

May 15, 2018

The Trail Creek Town Council met in regular session on Tuesday, May 15, 2018, 2018 at 7:00 p.m., at the Town Hall, 211 Rainbow Trail, Trail Creek, Indiana.

Council President, Warren Schacht, led us with the Pledge of Allegiance via video conferencing.

Minutes A motion was made by Mr. Studtman to approve the meeting minutes from April 2018 as written; motion was seconded by Mr. Silcox and was then unanimously carried. Council President asked attorney Herrbach if the voting was done correctly now that he is visible, and we are down one council member. Mr. Herrbach responded by saying that is correct, the vote must be voiced by the clerk. With that, Admin Assistant (standing in for Ms. Denham) Ms. Rhea Bruder will call out the vote.

Approval of Fund A motion was made by Mr. Silcox to accept April 2018 Fund report; the motion was seconded by Mr. Studtman and was then unanimously carried.

Approval of Claims A motion was made by Mr. Studtman to pay bills in the amount of \$ 53,336.9 (FIFTY-THREE THOUSAND THREE HUNDRED THIRTY-SIX DOLLARS AND NINETY CENTS) the motion was seconded by Mr. Silcox and was then unanimously carried.

Correspondence: Mrs. Bruder indicated that the town did receive correspondence from Mrs. Bayler thanking the town for the beautiful wind chime and flowers. This money was collected by employees of the town.

Mr. Studtman asked how the town goes about getting any interested resident into the open position of council member. Mr. Herrbach, Town Attorney indicated that Mr. John Bayler was a republican and his term is up in 2019. The republican party chairman, Mr. Mitch Ficas has been contacted, he will then contact the precinct members to decide how to move forward. Mr. Herrbach indicated that he is aware they have been very busy with the elections.

MS4: Kate Doyle in attendance, she indicates she does not have a report for tonight. The MS4 meeting got pushed back to Thursday because of the Annual MS4 Conference is going on. She did ask Mr. Rick Brown for the Letter of Intent for the dog park. She indicates she has not received that yet.

Attorney: Mr. Herrbach in attendance to report:

- **Master Service Agreement for the Tasers and Body Cams:** Mr. Herrbach stated he had a chance to review. There are some items of the contract he needs clarification on. Hopefully at the next meeting this will be satisfied.
- **Deed for Nelson Park:** Mr. Herrbach did review this deed. The language needed to be changed to be eligible for a grant for Nelson Park. The town would need to sign the deed.

A motion was made to accept the restrictive language of the deed by Mr. Studtman and was seconded by Mr. Silcox. Voice vote done by Mrs. Bruder: Mr. Schacht; yes, Mr. Silcox; yes and Mr. Studtman; yes. Motion passes.

The grant application must be done by June 01, 2018. Council President will be in town tomorrow and can sign then.

- Building Code Abandoned Homes
 1. 110 Harding
 2. 235 Harding

These homes are in disrepair and the process for demolition is a lengthy one however, we will start this process.

Mr. Studtman asked when these letters will be sent. Mr. Herrbach stated, an original letter has been sent out. Neither home has responded, to the original letter or a certified letter. Mr. Herrbach will let the council know of the dates for a hearing.

- Ordinance # 4-2018: Front Yard Parking: (tabled from April Meeting)
- LECE Ordinance for TCPD regarding the charge for a disc of accident pictures for insurance companies at \$75.00 per disc.
- FOP: Mr. Herrbach indicated that their insurance company has reached a settlement and they expect to have this cleaned up by next week.

Engineer Report: Mr. John Doyle in attendance.

- Roeske/Welneltz Project: Mr. Doyle states it is going well. Scheduled to do the curbs Friday May 18, 2018, and then will do the paving required. The storm sewers and already in.
- Light Pole Down: Mr. Doyle states that he believes another contractor has knocked down one of the light poles at Roeske/Welneltz thereabouts. Mr. Doyle states that pole will need to be replaced and he would recommend at least two more poles. After a lengthy discussion, Mr. Jeff Bruder, Street Commissioner will work with Rhea, admin assistant to contact Nipsco to inquire about this.
- D&M Pay Requests: \$ 53,432.24 and \$101,660.67 (council has a copy in there meeting packet) these bills were approved for payment. Also, Doyle and Associates has two invoices to the town for payment for engineering and inspections.
- Melody Lane Project: Walsh & Kelly will be doing the trenching and paving for DeBoer EGolf should be done tomorrow. There is a separate contract for the surfacing with Walsh & Kelly.

- **Dog Park:** Mr. Doyle indicated that he reviewed the drawings for the park because it seemed to large. Initially the parking would be on the west side, he has moved this parking to the eastside as it seems to fit the layout better. The large dog park will be 1.1 acres, while the small dog park will be .42 acres. The total size of the park is 16 acres. Mr. Bruder, Street Commissioner indicated that he continues to mow for the walking trail, however once the dog park is complete the walking path will be moved back.

Park Department: No Report

However, Mr. Silcox, Park Liaison indicates that once the Letter of Intent has been received from Mr. Rick Brown with the MS4, the park board will meet for review. Attorney Bill Herrbach also stated that he had prepared and given to then park board president a lease for the renting of the concession stands for both parks.

Building Department: No report

Planning and Zoning: Mr. Herrbach indicates that there is a meeting scheduled for Monday, May 21, 2018 at 6:00 pm to discuss the sign for Evergreen Plaza. Mr. Herrbach explained that a Marquee will be going in to consolidate the number of signs however their design ended up being two feet taller than our ordinance requires. However, Mr. John Doyle has reviewed the design as well as the location and has determined that it is not a safety hazard, nor will it obstruct the view. The Board of Zoning must vote and approve this.

Police Department: Marshal Dick in attendance.

- **Master Service Agreement for Tasers/Body Cams:** The Marshal stated that he spoke with Larry Butcher and that there were still some items that needed to be cleared up prior to the body cams and tasers being ordered. Should be one to two weeks to then order and will take a month or two to receive. Once received the SOP would need to be updated on the use of this equipment, mostly the retention on the data on the body cams.
- **Grass List:** The Marshal indicated that once a week the police do an assessment of grass that is way over the ordinance mark which is 3-4 inches, he then forwards that to the town hall so that letters can be issued.

Mr. Studman (Council Member) asked what the town should do about the resident that refuses to cut the town right of way. Marshal responded by saying, he is not sure if there is a statute on this. Attorney Herrbach will investigate.

- **Radar Trailer:** Marshal states that the radar trailer was put near the park at Whippoorwill and Meadowlark on April 29, 2018. He was able to obtain the data on May 15, 2018. Data as follows: In that 14 day period there were 6,861 vehicles that passed, that's 20 vehicles an hour and the average speed of those vehicles was 21.3 MPH

Street Department:

- Spring clean up is complete, all residents received three pick ups of leaves. If some didn't get their leaves raked, they can put it in there yard waste cans for pick up by Borden/Lakeshore on Mondays.

- Storm Damage: The street department will be picking up storm damage this week and next week.
- Salt Dome: This was put up in 3 days, the concrete flooring still needs to be put in and the fence will be put back up. Salt will be delivered in August 2018
- Large Concrete Block at Pritz park has been removed.
- Park Repairs: Mr. Bruder indicated that the dugouts had some safety concerns, those concerns have been addressed. Mr. Bruder went on to say that the Nelson Park dugouts will be changed to chain-link fence and the roofs will be repaired. He will forward the information onto the park department for discussion on these repairs.

Old Business:

- Ordinance # 4-2018: Mr. Herrbach stated that the revision was to include no parking in residential areas of buses, semi-trucks or trailers. Mr. Studtman, council member wanted clarification on paragraph 8 in the ordinance. After a lengthy discussion by council and the attorney a motion was made Mr. Silcox to accept ordinance #4-2018 and was then seconded by Mr. Studtman; voice vote by Mrs. Bruder: Mr. Schacht; yes, Mr Studtman; yes and Mr. Silcox; yes.
- Sealed Bids on 2003 GMC Truck: One bid received after the deadline of 2:00pm and will not be opened. Bids opened and read aloud by Mr. John Doyle as follows;
 1. \$ 4,000.00; Tom Piatrowski
 2. \$ 3,550.00; MP Lawn Care Inc.
 3. \$ 3,055.00; Mark Quartuch
 4. \$ 6,051.99; Tom Giesler

Council took bids into advisement and a motion was made by Mr. Silcox to accept the bid of \$6,051.99 from Mr. Tom Giesler, motion was seconded by Mr. Studtman. Voice Vote by Mrs. Bruder: Mr. Schacht; yes, Mr. Silcox; yes and Mr. Studtman; yes. Motion passes and the monies will go back in the MVH Assets fund

New Business:

- Ordinance on \$75.00 disc fee for LECE , Mr. Herrbach will have for June meeting
- Master Service Agreement: Mr. Herrbach will address concerns of the contract and have ready for the June 2018 meeting.

Public Comment:

- Christopher Willoughby; 3015 E Michigan Blvd, Creekside Bar and Grill. Mr. Willoughby comes to council with a concern regarding the way permits are handled from the clerk's office. Feels he was treated unfairly and would like for the liaison for the clerks office, help to streamline this process. After some discussion, Council President indicated he would get with the clerk and the attorney to find out what happened and perhaps streamline the permitting process.
- Jerrally Stark: 2109 Red Oak ; Has a question regarding last months meeting regarding woodchips from clearing will be used at the dog park . Mr. Bruder indicated that it would


be for the dog park walking path. Her concern was that the dogs should not be under the dogs paws, because there are pointing pieces of wood and can hurt the dogs. ^{chips}
Also, will the park be used only by Trail Creek residents? Mr. Silcox indicated it can be used by any resident of the county. Mr. Herrbach stated the town would put a permitting process in place for the dog park.

Clerk-Treasurer's Comment : None

Council Comment: None

There being no further business a motion was made by Mr. Studtman to adjourn the meeting at 8:12 pm; motion was seconded by Mr. Silcox and was then unanimously carried.

APPROVED:


Warren Schacht, Council President
Jennifer Heath, Council Vice President

ATTEST: 
Joshleen M. Denham, Clerk-Treasurer
June 19, 2018