

**NASHVILLE TOWN COUNCIL MEETING
MONDAY, FEBRUARY 25, 2008**

ATTENDANCE – Council members present – President Roger Kelso, Vice-President Robert Kirlin, Councilmember Charles B. King and Councilmember Arthur Omberg. Council member not present - Councilmember Dale Cassiday. Also in attendance – Town Superintendent Roger Bush, Chief Administrator Phyllis Carr, Town Marshal Jack Dorsett, Town Attorney James Roberts and Clerk-Treasurer Brenda Young.

REGULAR COUNCIL BUSINESS

1) CALL TO ORDER by President Kelso at 7:02pm.

2) PLEDGE OF ALLEGIANCE

3) ROLL CALL – by Clerk-Treasurer Young

4) APPROVAL OF AGENDA

Vice-President Kirlin made a motion to accept the agenda as presented. Councilmember King seconded the motion. All were unanimously in favor.

5) APPROVAL OF THE MINUTES

Councilmember Omberg made a motion to approve the minutes for the meetings of January 17, 2008, January 24, 2008 and February 7, 2008 as presented. Councilmember King seconded the motion. All were unanimously in favor.

6) COMMUNICATIONS

None presented.

7) CITIZEN CONCERNS

None presented.

8) TOWN MARSHAL – JACK DORSETT

• **Council Inquiries**

Town Marshal Dorsett presented his department's activity report from January and also presented a time study at the Salt Creek Golf Course as requested by Vice-President Kirlin.

Town Marshal Dorsett asked for an amendment to the salary ordinance for holiday pay for part-time workers. If the part-time person works on a holiday, he would like for them to receive holiday pay. Councilmember Omberg said that in reviewing the time cards he noticed that Officer Robinson did not receive holiday pay for working President's Day and he sent an e-mail to Clerk-Treasurer Young and Chief Deputy Loerzel regarding this issue. Clerk-Treasurer Young explained that the policy does not clearly address this issue and they would need to clarify the ordinance and personnel policy in order to pay holiday pay for part-time employees. Clerk-Treasurer Young and Town Attorney Roberts will work on an amendment to the personnel policy and salary ordinance.

NEW BUSINESS

1) CHAMBER OF COMMERCE FESTIVALS – SUZANNAH ZODY

Suzannah Zody presented a proposed 2008 Events schedule to the Council and those in the audience. She explained that the Chamber started planning for the 2008 schedule back in August and has tried to meet with every possible organization to get feedback and also did a survey of shop owners in town. Ms. Zody explained the Chambers goals as an event committee are to create events to attract more visitors and keep them in the area longer. The Chamber will announce a newly hired Events Coordinator next week; this position will be a full-time paid position that will oversee the events.

Ms. Zody reported the feedback on the Cruise-In's that were held last year. Sixty eight percent of the shop owners were in favor, twenty-four percent against the events and the rest undecided. The negativity that was received was due to blocking the same streets off every week. This year they are shifting the streets north and south and designed the schedule so that no one section of street will be blocked more than once a month. The Chamber has also reduced the number of events to seven Cruise-In's, but will have 15-20 events in all.

The first proposed event will be the Taste of Brown County and Ms. Zody presented the written proposal to the Council. She explained all the different organizations who will work together in these events and the event committee would like to do the event on Friday, April 25th from 5pm – 9pm and Saturday, April 26th from 11am – 4pm.

Regarding the Spring Blossom Art Festival, Ms. Zody explained that they will encourage all the merchants to stay open late on Friday, May 2nd and have what they are calling Rock Around the Clock. They will have some bands and a disc jockey from 5-8pm trying to get people out later in the evening. On Saturday, May 3rd, the parade will run as usual in the morning, they would like to keep the streets blocked for the afternoon and have a Cruise-In starting at 2pm. On Sunday, May 4th, they will have more bands around town. During the week the Art Alliance will schedule a series of on street art demonstrations. Ms. Zody then explained several other events that are planned for the 2008 season.

Janice Platt, of the Purdue University Cooperative Extension Service, was present to explain the Farmer's Market idea. The first Saturdays in June through October, they would like to hold a Village Market in Town on the streets that will already be blocked off for the other events that the Chamber of Commerce is proposing. They would like people to bring their produce and items that they have made at home and have a booth set up from 8am – noon. The proceeds will go back into a fund for future markets for the extension office.

Ms. Zody explained that the Chamber of Commerce would like to partner with the We Care Gang to expand the existing Outhouse Race; they feel it has commercial potential and can turn this into a tourism event. The next event in November, the Chamber will partner with the Brown County Humane Society to do a Chocolate Walk. Ms. Zody explained the last event of the year would probably be another Taste of Brown County in December, right now the events are vague and they will come back to the Council for approval later in the year. Ms. Zody said the Chamber's event coordinator will be doing some major fundraising.

Councilmember Omberg thanked Ms. Zody for all the work she has put into this event schedule and asked where they will advertise for these events. Ms. Zody explained all advertising will be done in

TOWN COUNCIL MEETING, FEBRUARY 25, 2008

conjunction with the Convention and Visitors Bureau and there will be television commercials and print ads and target markets are Cincinnati, Louisville and Indianapolis.

Councilmember Omberg asked about the cost of the entry fee for the market events. Ms. Platt said the fee is to cover advertising and up-front costs and whatever is left over at the end of the year will be used to get ready for the next year. Councilmember Omberg commented that he liked the idea of a Farmer's Market but questioned the crafts and asked what type of crafts they would allow. Ms. Platt explained they are not sure what type of crafts at this point, but the vendor will have to go through a selection process, and they will choose things that are high quality.

Clerk-Treasurer Young explained that under the Town's business regulations, for the farm produce portion, they would have to have approval of the Council to set up on the streets or public right of way and then read the section of the ordinance that explained that those selling home grown farm produce would not have to apply for an itinerate business license, but if they sold crafts, this would be a different issue. She asked for direction from the Council on how to issue these licenses. Discussion regarding licensing, fees, etc.

Resident John Mills commented that he is very positive of what the Chamber has proposed and believes that the overall tone of the events are better than last year. Mr. Mills is concerned about the noise ordinance and keeping in compliance especially with the music and the protection of food merchants versus retail merchants. Discussion of non-profit groups selling food rather than for-profit food vendors. Clerk-Treasurer Young clarified that there is a difference between private property and public property, on public right-of-way the Council must give permission in writing.

The Council thanked Ms. Zody for all of her hard work on these events and also thanked Mr. Mills for his comments.

President Kelso then asked to move to the sewer expansion project as there were representatives from Strand Engineering firm present to give their presentation on their draft study.

OLD BUSINESS

1) UPDATE ON SEWER EXPANSION PROJECT

President Kelso commented that he looked through the draft study and he is very pleased with it in general. Tony and Mike with Strand Engineers presented the draft proposal to the Council and gave an overview of the project. The two subdivisions will be about 280 homes and at this point, the treatment plant becomes a limiting factor. At peak flows, the treatment plant is not big enough to do what needs to be done. The treatment plant is in need of another clarifier in order to handle the added capacity and the cost would be around \$200,000.00. The cost of adding Coffey Hill and Orchard Hill areas would cost approximately \$385,000. The cost of treatment plant improvements with the Meadowwood development would cost approximately 1.5 million dollars. Discussion of operating costs.

Potential funding was addressed by Strand Engineers via different loan types, grants and local contribution. The Council would also like to see some operational and maintenance costs that are associated with the sewer expansion.

President Kelso asked about the fee rate that was proposed. Discussion of the rate schedule and a rate study will need to be done to look at real numbers. President Kelso questioned that the existing user

TOWN COUNCIL MEETING, FEBRUARY 25, 2008

base should be supplementing the collection systems for the new users, however the treatment plant improvements at least proportionally are somewhat our responsibility.

The Council asked that Strand Engineers come back with operation costs associated with the project, clean up the faux pas in the proposal and lay out the game plan for the next stages. President Kelso commented that he liked the quality of the report and appreciated the work Strand Engineers have done.

RECESS

A recess was called from 8:52pm until 9:11pm.

NEW BUSINESS

2) SALT CREEK TRAIL PROPERTY

Vice-President Kirlin explained that according to the grant for the Salt Creek Trail, the Town needs to give a letter to the grant person and the County to give the County permission to buy property within the Town limits. The trail will start behind the CVS building in town which the county will either buy or be given to them. Town Attorney Roberts has already made a draft of the letter. Councilmember King made a motion that the Town draft and implement said letter with spell check. Councilmember Omberg seconded the motion. All were unanimously in favor.

3) SALT CREEK GOLF COURSE ANNEXATION

Vice-President Kirlin advised that Mr. Gabriel of the Salt Creek Golf Course called him and asked that the Town put the annexation of the golf course back on the table. Vice-President Kirlin explained the Town had given them sewer thinking they would annex the property, there is a bridge out there and according to state mandates, any bridge in the county must be maintained by a bridge fund. Reportedly the County had gone out and told Mr. Gabriel what needed to be done to the bridge, and he did those things, then another engineer went out and said there was not enough work done on the bridge.

Mr. Gabriel said he has done his work and he would like the Town to do their work. The bridge will fall under County proper. Councilmember Omberg is concerned about the flooding that happens to the roads once a year. Vice-President Kirlin advised there is a heliport on the property in order to evacuate if necessary. Councilmember King asked why the driveway must be included in annexing the property. President Kelso remembered that the County would actually remonstrate against the annexation if the Town took the road way in because of the bridge. President Kelso said they could talk with the Golf Course and make a contract with them.

Vice-President Kirlin has done rate studies on sewer and water, on the taxes and also asked what it would cost the Town to give police protection if the Golf Course was annexed in. Town Marshal Dorsett estimated it would cost \$175 per week for police protection, but Vice-President Kirlin learned this evening that the police department is going out there for calls at this time.

Councilmember Omberg made a motion for Town Attorney Roberts to make official contact with the Salt Creek Golf Course regarding annexation. Councilmember King seconded the motion. All were unanimously in favor.

4) ITINERANT BUSINESS LICENSES

Vice-President Kirlin explained that our current ordinance reads that an Itinerant Business License is \$10 per day and he would like to consider \$10 per event or festival. Councilmember King suggested putting a time limit on what is considered an event. President Kelso offered the opposite side, that the itinerate license was made to protect those shop owners who pay rent year round. Discussion. Town Attorney Roberts suggested looking at the cost of administrating the permit and making a set fee for events/festivals. Discussion of processing of applications and streamlining the process.

Town Attorney Roberts noted what he has heard from the discussion: set the fee at fifteen dollars for no more than four consecutive days and blank dollars per day for all subsequent consecutive days. Also include a festival agent that will be responsible for all applications.

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

Nothing presented.

OLD BUSINESS

2) PARKING AND PUBLIC FACILITIES UPDATE

Lamond Martin reported they have received a third appraisal on the Robert's property but he has not discussed it with the committee yet as the February meeting was cancelled due to bad weather. The asking price on the property is \$166,000, and they have received two appraisals at \$80,000 and one at \$143,000.

Councilmember Omberg would like to have all the water fountains working by April 15th.

3) DEVELOPMENT REVIEW COMMISSION REPORT

Clerk-Treasurer Young advised that the DRC will have a meeting on February 26, 2008.

4) FIRE DEPARTMENT CONTRACT

No one was present to discuss the contract.

5) DOG ORDINANCE

Councilmember Omberg has not met with Clerk-Treasurer Young to work on changes.

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

Nothing presented.

REPORTS FROM DEPARTMENT HEADS

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

A. Water Leak Adjustment Procedure

Town Superintendent Bush advised he sent a draft to the Council of the water leak adjustment procedure ordinance and then passed out the water leak adjustment checklist. Clerk-Treasurer Young explained a spreadsheet was created to calculate adjustments for leaks and how the form would work. Discussion. President Kelso commented that Town Superintendent Bush captured the intent of the conversation that they had at the last meeting, but it would be beneficial to have Town Attorney

Roberts review the language of the water leak adjustment checklist and ordinance. Town Superintendent Bush reviewed the water leak adjustment checklist with the Council. Discussion of rate reduction to a seventy percent discount. Town Superintendent Bush will rework the rate reduction and bring a new draft to the Council at the next meeting.

B. Kelley Hill Water Main Extension

Town Superintendent Bush advised that he did not receive the legal work back and therefore would like to postpone this item until the next Council meeting. He did have the engineers review the project and expect to hear back from them any day now.

C. Reverse 911 System

Town Superintendent Bush had the Emergency Management Agency do a test and they have not figured out how to get the phone numbers with the addresses out of the Town data base yet so he cannot run a comparison. On the initial test one of the zones did not come out right and he has to find out why. There is one flaw that he has detected, the Emergency Management Agency data base comes from the phone company and it only dials 988 numbers and the Town's database includes cell phone numbers some of which do not begin with 988.

Clerk-Treasurer Young reported that she and Suzannah Zody are on the Foundation's Grants Committee and they questioned the status of equipment and if it is working properly. Discussion. There is a need to follow-up on where the system is and who is in control of the database. Ms. Zody will contact Mike Bruce of the Emergency Management Agency regarding these issues.

D. Quotes

None presented.

E. Service Agreements

Chief Administrator Carr reported they have placed an ad in the newspaper regarding service agreement bids and they are to be in the office by March 20, 2008.

F. Utilities Report

Town Superintendent Bush advised the report is in Council packets for them to review.

G. Council Inquires

Councilmember Omberg and Vice-President Kirlin commented that the street department did an excellent job on snow removal.

Town Superintendent Bush asked if he could put fluorescent bulbs in the meeting room. Council approved and believes it will be environmentally friendly.

2) TOWN ATTORNEY – JAMES ROBERTS

• Council Inquiries

Town Attorney Roberts reported that they won a case against Brandon Munch for the damage to the Main Street railing. Mr. Munch's insurance has been cancelled, and they can turn this into the BMV to have his driver's license revoked. The judgment was for \$2,700 to repair the railing and Mr. Munch has made a settlement offer to make payments of \$300 per month for nine months. The judgment is at

TOWN COUNCIL MEETING, FEBRUARY 25, 2008

8% interest. Councilmember King made a motion to approve the settlement offer. Councilmember Omberg seconded the motion. All were unanimously in favor.

Town Attorney Roberts reviewed his things to do list: review changes in the personnel policy regarding holiday pay, will do what was discussed on Salt Creek, redraft the itinerate business license to include a "festival" exception, will retype the fire protection contract and will circulate copies to Council and the Fire Department's attorney prior to the next council meeting, and will inform Mr. Munch that the Town has accepted his payment offer and the first payment will be due on March 15, 2008.

3) CLERK-TREASURER –BRENDA YOUNG

• **Claims**

Councilmember Omberg made a motion to approve the claims for the period of 1-11-08 through 1-31-08 and for the period of 2-01-08 through 02-14-08 to be dated as February 22, 2008. Councilmember King seconded the motion. All were unanimously in favor.

Clerk-Treasurer Young presented two fixed assets notification forms of items to be disposed of to the Council. Councilmember King made a motion to dispose of the two items presented. Councilmember Omberg seconded the motion. All were unanimously in favor.

President Kelso commented that he really liked the article in the newspaper regarding the Town's website.

ANNOUNCEMENTS AND AGENDA ITEM REQUESTS

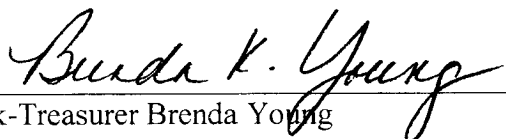
John Mills thanked the Council for the work that they did this evening.

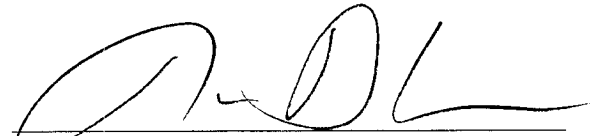
Vice-President Kirlin asked about the tree on 31 North Johnson. Chief Administrator Carr reported they have received a recommendation that the tree be removed. Council advised to pay to have the tree removed instead of giving away the firewood.

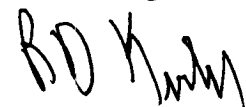
ADJOURNMENT

Councilmember King made a motion to adjourn the meeting. The meeting was adjourned by President Kelso at 10:50pm.

The audio tape recording made at the Town Council meeting on 2-25-08 is retained in the office of the Town Clerk-Treasurer.



Clerk-Treasurer Brenda Young


President Roger Kelso


Vice-President Robert Kirlin

TOWN COUNCIL MEETING, FEBRUARY 25, 2008

Councilmember R. Dale Cassidy



Councilmember Charles B. King

Councilmember Arthur Omberg