

NASHVILLE TOWN COUNCIL MEETING THURSDAY, APRIL 21, 2011

ATTENDANCE – Council members present – President Robert Kirlin, Vice-President Charles B. King, Councilmember Sean Cassiday, Councilmember Jane Gore (arrived at 7:05), and Councilmember Arthur Omberg. Also in attendance –Town Superintendent Roger Bush, Chief Deputy Jim Robinson, Town Attorney Jim Roberts, Clerk-Treasurer Brenda Young and Deputy Clerk-Treasurer Debbie Ferry.

REGULAR COUNCIL BUSINESS – 7PM

1) CALL TO ORDER by President Kirlin at 7:00pm.

2) PLEDGE OF ALLEGIANCE

3) ROLL CALL by Clerk-Treasurer Young.

4) APPROVAL OF AGENDA

President Kirlin noted there were a couple of additions: Brown County Antique Tractors Association under Communications, under New Business a discussion on hanging baskets for downtown, under Old Business the Business License Approval Process may be eliminated and put Bids under the Quotes section. No other changes were voiced. Councilmember Omberg moved to approve the agenda with the additions and deletions as presented. Vice-President King seconded the motion. All were unanimously in favor.

5) APPROVAL OF THE MINUTES

President Kirlin advised the following minutes had been submitted for approval: March 17, 2011 meeting and March 31, 2011 Executive Session. Councilmember Omberg moved to approve the minutes as presented. Vice-President King seconded the motion. All were unanimously in favor.

6) COMMUNICATIONS

A. Written

None presented.

B. Audience

Keith Baker of the Brown County Antique Machinery Association approached the Council and invited everyone to the tractor show this weekend April 29 – May 1, 2011. This is the weekend before the Spring Blossom Parade. Mr. Baker asked for permission to use one parking spot near the Courthouse on Saturday, between 10am and 2pm to generate interest in the show. They would like to park one small tractor, one small hit and miss engine and an easel that shows pictures of the antique tractor club and machines. Mr. Baker would also like to put a sign on the tractor that will not exceed 10 inches by 24 inches that announces that there is an antique tractor show down the street.

Councilmember Omberg suggested they give the Antique Machinery Association two parking spaces on the west side of the courthouse. Vice-President King thought they may want to be on Main Street maybe by the Visitor's Center or in front of the Old Bank Building. Discussion.

Councilmember Omberg clarified the Council has agreed to reserve the first two parking spaces on the west side of the courthouse on Van Buren Street for the Brown County Antique Machinery Association on Saturday, April 30, 2011.

7) TOWN MARSHAL – STEPHANIE LOERZEL

A. Council Inquiries

Chief Deputy Jim Robinson reported that Town Marshal Loerzel is recovering slowly but doing very well overall.

President Kirlin asked why they can't get the parking lot at Onya Latour open in the mornings and locked at night. He is receiving many phone calls about the parking lot. Chief Deputy Robinson advised that the Police Department does not have a key to one of the locks because the locks have been changed. President Kirlin would like a lock and key put on there that can be opened and shut by tomorrow morning. Chief Administrator Carr will find the key for the lock and give it to the police department. She said the lot is to be locked at midnight and reopened at 9am.

Denton White of 160 W. Franklin Street addressed the Council. Mr. White explained he has a boxer dog that was in his yard while he was outside monitoring the dog. He presented letters from neighbors that noted he was outside with his dog. Mr. White advised he received a ticket from the Nashville police department that his dog was running at large and without a current dog license. Mr. White admitted his dog was not on a leash but that the dog was in his own yard. He presented the current dog tags to the Council for their review along with a detailed list of vaccination shots.

Vice-President King informed Mr. White that he needed a Town dog license. Mr. White said no one had told him that he needed a town license. He noted he is a disabled Veteran and his disability is service related. President Kirlin summarized that Mr. White received a ticket for not having his dog on a leash and not having a dog license. President Kirlin asked what the fine is for this ticket. Chief Deputy Robinson advised the ticket was \$50.00. Discussion.

President Kirlin asked Town Attorney Roberts if there is a leash law within the town. Town Attorney Roberts advised as the current ordinance stands a dog must be leashed if it is a female dog in heat, a dangerous dog or a diseased dog.

Vice-President King moved to reverse the fine and institute a committee to update the dog ordinance and that Mr. White is to get his town dog license next month. Councilmember Gore seconded the motion. All were unanimously in favor.

NEW BUSINESS

1) JANE ELLIS – CULTURAL DISTRICT DESIGNATION PROGRAM SPONSORED IN PART BY THE INDIANA ARTS COUNCIL

Jane Ellis spoke to the Council about the Cultural District Designation Program. She explained in 2008 Eric Koch authored legislation to establish Indiana State Cultural Districts. The districts promote the exploration of and participation in the arts and humanities through cultural experiences that are unique to Indiana communities. Ms. Ellis said the CVB was approached to be the lead on this program to explore the possibility of Brown County applying for this designation. When it comes time for the application it would have to come from the Town as a municipality and she wanted the Council to be aware of what they are doing. Ms. Ellis reported the application cycle will not begin until 2012 and they will get information in place and presented to the Council at that time.

Ms. Ellis also spoke about Arts Road 46. In 2009 the CVB applied for a grant through State Tourism. This grant was to promote the art trails in Indiana and partner with surrounding counties. Bloomington, Nashville and Columbus partnered and the program was launched last year as the Twisted Trail. Ms. Ellis explained the concept is to travel along State Road 46 to see various art experiences. They have

TOWN COUNCIL MEETING, APRIL 21, 2011

rebranded the concept as Arts Road 46 this year and are hoping to see more response with the new branding.

2) TAX INCREMENT FINANCING BOARD APPOINTMENTS

President Kirlin explained they are to announce the five person board this evening. As the President he will appoint three members and the rest of the Council will appoint two members and the term is for one year. President Kirlin advised his appointments to the Tax Increment Financing Board: Steve Marshall, Jim Brunnemer and Rick Kelley.

Vice-President King announced the Council's appointments are Mike Goodin and Ric Fox and they have agreed to accept the appointments.

Vice-President King moved to appoint Steve Marshall, Jim Brunnemer, Rick Kelley, Mike Goodin and Ric Fox to the Tax Increment Financing Board. Councilmember Cassiday seconded the motion. All were unanimously in favor.

President Kirlin announced a TIF seminar will be held on June 9, 2011 at 6:30pm at Town Hall. Barnes and Thornburg have volunteered to give the free seminar to help educate the Board and Council on Tax Increment Financing. President Kirlin asked Town Attorney Roberts to also attend the seminar. He also noted this seminar is open to the public.

3) RESOLUTION 2011-02 – ADOPTING A FISCAL PLAN FOR THE ANNEXATION OF PROPERTIES LOCATED AT 2412 E. SR 46, 2356 E. SR 46 AND 1150 OLD STATE ROAD 46E

President Kirlin explained this is an annexation of the Shell Station, NAPA/Brown County Tire and Dr. Pantzer's location. Town Attorney Roberts advised they are adopting by reference the fiscal plan that was done for the properties in the Coffey Hill area as they are very similar areas and the same considerations will apply.

Councilmember Omberg moved to adopt Resolution 2011-02. Councilmember Gore seconded the motion. All were unanimously in favor. President Kirlin read aloud Resolution 2011-02 by title only.

4) ORDINANCE 2011-03 – ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORY COMMONLY KNOWN AS 2356 E. SR 46, 2412 E. SR 46 AND 1150 OLD SR 46E

Councilmember Omberg moved to have the first reading of Ordinance 2011-03 by title only. Councilmember Cassiday seconded the motion. All were unanimously in favor. President Kirlin read aloud Ordinance 2011-03 by title only.

Town Attorney Roberts advised the Council must now have a public hearing of this ordinance and the public hearing must be advertised one time. The hearing can be held 60 days after the advertising of the hearing. Council scheduled the public hearing for July 21, 2011 at 6:30pm at Town Hall.

5) ANY OTHER NEW BUSINESS THAT MAY COME BEFORE THE COUNCIL

President Kirlin advised the Council had before them a proposal from Michael's Flowers to put flowers in 36 hanging baskets for the downtown lightposts. The proposal is \$40 per basket for a total of \$1,440.00 which is the same charge as last year.

Councilmember Omberg moved to accept the bid from Michael's Flowers of \$40 per hanging basket to come from the Riverboat Gambling Fund. Vice-President King seconded the motion. All were unanimously in favor.

TOWN COUNCIL MEETING, APRIL 21, 2011

OLD BUSINESS

1) SEWER EXPANSION PROJECT

Tony Akles of Strand Engineers passed out pictures of progress at the plant and explained where they are at in the construction process.

Mr. Akles advised Mitchell and Stark Construction is on track and doing well. They had an issue with dewatering the clarifier, some of the dewatering water got onto the Tilton field. It turned the field red mainly from the iron in the dewatering water. Mr. Akles noted that Brad contacted the landowner about the situation.

Mr. Akles spoke about the collection side of the project and advised Central Engineering had some problems paying the subcontractors. He resubmitted another letter stating what invoices had been paid and it looks like all but one vendor had been paid. Central Engineering told him they did not have enough funds to pay everything on the invoice and will pay off the invoice with the next release of funds. Mr. Akles reported this would get them back on track.

Mr. Akles advised there were some issues with the Martin property on 135 North. They met about three weeks ago with Mr. Martin and thought everything was all squared away. However, the person from Daystar went on vacation and the workers went in and took out some of the undergrowth. They have scheduled another meeting for Monday to discuss the issues with Mr. Martin and figure out how to rectify the situation.

Mr. Akles reported some alarms have gone off on the new lift stations and they have called the Town on the weekends. From now on if the Town receives those calls they are to forward the call to Jim at Central Engineering and his company will send someone to take care of the alarm. President Kirlin asked what is causing the alarms to go off. Mr. Akles explained they haven't buried all the electric lines and they bury all the lines at the same time with a small trencher. Sometimes a little water will get in the conduit causing the alarms to go off, but once the lines are buried this will stop. Councilmember Gore asked when they will bury the lines. Mr. Akles advised there about 15 homes on Coffey Hill that they need to finish and once those are done they will bury all the lines, it may be a couple weeks before they can bury the lines due to the rains.

Mr. Akles spoke about the mounds of dirt in the yards. Once everything is done in the Coffey Hill area the contractor will come back in and grade out the mounds and apply grass seed and sod. He will have to check with the contractor but this may be another four weeks away.

President Kirlin asked what percentage of the Coffey Hill project is done. Mr. Akles guessed that they are probably 75% done in this project area. As far as the Orchard Hill project area, Mr. Akles reported almost all the main line is in and they are doing the rest of the tie ins and will come back and start doing the laterals just like they did in Coffey Hill.

Councilmember Omberg moved to accept the claim for Central Engineering Construction Associates, Inc. in the amount of \$483,976.56 contingent upon the receipt of funds. Vice-President King seconded the motion. All were unanimously in favor.

Councilmember Omberg made a motion to approve the claim for Mitchell and Stark Construction, Inc. in the amount of \$223,371.60 contingent upon the receipt of funds. Councilmember Cassidy seconded the motion. All were unanimously in favor.

TOWN COUNCIL MEETING, APRIL 21, 2011

Councilmember Omberg made a motion to approve the claim for Strand Associates, Inc. in the amount of \$1,354.34 contingent upon the receipt of funds. Vice-President King seconded the motion. All were unanimously in favor.

President Kirlin advised the Town received a letter from Rural Development approving the project extension due to adverse winter weather.

2) MAIN STREET PROJECT

Clerk-Treasurer Young reported the Town still needs to pay Dave O'Mara Contractors \$21 to finalize their retainage. This will close out the project.

Councilmember Omberg made a motion to pay the \$21.00 to Dave O'Mara Contractors for the retainage to close out the project. Councilmember Cassidy seconded the motion. All were unanimously in favor.

3) PARKING AND PUBLIC FACILITIES REPORT

Commission President Lamond Martin reported at their last meeting they discussed a proposal for the design work at the Pat Reilly parking lot. He asked the Council if they had a problem with the proposal which cost \$1,500.00 and a \$100 an hour for additional work if requested but he does not believe they will need additional work. President Kirlin asked Town Attorney Roberts to review the proposal. Town Attorney Roberts advised the contract looks safe to enter into. Commission President Martin said the survey of the area is not done yet; it should be completed in the next couple of weeks and will be staked. Discussion.

Vice-President King moved to approve Michael Chamblee's proposal for the parking lot at Pat Reilly Drive and Jefferson not to exceed \$1,500.00. Councilmember Cassidy seconded the motion. All were unanimously in favor.

Commission President Martin explained the Pat Reilly parking lot sign has been approved by the DRC and an order for the sign has been placed. They will not install the sign until the construction work is done in this area. Commission President Martin reported the Commission discussed the maintenance of the parking lots and restroom facilities. There is some work that needs to be done and they are going to put the work out for bids. He has taken care of the repair to the stairs on the back of the Mound Street restrooms.

Commission President Martin advised they have been asked to reserve some parking spaces at the Old School Way parking lot for Family and Children Services parking. Chief Administrator Carr advised the representative for this item is not present at the meeting and asked to table the discussion at this time. President Kirlin advised this office is moving downtown and is requesting some parking spaces. Commission President Martin does not believe they should open this can of worms.

President Kirlin asked where they are at on the contract with Mr. Rogers for the Antique Alley restrooms. Commission President Martin asked the Council and Town Attorney Roberts for their advice on the matter as the Commission does not want to participate with the proposal. Councilmember Omberg asked if they give back the restrooms to Mr. Rogers what will happen to the cleaning contract. Commission President Martin advised the cleaning contract would be reduced. Town Attorney Roberts summarized the issue: the Town built restrooms on Mr. Rogers's property and they proposed to Mr. Rogers that he renew the lease agreement where the Town will maintain the restrooms. Mr. Rogers responded to the request and asked for a ground lease of \$3,000 per year and it would be an annual

TOWN COUNCIL MEETING, APRIL 21, 2011

contract. Town Attorney Roberts advised this information was sent to the Parking and Public Facilities Commission for their recommendation. Commission President Martin reported the Commission believes they should pass on this contract due to the age and condition of the facilities. Clerk-Treasurer Young suggested they look at the water usage and bills for this property. Discussion.

Vice-President King moved to enter into a one year lease of \$3,000.00 with Mr. Rogers and the Town will continue to maintain and service the restrooms. Councilmember Omberg seconded the motion. All were unanimously in favor.

4) CHAMBER OF COMMERCE REPORT

Chamber of Commerce Representative Bob Everman reported the Chamber has a membership drive in progress and it is going very well. The new website is up and they also have a Facebook page with business information being updated regularly.

Representative Everman advised they had a small business seminar earlier in the month and have five more planned. The next scheduled seminar is May 10th at 8am at the Artist Colony Inn and they will discuss marketing. The seminar is being presented by Two Great Minds, a Nashville business.

Representative Everman reported the Board meets the first Tuesday of each month and everyone is welcome and they are also looking for board members.

Mr. Everman advised he also serves as a consultant for the Brown County Highway Department. He explained there is a need to do something with Snyder Hill Road between old 46 and new 46. A water line was installed in this area and a poor patch was put in place. There is also damage from truck traffic and the road area is very rough. Mr. Everman reported the County has tried to repair this area several times but with their equipment and methods it will not work to fix the problem. Mr. Everman would like to put a four inch overlay over the entire road and if it was done now it would cost approximately \$21,000.00. The County Highway Department is proposing the cost of the repair be split 50/50 with the Town and County.

Vice-President King suggested at the area near Highway 46 should be cut out about 100 feet back and concrete road put in this area. He also believes the State of Indiana should pay the bulk of it as their right of way comes up the hill there. Mr. Everman advised INDOT said they would not participate in it even though they have some responsibility in the actual approach, however the damage extends on up from the approach. Discussion.

President Kirlin asked for some time to figure out where the Town will get the money for this project and he would also like to see something in writing from INDOT saying they will not participate in fixing this problem. Mr. Everman advised he does have this letter from INDOT. President Kirlin advised they will get back with Mr. Everman at the next council meeting.

5) DEVELOPMENT REVIEW COMMISSION REPORT

Commission President Suzannah Zody was not present for the meeting. Chief Administrator Carr reported on behalf of the Commission and advised three sign applications and three COA's were approved.

6) DEVELOPMENT REVIEW COMMISSION REPORT

Suzannah Zody was not present for the meeting to give a report.

7) TREE BOARD

A. Proposal for Town Tree Maintenance

President Kirlin reported the Council has before them a proposal from the Tree Board and asked Tree Board President Bruce Gould to explain the proposal.

Tree Board President Gould spoke of the tree survey that was prepared by the Davey Resource Group and the management plan that was also included. The survey found the tree canopy in Nashville is in terrible condition and getting worse all the time. Davey Resource Group found that 43% of the trees in Nashville are in poor condition and need to be removed. Tree Board President Gould explained the proposed ten year plan will cost the Town \$75,320.00 to implement. The first year alone would cost \$17,000 in removing trees in very poor condition. Tree Board President Gould asked where the Council wanted them to go from here and if the Town doesn't start doing something the trees will come down on their own.

Vice-President King asked if the report will help facilitate a grant to remove the trees. Tree Board President Gould explained almost all the grants are for educational programs, surveys or planting, there is hardly ever any grants to remove trees. Tree Board President Gould would like to plant 10-15 trees and whatever money is left they could have a couple of trees removed. He would like a \$10,000 - \$17,000 budget for next year to start removing trees. If they could take out 10-15 trees a year that would get them off to a good start.

Tree Board Member John Davis reported he was involved in identifying the trees within the Town's right of way and he believes in some instances there are very dangerous situations. Rick Patrick, ISA Certified Arborist, commented that he thought it was a very good tree inventory and believes that taking down trees is necessary although this is not something he will do professionally. He is looking into the possibility of finding grant monies to do the tree removal. Mr. Patrick also offered to do some free pruning and tree planting for the Town. Resident Pam Gould commented that this is a marvelous opportunity for the Town to get behind now that they have this tree survey.

President Kirlin believes the Tree Board is asking to spend their budget of \$3,000 immediately, \$2,600 to remove trees and \$400 to plant trees. Tree Board President Gould agreed that is what they are asking to do. President Kirlin believes the second request is that they try to get as close to \$10,000 for the Tree Board budget. Tree Board President Gould said the minimum would be \$10,000 but the plan calls for about \$17,000. Councilmember Omberg asked Clerk-Treasurer Young if they had \$4,000-\$5,000 to add to the Tree Board budget this year. Clerk-Treasurer Young advised at this time the General and MVH budgets are very tight, but they can get creative in financing. At this time they have around \$6,000 in the Riverboat Gambling fund. They could possibly use funds from the Rainy Day fund or EDIT fund. Discussion. Councilmember Omberg suggested they give the Tree Board \$10,000 this year to begin the tree removal and planting process. President Kirlin added that the \$3,000 currently in the budget be left in their budget for emergencies. Tree Board President Gould advised if they are given \$10,000 they will start the proposed management plan and leave \$3,000 already in the budget for emergency issues. Discussion.

Resident Tricia Bock voiced concern that some of the trees on the removal list are in her yard and she asked what kind of warning would there be that her trees are coming down. President Kirlin commented that he would like to see a week advance notice. Chief Administrator Carr advised that once she is notified of when the contractor will be doing work in an area, she will call those residents affected. Discussion.

TOWN COUNCIL MEETING, APRIL 21, 2011

Councilmember Omberg moved to give the Tree Board \$10,000 from the EDIT fund to start the removal of trees and the people that will be affected be contacted by personal letter and/or phone calls. Vice-President King seconded the motion. All were unanimously in favor.

8) REPORT ON PROPERTY AT 212 W. MAIN STREET

President Kirlin explained the Council has received a report written by architect Steve Miller who did an inspection of the house. Councilmember Omberg reported he spoke with Mr. Miller a couple weeks ago and he stated the house was in pretty bad repair. The porch needs to come off and several of the rooms need to be removed as well. Mr. Miller was unable to get under the house so he does not know all of the potential problems. Mr. Miller did talk with Mr. Terrill about the house and explained if they started removing parts of the house and found more problems the house could be all but gone.

Councilmember Omberg advised Mr. Miller had an idea of building a garage type apartment that Mr. Terrill could live in while they are removing parts of the home. Councilmember Omberg does not believe the Town should be involved with how the work is done but it is pretty concrete that something needs to be done. He did not contact Habitat for Humanity about the house or the school trades department, but he believes this is more for the Terrill family to address the situation. Councilmember Omberg reported the agreement was that they would have the house evaluated and they have done so. Chief Administrator Carr noted that Mr. Miller went over the options about the house with the Terrill's. Town Attorney Roberts asked that the Terrill's also be notified in writing. President Kirlin suggested that the committee that met with the Terrill's meet with them again and review the report together. Councilmember Omberg asked that the Health Department be sent a copy of Mr. Miller's report.

Town Attorney Roberts will schedule a date for the committee to meet with the Terrill's. Councilmember Omberg asked that Mr. Miller be sent a thank you letter for donating his time to assess the house.

A neighboring resident spoke and advised that the resident of the house is bringing in trees once again and selling firewood. President Kirlin said the police will need to enforce any ordinances that are being broken.

9) ANY OTHER UNFINISHED BUSINESS OR COMMENTS THAT MAY COME BEFORE THE COUNCIL

Lamond Martin would like the Council to look at other sources of revenue for the Town. He suggested looking at pay parking in the business district. They are already paying four dollars a day to park in yards and it would stand to reason they would pay four dollars to park on the street. Vice-President King said the majority of those parking on the streets are shop owners and they would not want to have to pay for parking. Mr. Martin advised there are free parking lots two blocks from the center of town where the shop owners could park.

REPORTS FROM DEPARTMENT HEADS

1) TOWN SUPERINTENDENT – ROGER BUSH CHIEF ADMINISTRATOR – PHYLLIS CARR

President Kirlin noted that Town Superintendent Bush was not present for the meeting.

A. Quotes/Bids

Chief Administrator Carr advised she had three sealed bids for the public sale of the miscellaneous items that were listed in the newspaper. The first bid was from Councilmember Omberg for \$350 for

TOWN COUNCIL MEETING, APRIL 21, 2011

the red 1994 pickup truck. Chief Administrator Carr advised the bid was above the minimum bid requirement.

The second bid was from Roger Baker with a bid of \$575 for the ditch witch trencher and trailer and this bid is above the minimum bid requirement.

The third bid was from Jerry Fleetwood with a bid of \$600 for the ditch witch trencher and trailer. He also bid \$50 for the 1994 pickup, \$30 for the snow plow and \$10 for the drill press. Chief Administrator Carr said the bid for the snow plow was right at the minimum bid. The bid for the drill press is \$40 below the minimum bid and the bid on the truck is \$150 below the minimum bid.

Councilmember Omberg suggested that the bids be taken under advisement and contact winning bidders. Also if Town Superintendent Bush wants to get rid of the drill press for the proposed bid he may do so. Council agreed with this suggestion.

B. Right-of-Way Request

Chief Administrator Carr announced she has several right-of-way requests to present this evening.

Nashville Christian Church Bible school would like to block off Pittman House Lane during bible school. This is the same area as requested last year. Councilmember Cassiday made a motion to approve the request. Vice-President King seconded the motion. All were unanimously in favor.

Miracle Ride was on the Brown County Commissioner's agenda last night and they did not have a problem with blocking off the Prosecutor's parking lot for the event. Chief Administrator Carr does not have the Commissioner's permission in writing at this time. Since the ride is scheduled for June 4, 2011 the Council tabled this discussion until the next Council meeting.

Chief Administrator Carr advised she approved in-house to block some parking spaces to allow Lee Waltman to do construction work.

Boy Scouts on May 7, 2011 would like the same parking spaces blocked off, these are the same spaces they request each year. Councilmember Omberg made a motion to approve the request. Vice-President King seconded the motion. All were unanimously in favor.

Log Cabin Tour on June 4 and 5, 2011. They have locations and would like three spaces blocked on West Main by the Professional Building. They will be selling tour tickets in front of the Convention and Visitor's Bureau. They would like the spaces blocked on Saturday from 8am-4pm and Sunday 8am-3pm. Councilmember Omberg made a motion to approve the request. Councilmember Cassiday seconded the motion. All were unanimously in favor.

Rotary is requesting the street be blocked for children's games after the parade. This is the same request as last year and the street will already be blocked due to the parade. Councilmember Omberg made a motion to approve the request. Councilmember Gore seconded the motion. All were unanimously in favor.

Brown County Habitat for Humanity requests to block parking spaces for SummerFest on June 4, 2011. This is the same request as last year. Councilmember Omberg made a motion to approve the request. Councilmember Gore seconded the motion. All were unanimously in favor.

TOWN COUNCIL MEETING, APRIL 21, 2011

C. Council Inquiries

Chief Administrator Carr spoke about the e-mail regarding the answering service and she has contacted the service about the incident of a customer being put on hold for a long period of time. The answering service is going to investigate the incident and get back to her.

Chief Administrator Carr advised the Town has hired two temporary employees that are doing the sign reflector testing and they are moving through the project very well.

President Kirlin spoke about the response time on after hours calls. He believes the answering service is not getting through to people because they are not answering their phones and the response time is not acceptable. Councilmember Omberg reported he had two occasions this weekend to contact the on call guys and they answered within the designated time. Councilmember Cassiday suggested taking a closer look at the reports and identify who is not answering the calls.

President Kirlin advised the Council has a tentative meeting set up with the County Council and County Commissioners on Wednesday, April 27th at 6:30pm regarding the new EMS building. Council agreed to the date and time.

Clerk-Treasurer Young spoke about the proposed meeting for the Town Hall expansion and explained they have not met as a committee yet and she would like to postpone the proposed meeting scheduled for April 28th at 6:30pm. Chief Administrator Carr added that Town Superintendent Bush also asked to reschedule this meeting as he will be out of town. Council agreed not to schedule another meeting regarding the Town Hall expansion until the committee has met.

President Kirlin asked where they were at with the Harold Stanley sewer issue where he is requesting reimbursement for the backup. Chief Administrator Carr understood that Mr. Stanley was supposed to be at the Council meeting this evening to ask for reimbursement but he is not present. Chief Administrator Carr is not very familiar with the situation but she believes a root ball may have come loose and stopped up the sewer. Council tabled this discussion until they can talk with Town Superintendent Bush.

2) TOWN ATTORNEY – JIM ROBERTS

A. Council Inquiries

Town Attorney Roberts asked for instruction regarding Animal Control. Clerk-Treasurer Young had asked him if there is an interlocal agreement with Animal Control. Town Attorney Roberts advised there is not an agreement and they should probably have one. If they do have an agreement they would probably want some sort of payment.

Regarding the manhole issue the Town's insurance carrier has denied liability because the Town didn't have any notice it was a hazardous condition so they don't have any duty to repair it. There is a small claims case pending on this and the Town's insurance company has hired Town Attorney Roberts to represent the Town.

3) CLERK-TREASURER – CLERK-TREASURER BRENDA YOUNG

A. Council Inquiries

Councilmember Omberg moved to approve the claims for the period of 3-11-11 through 3-30-11 and for the period of 4-01-11 through 4-14-11. Councilmember Gore seconded the motion. All were unanimously in favor.

TOWN COUNCIL MEETING, APRIL 21, 2011

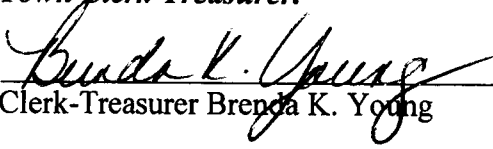
4) ANY OTHER UNFINISHED BUSINESS OR COMMENTS THAT MAY COME BEFORE THE COUNCIL

President Kirlin asked Council to read the dog ordinance and make sure they are comfortable with how the police force has enforced the ordinance.

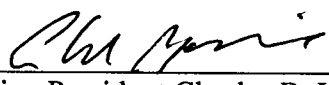
ADJOURNMENT

Councilmember Gore moved to adjourn the meeting. Councilmember Omberg seconded the motion. The meeting was adjourned by President Kirlin at 9:34pm.

The audio recording made at the Town Council meeting on 4-21-11 is retained in the office of the Town Clerk-Treasurer.

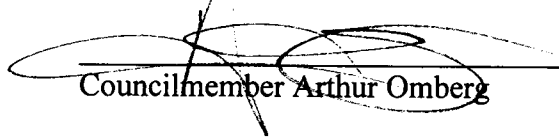

Clerk-Treasurer Brenda K. Young


President Robert Kirlin


Vice-President Charles B. King

Councilmember R. Sean Cassiday


Councilmember Jane Gore


Councilmember Arthur Omberg