

April 16, 2013

The Trail Creek Town Council met in regular session on Tuesday, April 16, 2013 at 7:00 p.m., at the Town Hall, 211 Rainbow Trail, Trail Creek, Indiana.

Council President, Warren Schacht, led the Pledge of Allegiance.

Minutes A motion was made by Mr. Studtman to approve the meeting minutes from March 19, 2013, as written, motion was seconded by Mr. Silcox .

Approval of Fund Mr. Silcox moved to approve the Fund Report, and Mr. Bayler seconded the motion and then it was unanimously carried.

Approval of Payment of Bills: Mr. Bayler moved to approve the bills as presented in the amount of \$ 55,667.44 (FIFTY FIVE THOUSAND SIX HUNDRED SIXTY SEVEN DOLLARS AND FOURTY FOUR CENTS), motion was seconded by Mrs. Heath.

Correspondence None

Department Reports:

MS4: Ms. Katie Doyle in attendance to report on the MS4 meeting she attended on April 09, 2013 regarding the MS4 Rule 13. Also, to clarify the "go to" person or point of contact would remain in the group. She also indicated that the program would be evolving.

Attorney: Mr. Herrbach in attendance, but will report under the New Business section.

Engineer: Mr. Doyle in attendance with a request and recommendation for payment of \$ 41,581.39 to D&M Excavation for the work done for Contract Division D : Trail Street Storm Water Drainage / Street Repair.

Mr. Silcox, Council Member asked John if D&M Excavating fulfilled their obligations to the contract for payment. John responded by saying yes. A motion was made by Mr. Studtman to make the payment in the amount of \$41, 581.39 to D&M Excavating for work done for Contract Division D.

Mr. Doyle indicated that the pump is functionally properly.

Mr. Doyle then wanted to discuss the 2013 Street Improvement Program Review List. Drainage problems should be corrected to avoid future costly repairs caused from this issue, on Black Oak / Coolspring/ Red Oak.

Mr. Warren Schacht, Council President asked John if drainage problems are going to be an ongoing problem year after year. John responded by saying yes depending on streets that don't have a lot of gradient.

It was then decided by council that they would review the list and collectively as a team review the financial data provided by Ms. Joshleen Denham, Clerk-Treasurer for discussion at the May 2013 town hall meeting.

Street Department: Brian Kubath, Street Commission in attendance. He wanted to remind residents as well as non residents that Trail Creek is teaming with St. Stanislaus Kostka Parish to have a 5k RUN/WALK on June 8, 2013 starting at 8:00 a.m.

Also, 2013 Spring Clean Up will began on Monday April 22, 2013 through May 06, 2013 weather permitting. This clean up is for leaves, sticks , limbs and branches.

Street Commissioner indicated that he would like the councils permission to have the 1988 Elgin Street Sweeper recycled/scrapped. The town does not use any longer and it is in non repair. Council approved the scrapping of the street sweeper.

Estimates are currently being taken for the re-painting of the yellow lines along Johnson Road.

Council President asked Brian if he is in fact retiring after 2013. Street Commissioner, Brian Kubath responded by saying yes. He then recommended Jeff Bruder, Street Employee for the position of Street Commissioner starting January 01, 2014. Brian stated that he feels Jeff should attend the upcoming budget meetings. Council agreed.

Mr. Studtman inquired about the generator and the quotes. Brian indicated that he will get 2-3 more quotes on portable generators.

NIRPC: No Report

Park Department: No Report

Building Inspector: Steve Thomas in attendance to report on 235 Harding. Siding at the house is indeed coming down and unsafe. It was decided by council that Steve will make necessary repairs to make safe.

Planning and Zoning: No Report, there has been no scheduled meeting.

Police Department: Marshal Klosinski in attendance to report that Eric Lisoski, deputy is now is his third week at the academy and seems to be doing great. The Marshal also indicated that he held a routine officers meeting this month.

He wanted to congratulate Chief Deputy, Steve Dick for his efforts in the recovery of a runaway in the town last month. He located the young lady and returned her home safety to her mother.

Council President, Warren Schacht asked Todd if Part-time officers are still needed. Todd responded by saying while Eric is at academy part-timers are needed. Once Eric is out of the academy the only time part-timers would be needed is for sick or vacation time.

Old Business: None

New Business: Pool Ordinance

Town Attorney; Bill Herrbach present ordinance # 2-2013 Protective Enclosures Safety Requirements For Swimming Pools and Ponds.

Bill spoke briefly about the proposed ordinance stating that fences must be at least four foot in height. (Please see ordinance for more information) He also mentioned as part of the ordinance will be a permit with a fee to be obtained by the homeowner, where as the inspector, Steve Thomas will inspect for safety and ordinance violations.

A motion was made to approve Ordinance # 2-2013 on Swimming Pools by Mr. Bayler, motion was seconded by Ms. Heath and was then unanimously carried.

It was mentioned by Council Woman, Jennifer Heath that getting the word out of this ordinance could be done through the use of the Website, Facebook and an advertisement. Ms. Denham, Clerk-Treasurer stated she would take care of this.

Public Comment: Mrs. Elizabteth Shuttleworth , 424 Black Oak has some drainage issues. She wondered if anything could be done about it. Mr. Doyle indicated that it was on the list of consideration for the 2013 Street Improvement Projects.

Howard Fuller, 311 Johnson Road in with concerns regarding 309 Johnson Road and the alleged business being run from the home. Mr. Fuller wanted to know more information about the noise ordinance. Attorney, Bill Herrbach responded to Mr. Fuller by stating that the noise ordinance does not include items such as grinders, mowers and normal neighborhood noises. Mr. Herrbach went on further to explain that if Mr. Fuller continues to have these concerns than perhaps he should look into the civil tort law and file a civil suit against his neighbor .

Clerk-Treasurer's Comment: none

Council Comment None

There being no further business, Mr. Studtman moved to adjourn; motion seconded by Mrs. Heath and was then unanimously carried. Meeting adjourned at 7:55 p.m.

APPROVED: _____

Warren Schacht, Council President

ATTEST: _____

Joshleen M. Denham, Clerk-Treasurer

May 21, 2013