

March 18, 2014

The Trail Creek Town Council met in regular session on Tuesday, March 18, 2014 at 7:00 p.m., at the Town Hall, 211 Rainbow Trail, Trail Creek, Indiana. John Bayler and Jeff Studtman absent.

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

Minutes A motion was made by Mr. Silcox to approve the meeting minutes from the January 21, 2014, as written, motion was seconded by Mrs. Heath, as there was no February meeting.

Approval Of Fund Mrs. Heath made a motion to approve the fund report; for both January and February, motion was seconded by Mr. Silcox and then was unanimously carried.

Approval of Claims Mr. Silcox made a motion to approve the fund report for both January and February 2014 in the amount of \$227,027.88 (TWO HUNDRED TWENTY SEVEN THOUSAND TWENTY SEVEN DOLLARS AND EIGHTY EIGHT CENTS) motion was seconded by Mrs. Heath and then unanimously carried.

Correspondence None

Department Reports:

MS4: Kate Doyle in attendance. She indicated that there will be rain gages to given out at the LaPorte County fair, if a quiz is filled out by fair goers. Permission from the Mayor of LaPorte to put the filters in along the parade route. Whatever, is collected from that will also be on display on the table this year as well, at the fairgrounds.

Handouts regarding the first contractor workshop for MS4 on March 28 at the Soil and Water conservation district. Kate Doyle did make suggestions to Rick regarding the display table so that each entity could be more involved.

Kate also indicated that the MS4 training that was done in 2013 for the elected officials of Trail Creek is now on the LaPorte County website. There are some changes that will be implemented to the website to make it more user friendly.

Rick Brown, LaPorte County MS4 Coordinator and Mike Polan, LaPorte County Chairman Storm Water Compliance had an impromptu meeting with Reggie Korthals MS4 State Coordinator, to review the annual report. There are some minor changes that she would like to make. Westville in 2015 may become another MS4 entity. We will know more as the year progresses. Good housekeeping reviews have begun, Kate will let us know when our review will be coming up.

Warren asked, is the seminar only for contractors, Kate indicated "no" anyone can attend in fact perhaps your new street commissioner, Jeff Bruder would like to attend.

Attorney: Mr. Bill Herrbach in attendance. Some items on the agenda up for discussion:

110 Harding

Flood Insurance Program

Will be discussed under Old Business.

Mr. Herrbach reported on the collection program for refuse; one of the substantial accounts will be paid in full very shortly. This year I would like to focus on some of the larger accounts for collections.

Engineer Mr. Doyle in attendance; he indicated that he has met with the engineer for Structure Point, we've had some problems with contractors but have rectified the problem regarding road closures etc. Southside of 35 will be worked on in July 2014.

Street Department: Street Commissioner Jeff Bruder in attendance. Mr. Bruder talked about the snow plow season and the very few problems they have had. A few repairs to some of the trucks, but other than that he feels they did a good job. Warren, council president wanted to thank the street department for the fantastic job during the snow removal

The Street Department, is also working on the filling of pot holes. Starting on the main streets and then will move to other streets. He encourages residents to contact the street department to report potholes so that they can be taken care of. Warren asked if the town was ok on "cold patch", Jeff stated "yes" that some was just purchased today.

He then discussed the new Trail Creek Street Department truck; he is pleased and feels that it meets the needs of the town. He indicated that he would like to go ahead and get the 1994 Chevy sold. Bill Herrbach, attorney stated that this can be done through a sealed bid, with the right to reject any and all bids. Mr. Bruder will go ahead and work with Ms. Joshleen Denham, Clerk Treasurer to get an ad in the paper.

Leaf removal will be right around the corner for spring clean up, once the weather changes we will let residents know when this will happen.

There was in February a sewer back up, all three buildings have been cleared out by D&M Excavating, and the lines froze and caused major problems. Town Hall was forced to move to the police station garage. Warren took a minute to thank Marshal Dick for allowing and working with Joshleen to continue keeping our doors open. Serve Pro was in to clean the town hall, twice. Rhea Bruder, administrative assistant, explained what happened in more detail, as a result the town hall needed new carpet and paneling. Scott Silcox, council member asked a few questions regarding the frozen lines. Mr. Bruder told him that the town hall lines were backed up ten foot and

the street department lines were backed up twenty five feet . However, no lines needed to be replaced.

NIRPC: No Report

Park Department: No Report

Building Inspector: No Report

Planning and Zoning: No Report

Police Department: Chief Marshal Dick in attendance. He reported that all of our officers have received fourteen hours of a twenty four hour mandated training in conjunction with Michigan City, The training will continue throughout the year to satisfy the hours needed. Also, we are focusing on Junked and Abandoned vehicles this month as part of ordinance violations; the goal is to work with the homeowner not to tow the vehicle, just to bring them into compliance. Any phone calls should be referred to Marshal Dick. Lastly, new fire extinguishers have been installed at the police station; one in police department one in the front in Bay 3, by the tanker.

Warren, council president did comment that he has noticed how much more visible the police officers have been in town.

Old Business:

110 Harding; Mr. Herrbach, town attorney states that he has been attempting to get the owner of property to bring it to compliance for the last five months. We have scheduled several meetings that he has not shown up for. Legally we went ahead and had an order for demolition done. We believe he has transferred the title to someone else. After learning this Bill had Steve Thomas, Building Commissioner and all inspectors go through home to list all violations, with this we can then issue a new order for demolition, this time to publish notice to any and all owners. Title Company did a title search so we know all people who have interest. Those with interest will be notified; they have ten days to respond with the opportunity to meet five days ahead of time. House is in very bad shape and at this point with the boards permission we should just go ahead with the demolition order. Once the order is published then we will advertise the bid for demolition and then proceed. Bill will make sure that we follow the proper procedure. By spring of 2015 this should be demolished if this is what the board would like.

Attorney Contract: Council reviewed the contract for the year; no changes have been made to contract. Board already accepted this in December, this is just to formalize and keep for records.

Flood Zones: Mr. Doyle and I have been through this process before with the flood zoning. This was done about five years ago. Bill updated council; the congress passed a reformat of the zones in 2012. Flooding is a continuous problem across the United States, as a result in 1968 the congress established the National Flooding program. This allows property owners in participating communities to purchase flood insurance if the area has been deemed a flood zone if adopted by

ordinance and resolutions by the town council. IF not adopted then the residents could be subjected to the highest insurance rates. The area in the "valley" of trail creek has been deemed a flood zone. John Doyle gave a brief description of the flood plain; he indicated no homes are listed on the map, just along the creek, but not including any of the houses along Johnson Road. Perhaps some of the back ends of the lots. John showed maps of this to council for their review. This program he believes does not cover any ground water flooding in the basement. Bill interjected and stated that we need to do some more research on the financial obligation from the town to be a part of this program. National Insurance programs also have grants available for this purpose. Bill would like to find out what our commitment would be to this program. Warren, council president asked that Bill Herrbach and John Doyle give an update at the April meeting.

New Business: St. Stan's' 5 k race; Mr. Pat Koehler in attendance to discuss the June 07, 2014 race in Trail Creek. He is requesting that we do a street closure for about an hour on Cool spring and Laurel. Race will begin at 8:00 and end at 9:00am. Marshal Dick indicated that he would need to look into this, because emergency vehicles still need to be able to get through. However, Steve stated he can block roads for very short periods of time. Starting point will be Nelson Park to Avondale. Registration forms can be found in the town hall, the fee will be \$20.00.

Public Comment Nancy Bulyar; 230 Old Mill Road, concern is the new flood zoning. She received a call from her mortgage company stating she can purchase flood insurance for \$2250.00 a year. Ms. Bulyar, resident explained that she cannot go to her own insurance company because Town of Trail Creek is not part of the FEMA flood plain insurance program. John Doyle, Town Engineer looked at the map to find this property and indicated that this property has no flood base elevation, therefore he is not sure if she is indeed in a flood plain. Base Flood elevations would be done by FEMA and or Indiana Department of Natural Resources, John will find out.

Clerk-Treasurer's Comment: No comment

Council Comment: No Comment. A motion was made by Mrs. Health to adjourn meeting at 8:00 p.m; motion seconded by Mr. Silcox, and was then unanimously carried.

APPROVED: _____
Warren Schacht, Council President

ATTEST: _____
Joshleen M. Denham, Clerk-Treasurer
Approved: April 15, 2014