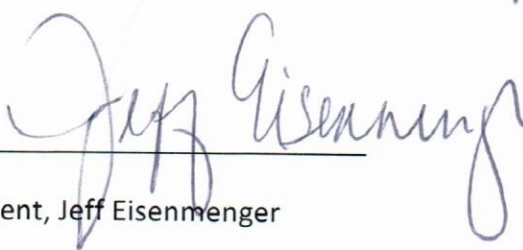
Open discussion

David brought up a resident that is piling up trash and burning the debris. The pictures he presented shows insulation and roll roofing as part of the debris. David has the Town Ordinance that states only limbs and untreated wood are allowed to be burned, which cannot be an open burn without a permit. David called 911 when he saw the pile being burned. The Fire Department came and did not extinguish the fire or check and see what was being burned. The Fire Department said the Police Department would have to be notified. Jason said that because the Trafalgar Fire Department was a second entity they could not enforce the Town Ordinances. Donna stated that the Fire Department was a Volunteer Fire Department and was not staffed 24/7, because of the number of open burning instances within the Town we should not allow open burning. Residents are burning items that is environmental hazardous and as a Community we should be concerned. Bill said the Police do have the authority to issue a fine, because it is a Town Ordinance violation. Charles said the Police were supposed to be dispatched with the Fire Department. Bill said there needs to be a better understanding of the policy's in place with the County 911.

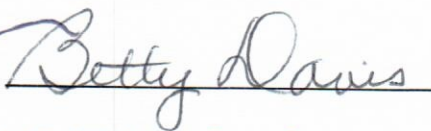
Many residents that burn do not have trash pickup. A resident ask if the Town had thought about having a trash pickup service for the Town. Donna would like to obtain bids from Rubbish Company's for a Town contract. Jason stated currently no one in Town was required to have trash service and he thought this idea would be beneficial, David also agreed.

Adjourn


Jeff made a motion to adjourn the Trafalgar Town Council Meeting at 9:12p.m., Jason 2nd. All in favor. Motion passed 4-0.



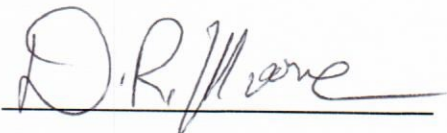
President, Jeff Eisenmenger



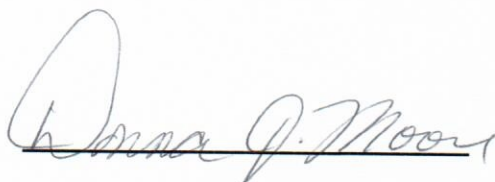
Vice President, Betty Davis



Member, Jason Ramey



Member, David Moore



Attest: Donna J Moore