

**NASHVILLE TOWN COUNCIL MEETING
THURSDAY, MARCH 17, 2011**

ATTENDANCE – Council members present – President Robert Kirlin, Vice-President Charles B. King, Councilmember Sean Cassiday, Councilmember Jane Gore, and Councilmember Arthur Omberg. Also in attendance –Town Superintendent Roger Bush, Corporal Ben Seastrom, 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 asked to add Municipal Government Week to the agenda under New Business and asked if there were any other additions, deletions or corrections to the agenda. No other changes were voiced. Councilmember Omberg moved to approve the agenda with the addition of Municipal Government Week. 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: February 17, 2011 meeting and February 24, 2011 meeting. 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

Several residents of the Parkview Addition addressed the Council regarding vicious dogs in their neighborhood. One resident advised he was attacked by a vicious dog and another neighbor's dog was attacked and killed by the same dog. Another resident reported a boy in the neighborhood had to climb a tree to get away from the same dog. Another resident in the neighborhood said her daughter's dog was attacked by the same dog and resulted in a veterinary bill of over \$600. She noted they did not report this incident to the police as they are friendly with the neighbors and did not want to cause any bad feelings. She added the pit bulls in this neighborhood are dangerous and she has three small grandchildren and when they come to visit she would like them to be able to go outside and play and be safe.

The owner of the dog that was recently killed by the pit bull spoke to the Council. She explained the incidents the neighbors have described have all occurred in the last few months but prior to these incidents her dog had been attacked on several other occasions. She noted the owners of the vicious dog also have another dog, but that dog has not shown any kind of viciousness.

David Rudd of the Brown County Council spoke and believes this topic is going to come up on the Commissioners agenda next month. He noted there is also a facility for handicapped children in this neighborhood and dangerous dogs should not be around.

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President Kirlin commented that Animal Control and the Nashville Police Department were called to the incident where the dog was killed by the pit bull. He believes reports were written and turned over to the prosecutor. President Kirlin asked Town Attorney Roberts how much conversation the Town Council should participate in since the incident is under litigation.

Town Attorney Roberts advised that since this is in the hands of the prosecutor the most effective remedy would be criminal prosecution under state statutes. He noted all dogs within the Town are required to be licensed. The Town ordinance gives any law enforcement officer or the animal control officer the power to seize the dog. Town Attorney Roberts explained the definition of a dangerous dog that would be subject to seizure is a dog that has attacked a person or attacked at a place other than the owner's property or chased or approached a person someplace other than the owner's property in a menacing fashion. Town Attorney Roberts added until the dog is seized the Town Council has no duty or power to do anything.

President Kirlin voiced concern about jeopardizing the case by discussing it in an open public meeting. He would like the legal process to go through and allow the Town Council to do an internal investigation to see if the police department acted right under the ordinance and hopefully the county will do the same thing in checking that the Animal Control followed the ordinance as well.

Greg Bennett, head of the Brown County Animal Control Commission, agreed this incident needs to be discussed with the County Commissioners. Mr. Bennett commented that it was unfortunate that this dog was not reported regarding the previous incidents. He explained anonymous phone calls can be made to Animal Control and they will follow up with the calls. Discussion.

Town Attorney Roberts advised there is nothing that can be accomplished at this meeting and it is in the hands of the prosecutor. President Kirlin made a commitment that the Town will investigate and look at the ordinance and make sure they follow the ordinance. The Council thanked everyone for coming to the meeting.

Larry Hawkins addressed the Council concerning the fill that is being put in a flood plain in front of Creek Stone Apartments, by the CVS and other places. Mr. Hawkins explained back in the 1980's he was doing development in a flood plain. Back then, DNR said he could not fill in a floodway nor any human habitation in a flood plain. DNR told him for every cubic yard of fill that is put in a floodway, when the creeks come out of the banks it will displace a cubic yard onto a neighboring property. Mr. Hawkins is not sure if DNR has changed their views on this issue and he has received a copy of the permit to allow the fill in front of the Creek Stone apartments. They are concerned that the fill in this area will cause worse flooding than what occurred in 2008.

Brenda DeWees, a homeowner in near the apartments, explained she was present to represent those residents that live in this area that was affected by the flood in 2008. She explained she lost her home in the flood and DNR made her tear her house down and start from scratch. Ms. DeWees was not allowed to build the base of her home one inch bigger than the base was pre-flood as the home is in a floodway. She noted a permit was given to allow for fill in the flood plain and she doesn't understand why DNR allowed this. She said the area is being filled with 230,000 cubic yards of fill and this will definitely flood the area. Ms. DeWees is concerned that DNR is putting the residents of Brown County at jeopardy with their practices. Ms. DeWees advised they are going to make the same presentation to Planning and Zoning, the County Commissioners, the DNR Commission and anyone else that will listen.

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Jay Moberly spoke and noted he too is concerned about the fill that is going in floodways and he believes the Town should have control over fill in certain areas.

Vice-President King clarified that Planning and Zoning doesn't deal with these types of issues, rather they should take their concerns to the Zoning Board of Appeals as they are the ones that have discretionary voting. Discussion. President Kirlin suggested they get State Representative Eric Koch and State Senator Vi Simpson involved as soon as possible.

7) TOWN MARSHAL – STEPHANIE LOERZEL

A. Council Inquiries

Corporal Seastrom reported that Town Marshal Loerzel is doing very well and she hopes to come back to work in a couple of weeks if the doctors release her to do so.

Corporal Seastrom advised last month's activity report has been distributed to all the Council. President Kirlin commented that the last two officers on the first page have written more citations than the other officers listed on the page. Councilmember Omberg noted those officers work the night shift and have more activity than officers working the day shift.

Corporal Seastrom introduced new Reserve Officer Andrew Deckard to the Council. Officer Deckard introduced himself to the Council and noted he was a reserve deputy in Monroe County for three years and currently works at Cook Medical as a lab technician. Council welcomed Officer Deckard to the department.

President Kirlin asked if the Police Department knew about a seminar that will be taking place in Seymour about event training. Corporal Seastrom advised he received an e-mail about the training and he does not yet have approval from the Town Marshal to send anyone to the training. President Kirlin advised he will be attending the training.

NEW BUSINESS

1) COMMUNITY RECYCLING SOLUTIONS, INC.

President Kirlin explained the Council has received information about this company in their council packets. Aaron Brown, Managing Partner of Community Recycling Solutions, Inc., addressed the Council. He explained at a municipal level, within the Town of Nashville, they would like to incorporate a free recycling service for both residential curb side pickup and also commercial. This will include the use of free dumpsters ranging from 2-10 yard dumpsters made of polymer not steel. They can equip the dumpsters with casters and lock bars.

Mr. Brown advised all services are free and his company just built a new materials recovery facility in Bloomington that will be servicing the Nashville area. They have six material recovery centers in the state and bring in a little over 200 tons of material per day. Mr. Brown explained five percent of the company's annual revenue goes to community recycling alternatives where it is dispersed to school corporations and partnered municipalities.

Vice-President King asked for clarification on the curbside service. Mr. Brown explained the curbside costs a one-time per household \$20 fee. This will cover the cost of the bin at each home. If the resident does not want to pay the \$20 and have their own bins they can use them but the bins must be labeled with Community Recycling stickers so the workers know to pick up the materials.

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President Kirlin asked how long the company has been in business. Mr. Brown advised the parent company has been in business for twelve years and Community Recycling Solutions was incorporated in September of 2010. President Kirlin asked how many towns they are currently working with. Mr. Brown advised they are currently working with one town; Sheridan, Indiana. Councilmember Omberg asked how big of a truck will be used to pick up the material. Mr. Brown explained the truck size will depend on what they are picking up and the number of times per week they pick up the recycling. He noted the recycling is commingled and they do not require separating of the materials.

President Kirlin voiced concern that this is a free program and what it will do to the current Brown County recycling plant. Bonnie Closey, Director of the Brown County Solid Waste Department, advised their facility is successful and this is an unique community since it is so rural. If Mr. Brown's company were to offer curbside recycling to the town residents it would eliminate a lot of customers for the County's recycling facility.

Ms. Closey explained the County gets a better deal by presorting materials when they sell the material. She noted a MRF, Material Recovery Facility, is a big plant that uses people to load commingled materials to a conveyor for sorting. Ms. Closey said this new company would greatly reduce the amount of materials that come to the County's recycling center. Discussion.

President Kirlin asked that Ms. Closely and Mr. Brown sit down together and see if there is a way they can work together. Councilmember Omberg commented that curbside recycling sounds like a win-win situation for the town and they should look into doing this. Mr. Brown agreed to work with Ms. Closey and noted his company's mission is to implement a green way of recycling. Councilmember Cassiday advised if this new company takes jobs away from the County's recycling facility and they are not able to function and grow, he will nix the new company. Vice-President King does not want to have a dumpster sitting in a general area for people throughout the county just dumping items in these dumpsters. President Kirlin asked Ms. Closely and Mr. Brown to report back to Town Council after their meeting.

President Kirlin opened the floor for comments from the audience. Several residents spoke in favor of the curbside recycling and one resident was concerned that the new company would close the county's current facility.

2) COMMENTS ON HOUSEKEEPING AT TOWN HALL

President Kirlin explained he would like the departments to do a better job of housekeeping at Town Hall. He is embarrassed when he goes out the back door of the building and sees a mess of things, he would like to see more pride taken. President Kirlin commented this is a public building and they need to take more pride in the building.

3) BUSINESS LICENSE APPROVAL PROCESS

President Kirlin explained the Council has a clean copy of the ordinance before them. Clerk-Treasurer Young advised the Council has already approved the ordinance; the copy in front of them is for signatures.

Clerk-Treasurer Young advised she met with Chief Administrator Carr, Deputy Clerk-Treasurer Ferry and Celeste Kirlin of Planning and Zoning to discuss the application process. They asked for feedback regarding signage and approval of the business license. Clerk-Treasurer Young asked Town Attorney Roberts if the sign has to be approved before a business license is issued as they don't see this addressed in the ordinances. Discussion. Ms. Kirlin commented if the Council is concerned that people

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are opening a business and not coming forward to get a sign permit within so many days, they can put a note on the license saying a sign permit is needed with xx amount of days. Discussion. Council advised making the change to the business license requiring a sign permit within 60 days. Town Attorney Roberts advised they will have to have a public hearing as this will make changes to the zoning code. Discussion. Town Attorney Roberts will work on the requested changes.

4) TAX INCREMENT FINANCING – BOARD APPOINTMENTS

President Kirlin advised at the last meeting he appointed three members to the Nashville Redevelopment Commission. The Council needs to appoint two. Clerk-Treasurer Young noted the advertisement in the paper said the Council is accepting letters of interest until March 18, 2011 and they will make the announcement on April 21, 2011. President Kirlin tabled any further discussion on this matter.

5) PARKING ON EAST WASHINGTON STREET

President Kirlin advised they have a newly revised ordinance in front of them. Town Attorney Roberts noted the ordinance includes limited parking Monday through Friday. The only thing repealed in the ordinance is the thirty minute parking spot. Vice-President King noted the loading and handicapped parking will stay the same.

Vice-President King moved to have the first reading of Ordinance 2011-02 by title only. Councilmember Omberg seconded the motion. All were unanimously in favor. President Kirlin read aloud Ordinance 2011-02. by title only.

Vice-President King moved to suspend the rules and have the second reading of Ordinance 2011-02 by title only. Councilmember Cassiday seconded the motion. All were unanimously in favor. President Kirlin read aloud Ordinance 2011-02 by title only.

Councilmember Gore moved to approve Ordinance 2011-02. Vice-President King seconded the motion. All were unanimously in favor.

President Kirlin noted this parking ordinance cannot be enforced until the signs are in place sometime in June or July. Town Attorney Roberts advised the ordinance must also be published one time in the Brown County Democrat as well.

6) MUNICIPAL GOVERNMENT WEEK – MAY 2-6, 2011

President Kirlin explained he and Vice-President King spoke to a high school class one year about town government and also did a mock council meeting with the students. He was thinking they could have an open house on May 2, 2011 and invite school kids to see the new fire truck. A member of the fire department said they would make this happen and they may have their second new fire truck at that time. President Kirlin thinks it would be neat to show off the fire trucks to the community.

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

Nothing presented.

OLD BUSINESS

1) SEWER EXPANSION PROJECT

Tony Akles of Strand Engineers spoke of the change orders he had for each contractor. Mitchell and Stark submitted change order #2, there is an increase in price for \$21,375.00 for additional sludge removal from the west lagoon. Mr. Akles commended Town Superintendent Bush, his staff and

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Mitchell and Stark for working on a solution to this problem. Mr. Akles explained how they worked out a cheaper solution to the problem. He noted there is still some sludge in the drying bed and this may not be the last change order on this depending on what happens to the remaining sludge.

Mr. Akles explained the second part of the change order is a change in completion times. He advised this was discussed at the project meeting and it must be approved by the Town before OCRA will look at approving the extension. Mr. Akles explained if Rural Development does not approve the extension the Town is not on the hook for anything. He said the extension is requested because they lost about 69 calendar days due to the bitter cold that did not allow the contractor to do the work. This would put the final completion date out to July 22, 2011. Strand Associates recommends approving the extension and is asking the Town to approve it on condition that Rural Development has to approve it as well.

Councilmember Omberg moved to approve change order number two for Mitchell and Stark for an extension of 69 days due to the weather and an increase of \$21,375.00 for the additional sludge dependent on Rural Development's approval. Councilmember Cassiday seconded the motion. All were unanimously in favor.

Mr. Akles presented change order number three for Central Engineering which is doing the collection system side of the project. Part one of the change order is an increase of \$9,874.00 most of which was previously approved by the Town Council. Mr. Akles advised this is the change to go from the ½ horsepower pumps to all one horsepower pumps. Discussion. Mr. Akles noted the contractor has also asked for a time extension as well due to the adverse very cold weather. The days the contractor was not able to work were documented by the Resident Engineer and Strand Associates verified the days and recommended approval of the extension. Mr. Akles advised this will extend Central Engineering's completion date out to June 30, 2011.

Councilmember Gore asked what the need was to provide electrical service to the pump basins for three residences at a cost of \$3,300.00. Mr. Akles advised when they were on site to these three homes, the homeowners asked that the pump station be located closer to the septic tank and the cost is the increase to run the electrical wire from the control panel to the homeowners disconnect panel. Discussion.

Councilmember Omberg moved to approve the change order number three for Central Engineering for an extension of days due to the weather and an increase for the increase in horsepower and increase in electrical. Vice-President King seconded the motion. All were unanimously in favor.

Mr. Akles advised there are 18 homes that are now fully connected to the sewer system. Next week, the drilling contractor will move over to the Orchard Hill area. Clerk-Treasurer Young asked when they will receive the list of those homes that have been connected. Mr. Akles suggested they discuss this at the project meeting on Tuesday.

President Kirlin asked for comments from the audience on the project. One resident said he is very pleased with the work being done and finds the workers to be very polite.

2) MAIN STREET PROJECT

Clerk-Treasurer Young advised she received an email from Brad Dove, engineer with DLZ, and he reported the stain has been completed on the fence in the project. Dave O'Mara Contractor's would like to have their retainage now that the project is complete. Clerk-Treasurer Young advised the retainage is \$35,642.27 and this will close out the project.

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Councilmember Omberg moved to approve the claim for Dave O'Mara Contractors in the amount of \$35,642.27 contingent upon the receipt of funds. Vice-President King seconded the motion. All were unanimously in favor.

3) PARKING AND PUBLIC FACILITIES REPORT

Commission President Lamond Martin reported the Old School Way parking lot is now locked and it is unlocked at 9am. Someone had changed the lock at the parking lot and it was unlocked all the time.

Commission President Martin advised the Pat Reilly parking lot sign was approved at the DRC meeting earlier this week. At the Washington Street parking lot the concrete pad has been removed and stone is in place.

Commission President Martin presented the Pat Reilly parking lot planning proposal to the Council and asked that they sign it so they can move forward. President Kirlin asked what the Commission would say if they were asked to get a couple more bidders on the project. Commission President Martin replied they discussed this at the last Council meeting and they were unable to get any other bidders. President Kirlin commented that he thought this was an extremely high bid, \$6,500 for just the plan. Discussion. Commission President Martin will do some more research and get back to the Council.

A. American Environmental Request

Commission President Martin advised Kim Jurczak of American Environmental came before the Commission and asked to be allowed to put fill on the Pat Reilly parking lot on a temporary basis while they are digging up the fifteen foot hole at the Family Fun Center. Commission President Martin reported the Commission does not have a problem with this as they are not in the season where they need the parking. The parking lot is already disrupted due to the other construction going on in the area. Councilmember Omberg asked if this is contaminated fill. Commission President Martin advised this is not contaminated fill; this is clean fill that will go back in once the contaminated soil is removed.

Kim Jurczak introduced herself to the Council and advised she has an approved COA from the Town to do the soil excavation to get rid of some petroleum contaminated soils. Ms. Jurczak reported they will restore the eastern portion of the property with a grass lot and install a landscaping border of Korean boxwoods. The amount of soil that is coming out will be 3,000 tons which is approximately 150 truck loads. Ms. Jurczak advised not all of this soil is contaminated and what is not contaminated will be put back. They will dig down fifteen feet but put back twelve feet of dirt so that the finish grade will be even with the sidewalk along Van Buren Street. President Kirlin asked for an estimate of how many truck loads would be put on the town's parking lot. Ms. Jurczak is not sure as it will depend on how contaminated the soil is. The project is to begin on April 4, 2011 and it should be completed by April 22, 2011.

Councilmember Omberg asked that the lot be restored to the same condition as it began with. Ms. Jurczak emphasized that they will only be using the gravel portion of the parking lot and assured the Council she will return the parking lot to the same condition it began with. Commission President Martin reported they do not have an issue with Ms. Jurczak's company using the parking lot.

Vice-President King moved to allow American Environmental the use of the gravel portion of the Pat Reilly parking lot as a depository for fill material from April 4 -29, 2011. Councilmember Cassidy seconded the motion. All were unanimously in favor.

4) CHAMBER OF COMMERCE REPORT

Chamber of Commerce Representative Bob Everman reported the Chamber is preparing a membership benefits brochure and it will be mailed to approximately 1,000 businesses in Brown County. President Kirlin asked how a business registers with the county. Representative Everman advised the information was received from the Small Business Development Center in Bloomington in which they gathered business names based on taxation.

Representative Everman reported the new Chamber website will be live within the next week. The Chamber will conduct a seminar for small businesses on April 12, 2011 and this information will be published in the paper.

President Kirlin advised that Senator Lugar's office has requested the Chamber, Economic Development and himself meet with a representative of Senator Lugar's on April 12, 2011 at 10am at Town Hall. President Kirlin explained they are looking to see what Senator Lugar can do to help the town and county with economic development.

5) DEVELOPMENT REVIEW COMMISSION REPORT

Commission President Suzannah Zody reported at their last meeting the Commission approved two Certificate of Appropriateness applications and eight sign applications. The Commission had a lively discussion regarding theatre style lighting and how it jives with the lighting ordinance. At the meeting the Palace Theatre owners asked how the Commission would feel about the lighting and they will discuss this further at the next meeting.

President Kirlin asked if Speedway would be installing a new sign with their new remodeling. Commission President Zody advised they have not had an application come before them and the Commission will notify Planning and Zoning of the possibility of a sign change.

6) ECONOMIC DEVELOPMENT COMMISSION REPORT

Suzannah Zody spoke of the proposal regarding the strategic telecommunications plan that she introduced to the Council last month. The budget for the proposal is \$20,000 and the quote they have from Purdue Technology Center, Infocom, is \$29,628 and she is requesting from the Town \$5,000 buy-in to help them fund the proposal. Ms. Zody explained they will also be asking the school corporation to buy-in and support it. Discussion. Councilmember Omberg asked if the Town had the funds. Clerk-Treasurer Young advised the Council could take the money out of the Economic Development Income Tax fund and the Riverboat Gambling funds are down to about \$8,000 at this time.

Councilmember Cassiday moved to spend \$5,000 out of the EDIT fund to support a study on high speed internet. Councilmember Gore seconded the motion. All were unanimously in favor.

Ms. Zody reported the Atterbury Relocation guide is out and it is sent out to anyone moving to Camp Atterbury. The guide is sent out three months ahead of time and it gives lots of information on Brown County and what it has to offer.

7) TREE BOARD

President Kirlin reported he attended the Tree Board meeting this week and encouraged the Council to review the disc of information provided by the Davey Resource Group detailing Nashville's Tree Inventory. The report suggests the town spend over \$75,000 the next three or four years to remove 45 trees that need to be removed immediately and another 30 some trees to be removed soon. President Kirlin advised he will make sure everyone gets a disc including the Democrat.

8) EMPLOYEE EVALUATIONS

President Kirlin advised the evaluations will be March 31, 2011 starting at 6:30pm. He handed out self evaluation sheets to Town Superintendent Bush, Chief Administrator Carr and Town Marshal Loerzel to complete and return to the Council by Tuesday, March 29, 2011. President Kirlin commented if Town Marshal Loerzel is unable to attend the evaluation due to illness they will reschedule with her.

9) REPORT ON PROPERTY AT 212 W. MAIN STREET

Councilmember Omberg reported he met with the Town Attorney, the Health Department, the resident Lee Terrill and one of the owners of the home. Councilmember Omberg advised it was a good meeting; they nailed down a specific plan to have the house evaluated structurally. If the house can be saved, they will move into the next stage which will be to restore the home. If the home cannot be restored per the engineer, they will start the process of having the house razed.

President Kirlin asked what the time frame for getting answers on the home. Councilmember Omberg believes they have thirty days to complete the evaluation. The Town has contacted a local architect to look at the home and if the architect believes an engineer should look at the home, Councilmember Omberg would like the Council to approve up to \$500 for a structural engineer survey of the house. He does not believe the owner or the tenant have the money to hire an engineer.

President Kirlin reported he spoke with Steve Miller, architect, who has been in the home and met with the tenant and owner. He will give a report on the home to the Council in the next week. President Kirlin would like to put off the \$500 request until they have a chance to look at the report. Discussion. Councilmember Omberg rescinded his request for \$500 to help with the potential engineering costs.

President Kirlin asked for any comments from the audience. One resident commented that he has lived in this area for almost thirty years and spoke about the poor condition of the property. The resident commented he doesn't know any other building in this condition, and noted the tenant is selling firewood at the house even though the house is zoned residential. The resident pleaded with the Council to do something about this property as it is detrimental to the town.

President Kirlin advised they will discuss this topic again at the next Council meeting on April 21, 2011.

10) 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. Veterinarians Office Sewer Connection

Town Superintendent Bush explained the town has a dead end spur on Old 46 and a property owner in this area would like to hook-on to the sewer at this spur. The property is not currently in town but the owner has signed the annexation forms and will pay for the sewer installation and hook-on. Council agreed to proceed with the annexation as it is a contiguous property and allow for the sewer hook-on.

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Councilmember Omberg made a motion to approve the annexation of the veterinarian clinic on Old 46 that abuts town and for the sewer connection at the owner's cost. Councilmember Cassidy seconded the motion. All were unanimously in favor.

B. Truck, Trencher and Misc. Equipment Liquidation

Town Superintendent Bush advised he did not send out the ad in the paper to liquidate the truck and other equipment yet. He will do so next month and have it set up so the bids can be opened at the next Council meeting.

C. Service Agreements

Nothing presented.

D. Utilities Report

President Kirlin asked why there was no estimate on the water report. Town Superintendent Bush explained that due to estimating of the water bills the information is not available.

E. Right-of-Way Request

Town Superintendent Bush presented a right-of-way request for the Spring Blossom Parade, May 7, 2011. Councilmember Omberg made a motion to approve the request. Vice-President King seconded the motion. All were unanimously in favor.

F. Council Inquiries

Town Superintendent Bush reported at the last Council meeting they discussed possibly making changes or an expansion of Town Hall. He has spoken with Vice-President King, Clerk-Treasurer Young and Corporal Seastrom about the topic. They are asking for an estimated project budget. Clerk-Treasurer Young advised they can call the bank and see what it would cost to borrow money or if they would like to take the money from the EDIT fund. Clerk-Treasurer Young wondered how far ahead does the Council want to look as far as storage and offices. She reported the building itself was \$380,000 that was financed over twenty years, the payments are about \$38,000 and it will be paid off this year. Discussion.

Vice-President King and Town Superintendent Bush have drafted plans to expand the building. Discussion. Clerk-Treasurer Young advised the vault is overflowing with records but they just received permission from the State to get rid of some of the records. However the State has changed the retention schedule and they will have to keep many records much longer. President Kirlin suggested they have a work session on this topic. Town Superintendent Bush advised he already has a floor plan that stays within the footprint of the building; he will draw up another plan that will expand the square footage depending on what kind of budget they are working with.

President Kirlin voiced concern that they are already in debt with other loans and would like to look at where they are at before they make a decision. Clerk-Treasurer Young reported she has emailed a report of all outstanding loans and bonds the town is currently in contract with. President Kirlin proposed to have a meeting on April 28, 2011 at 6:30pm, this will allow all department heads to meet and come up with a proposed plan.

President Kirlin spoke about the manhole that is sticking up in the parking lot at Nani's and asked who owns the manhole. Town Superintendent Bush advised the Town owns the manhole. President Kirlin reported the insurance company denied the claim that was made by the person that ran over the manhole and damaged their car. Town Superintendent Bush advised the insurance company denied the

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claim saying it was not negligence on the part of the Town as the manhole has been that way forever. Since this is the first incident they need to do something about it and Town Superintendent Bush plans to fill around it. The usage changed of where this manhole is located.

President Kirlin asked where they are at on making sure all open businesses have applied for their business license. Town Superintendent Bush is not sure as he is not handling this item. President Kirlin instructed Chief Administrator Carr to email the Council on Monday where they are at with current business licenses and citations.

2) TOWN ATTORNEY – JIM ROBERTS

A. Council Inquiries

Town Attorney Roberts reported the Restroom Attendant Contract has a seven day notice termination clause in it which basically makes it a contract at will. He said he heard there is some concern from the person that has signed the contract that there should be an expiration date. Town Attorney Roberts advised he has prepared an addendum to the contract that will establish an expiration date. He has left the date blank but suggested that it be December 31st of 2011. Discussion. Council agrees with the addendum presented by Town Attorney Roberts.

President Kirlin commented they must get on the annexation of the two places across from Salt Creek Golf Course or they will end up in another pickle and asked where they are at in this process. The Town has the consent for annexation of these properties. Town Attorney Roberts advised all they need to do is prepare the ordinance of annexation and advertise it. He will put this on his list of things to do for next month. Town Superintendent Bush asked that the annexation that was discussed earlier also be added to the list.

3) CLERK-TREASURER – CLERK-TREASURER BRENDA YOUNG

A. Council Inquiries

Councilmember Omberg moved to accept the claim for Central Engineering Construction Association, Inc. in the amount of \$297,850.28 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 \$144,526.50 contingent upon the receipt of funds. Councilmember Cassidy seconded the motion. All were unanimously in favor.

Councilmember Omberg made a motion to approve the claim for Strand Associates, Inc. in the amount of \$3,404.72 contingent upon the receipt of funds. Councilmember Cassidy seconded the motion. All were unanimously in favor.

Councilmember Omberg made a motion to approve the claim for Strand Associates, Inc. in the amount of \$2,500.00 for the Supplement Agreement with the Town for Engineering Services for the Waste Water Construction project contingent upon the receipt of funds. Councilmember Cassidy seconded the motion. All were unanimously in favor.

Councilmember Omberg moved to approve the claims for the period of 2-11-11 through 2-28-11 and for the period of 3-01-11 through 3-10-11. Vice-President King seconded the motion. All were unanimously in favor.

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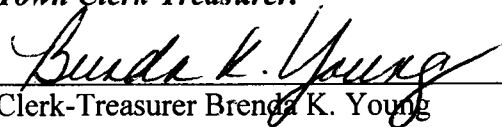
4) ANY OTHER UNFINISHED BUSINESS OR COMMENTS THAT MAY COME BEFORE THE COUNCIL

None presented.


ADJOURNMENT

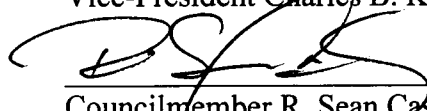
Councilmember Omberg moved to adjourn the meeting. Councilmember Cassidy seconded the motion. The meeting was adjourned by President Kirlin at 9:50pm.

The audio recording made at the Town Council meeting on 3-17-11 is retained in the office of the Town Clerk-Treasurer.

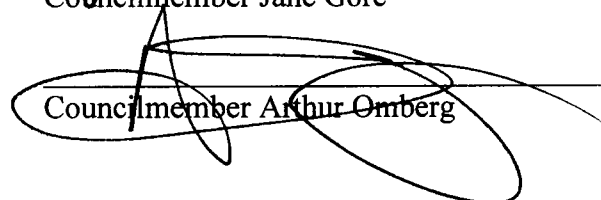

Clerk-Treasurer Brenda K. Young


President Robert Kirlin


Vice-President Charles B. King


Councilmember R. Sean Cassidy


Councilmember Jane Gore


Councilmember Arthur Omberg