

**Trafalgar Town Council
Meeting Minutes
October 20, 2016**

Jeff opened the meeting at 7:02 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 Budget Meeting for September 15, 2016, & Town Council Meeting for September 15, 2016. Jeff made a motion to accept and approve the Trafalgar Town Council Minutes from September 15, 2016, David 2nd. All in favor. Motion passed 4-0. Jeff made a motion to accept and approve the Trafalgar Budget Hearing Meeting Minutes from September 15, 2015, David 2nd. All in favor. Motion passed 4-0.

Old Business:

Unsafe Building Hearing for Property at 202 E Ohio St. (Trailer) – Ronda Herrell introduced herself as the owner of the property since 1979. Bill stated we are here for the Order that has been issued requiring action relative to the unsafe premise at 202 E Ohio. The findings that are related to that Order is that the property is in impaired structural condition, that make it unsafe to person(s) or property, a fire hazard, a hazard to the public health, a public nuisance, dangerous to a person or property because the condition of the property is not sealed against intrusion by unauthorized person's in the effects of weather, the property is a harborage and breeding ground for rats, mice, snakes and other vermin, the entrance steps to the property are rotted, and it's vacant and not maintained in a manner that will allow human habitation occupancy or use under the requirements of the equable law. The correction action that has been ordered by the Town is that the mobile home is to be removed; until the mobile home is removed it has to be sealed against intrusion by unauthorized people in the effects of weather and all rats, mice, snakes and other vermin in and about the property must be exterminated. All of this was to be accomplished within 30 days of the entry of the Order on September 16, 2016. What we are here for tonight is a hearing on this Order, for the Town to determine what it's going to do. Bill will now swear in David Parsley – Building Inspector and home owner Ronda Herrell.

David Parsley stated that when he checked the property because of the complaint, the wood steps and deck was not in very good shape, one window had only a screen in it, and the only hear say I have is that it is used for storage, the electric is not turned on, it appears it has started to deteriorate. Bill asks David if the trailer looked occupied as a residence. David stated no. He stated he had not gone inside the home because he would have permission from the home owner.

Ronda Herrell stated that originally Mr. McNeely deeded the property over to her mother and father, it was their garden. In 1979 she placed the mobile home on the property, the Town said it had to be permanent, so the axels were removed and it was tied down. The outside steps are not stable. We were having work down on our home on Pearl St, and the contractors were supposed to go remove the steps and the handicapped ramp. Mrs. Herrell stated she did not know this was the second time she had received a notice. The first notice was that the house had varmints and that the property needed mowed and that was the concern. She stated that her husband would mow the property every time he mowed their property. The property runs along the creek and it is wooded area. For years they have had trouble with raccoons. There is no food in the trailer; the trailer has been vacant since 2005. There is a refrigerator, stove, washer & dryer; it is used strictly for storage. It had been affected by the flood and I did not want to fix it up to rent out, there is mold in the trailer. Mrs. Herrell stated there is no windows broken, all windows all sealed, there are screens in the windows to let air in. She stated it was her choice if she wanted water to come in or not. The property is secured and locked. There is no electricity, water or sewer to the home. We had hoped to get the ramp and stairs removed. All of the skirting is back around the bottom of the trailer. Ms. Herrell has placed it on the Johnson County Garage Sale, the places on Facebook because anyone is welcome to the trailer to remove for scrape. There has been approximately 3 people look at the trailer, but because the axles are gone it decreased how much they get in scrape metal. Mrs. Herrell is open for suggestions. She stated she can get a dumpster to get the stairs removed. Jason asks what kind of content is in the trailer that would need to be relocated. Mrs. Herrell stated she would just need to get the things like the washer & dryer out, craft items. She stated she has no restrictions on the trailer being moved.

Jeff stated that possibly someone she knows could help her find someone to scrape the trailer, usually people are very willing to scrap those, and that she needs to investigate that a little more.

Bill stated as far as the issue tonight and the action options that the Council has, you can affirm Mr. Parsley's original order, you can modify Mr. Parsley's original order as to the findings of the condition of the property, or you can resend his order. In addition to the question if you uphold his Order, reaffirm or modify but still leave an Order in affect, then what's next, if you decide

you have a violation of the unsafe building Ordinance based on the facts that have been presented. Is the fact that the condition hasn't been reminded due to a willful refusal to follow the Order? Jeff stated that it appeared Mrs. Herrell was not opposed to removing the trailer and she had tried to contact a few people. Bill stated the trailer was supposed to have been removed 3 days ago. Jeff asks Mrs. Herrell is she is opposed to continue to try and find someone to remove the home? Mrs. Herrell stated no. Jeff stated that he proposes to give Mrs. Herrell a 30 days extension to try and find someone to remove the trailer from the property, and come back to the next Town Council Meeting November 17th. The Council said they would also try and help locate someone who would remove the trailer for scrap. Jeff made a motion to affirm all the facts that has been displayed tonight at the resident at 202 E Ohio St, also at this time give the property owner a 30 day extension to comply with the unsafe building Order hearing. Betty 2nd. All in favor. Motion passed 4-0. Bill wanted to clarify that the next meeting is November 17th which is 28 days.

Park Project – Lee stated the basketball court is finished; they have begun on the shelter houses today. Lee has not heard anything back from Paul Maurer regarding the survey.

Indian Creek Elementary School Building – Jason stated that Structure Point contacted him and they were one of the Companies that had not returned a feasibility study estimate, they said they do have one but their work load they could not handle this at the time, they have opted not to submit. Jeff asks Judy Misiniec if the School has been declared surplus, Judy stated no, probably within the next two months.

Employee Health Care – Jeff asks if anyone from the Council had anything about the healthcare. David stated because of the high rising cost of health care that a percentage paid by the employee should be looked at. Jeff stated he had spoken with Kevin Parks and he stated that we should remain with our current policy instead of changing and getting huge deductibles. Lee Rogers stated that before it be discussed that all employees should be at the meeting. Betty stated that today's insurance has elevated extremely and small businessmen have had to close or let people go because of the expense. Betty's research shows that most places are requiring employee's to pay a percentage, up until now the Town of Trafalgar has paid 100% minus \$1.00 a year paid by the employee. Betty stated that the Council had spoken about this issue 2 years ago and they were going to have to consider making a percentage be paid by the employee. Jason asks what the turnover rate is for the Town employees, Charles stated pretty low. Jason asks what the comparable salary for the jobs would be. Charles stated they were low. Jason was opposed to a dramatic change, if we have already budgeted health care for next year. Jeff stated that one reason was because of the healthcare increase, and the 2017 Budget has not been approved at this time. Charles suggested having another meeting when all employees could attend. Donna suggested that Kevin Parks should attend the

meeting. The October renewal for 2017 HealthCare is: Employee \$458.87, Employee & Child \$1,075.55, Employee & Spouse \$1095.52, Employee, Spouse & Child \$1659.63, total 2017 monthly premium \$11,492.20 from \$10,674.79. The 2017 renewal for the Dental remains the same: Employee \$40.00, Employee & Child \$80.62, Employee & Spouse & Child \$101.31, total monthly premium \$707.79. Each employee also receives \$3,000 a year for their Health Savings Account. Jeff stated that the Budget for 2017 is going to be cut approximately \$30,000. Betty suggested to do research on the healthcare and we also need to be prepared if our Budget is cut in 2017. Jeff stated that \$1.00 a year paid by the employee is unheard of and we have had increases yearly. The Council will revisit this at the November 17th meeting. Jeff suggested that the employees come to the next meeting to discuss and the Council would also like Kevin Parks to attend the meeting as well.

Wastewater/Water Treatment Plant and Street Commission- Lee stated the Planning Grant was approved. Lee has spoken with INDOT concerning the complaint from the October 20th meeting on no arrows at the intersection at the stop light. They have reviewed that and they are not going to install any more signs in the area. INDOT has been in conversation with the School regarding crosswalks. At this time there will not be a stop light installed at Pearl St. and SR 135. We are also going to try and get some paving in before the end of the year, bids have been solicited. There has to be a 7 days window in soliciting the bids and opening the bids, so if we would still like to budget something in then Donna & me can be appointed to open the bids. Jason made a motion to re-bid the paving project appointing Committee of Donna & Lee to open the bid and appointing Councilman Moore to receive and accept the bid that meets the requirements, Jeff 2nd. All in favor. Motion passed 4-0.

Police- Charles stated Karen has applied for the Grant for the radios, but we did not receive the Grant, she will talk to FEMA to see if they can give us any assistance on purchasing the radios. The next items is currently we are on a 28 day pay cycle and I would like to change that to a 14 day pay cycle, Donna has designed a new time sheet for everyone. A 14 day cycle would be easier for Donna and me to track. Jeff made a motion to change the Police Department pay cycle to a 14 day pay cycle instead of a 28 day pay cycle starting on the next cycle period, Betty 2nd. All in favor. Motion passed 4-0.

Clerk Treasurer –Donna presented an invoice from Williams Barrett & Wilkowski, LLP in the amount of \$4,540.08. Jeff made a motion to pay the invoice to Williams Barrett & Wilkowski, LLP the amount of \$4,540.08, David 2nd. All in favor. Motion passed 3-0. Betty Davis was not in the room. The Town Council will need to review and accept the October 20, 2016 Fund Report. Jason made a motion to accept the October 20, 2016 Fund Report. David 2nd. All in favor. Motion passed 4-0. Donna also presented the Council with an invoice from American Legal to host the Meeting Minutes on line with the Town of Trafalgar Ordinances. David made a motion

to accept the service for American Legal for the initial fee of \$300.00 and start with January 2016, Jason 2nd. All in favor. Motion passed 4-0. Donna stated the new telephone system has been installed and each officer and Lee Rogers now has their own numbers, this was a savings of \$30.00 monthly for the telephone bill.

Attorney – Bill stated that the regarding the Interlocal Agreement between the Street Department and County, it's been discussed with Luke, and Cathleen Hash has also been discussing with the Commissioners about it and she's indicated interest in it.

I am prepared to discuss the question of the Police presence at the events of the School. Jason stated he had spoken with Stephen Watson and it seems that if the School would agree to pay an hourly rate that encompass all of their overtime and expense then they would be able to work those events for the School while on duty for the Town being reimbursed by the School. Bill stated it could work 3 ways, the Officers work for themselves, the Officers working for the Town or the Officers working for the School and there appears to be a disparity in what the School wants to pay. Judy Misiniec stated that she does not feel the School is willing to pay more than \$50.00 per event. Jason said he would speak with Dr. Edsel and the School Board with the proposal of hiring the Officers with their overtime rate and expenses.

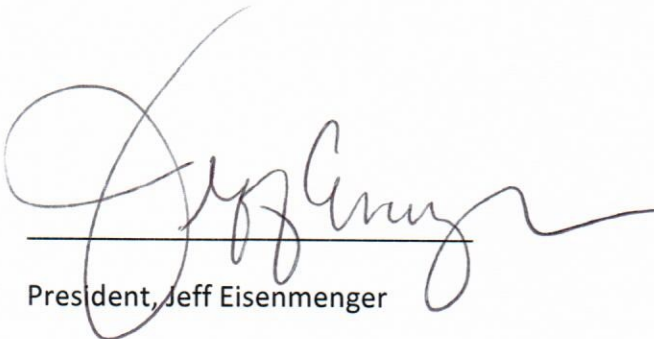
Jeff stated that Mr. Hubbard (HMR an Indiana Partnership), has presented a purchase agreement to purchase unapproved property from the Town. Bill stated we have had these discussions with Mr. Hubbard about the proposed parking lot, space by the park and his land for several months now. The property would have to have 2 appraisals of the property that you purpose to convey and you would take the average of those appraisals and that set the minimum price you can accept and it would have to be auctioned, it could not be a trade. Because he has proposed in addition to cash he would give you some land, you have to appraise that land also. You would have to have a public hearing if you decide to dispose of the property. The appraisals and the public auction are the things that would have to occur. The appraisals would be an average cost of \$5,000 each. Bill stated that Mr. Hubbard's purchase agreement offer cannot be accepted. If the Town is interested in pursuing this as I've outlined I would be happy to discuss this with Mr. Hubbard and getting appraisals on the property at his expense.

Open discussion - Betty Davis stated the Bicentennial Celebration in Franklin was wonderful and lots of local Trafalgar residents came by and visited the Trafalgar booth. And Betty said having visibility for the Town is a good idea on what we represent.

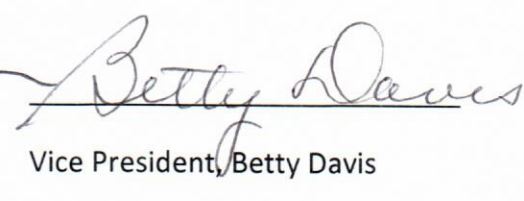
A resident asks if the Town could lease the land for a certain dollar amount and exchange leases. Bill stated we can lease property as the lessee but to lease out as the lessor is deemed to be a disposition of the property and you still have to go through the process.

Adjourn

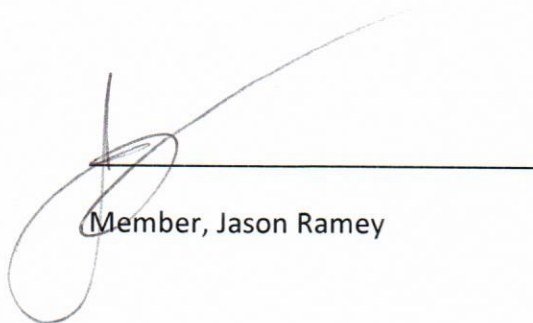
Jeff made a motion to adjourn the Trafalgar Town Council Meeting at 8:57p.m., David 2nd. All in favor. Motion passed 4-0.



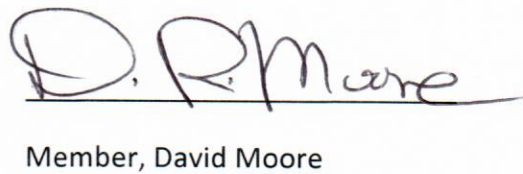
President, Jeff Eisenmenger



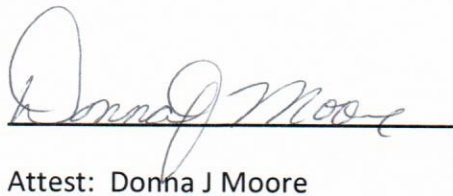
Vice President, Betty Davis



Member, Jason Ramey



Member, David Moore



Attest: Donna J Moore