

NASHVILLE TOWN COUNCIL MEETING

THURSDAY, MAY 19, 2011

ATTENDANCE – Council members present – President Robert Kirlin, Vice-President Charles B. King (left at 9:48pm), Councilmember Jane Gore and Councilmember Arthur Omberg. Council member not present – Councilmember Sean Cassiday. 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

President Kirlin asked everyone to remain standing for a moment to pay their respects to Sheriff Buck Stogsdill who recently passed away.

3) ROLL CALL by Clerk-Treasurer Young.

4) APPROVAL OF AGENDA

President Kirlin asked if there were any additions or deletions to the agenda. Councilmember Omberg asked to add under Old Business a discussion regarding the recycling proposal. President Kirlin advised he received a phone call from Ed Ryan he will be at the meeting after 8pm to discuss the Molly's Lane request. President Kirlin noted they may need to adjust the agenda accordingly. No other changes were voiced. Vice-President King moved to approve the agenda with the additions and changes as presented. Councilmember Omberg seconded the motion. All were unanimously in favor.

5) APPROVAL OF THE MINUTES

President Kirlin advised the following minutes had been submitted for approval: April 21, 2011 meeting and May 5, 2011 Joint meeting with the County Commissioners. Councilmember Omberg moved to approve the minutes as presented. Councilmember Gore seconded the motion. All were unanimously in favor.

6) COMMUNICATIONS

A. Written

Barbara Lynch spoke about her request for a water bill adjustment. She explained there was a water leak in the middle of her road that lasted for approximately two weeks. After the leak was fixed her water bill was very high and she does not believe she should have to pay the large bill. Ms. Lynch explained she has never been late in paying her water bill and her monthly bill has never gone over \$40 at the very most. Both the water bill for her cabin and for the house were over \$100 each.

Ms. Lynch advised she received a letter stating both meters were tested and found to be metering accurately. Councilmember Omberg asked if the leak was before the meter. Town Superintendent Bush advised the leak was before Ms. Lynch's meters therefore water would not have gone through her meters. Ms. Lynch reported she was told this information but believes there is a coincidence that her water bills went up the same time there was a major water leak on her road. She noted new meters have been installed and the water usage is back to normal or even lower.

President Kirlin asked Town Superintendent Bush if he had any comments. Town Superintendent Bush explained when a leak like this happens the customer will lose pressure and their pressure regulating

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valve tends to stick open. However the cabin in this case had such a high number that it did not fit the pattern for this scenario. Town Superintendent Bush advised in light of not having negative evidence he suggested the Council approve the adjustment. He explained he was unable to approve the adjustment because he could not come up with a reason why it should be approved.

Vice-President King moved to average Ms. Lynch's log cabin water bill and give her credit for any amount above the average for those months in questions. Councilmember Gore seconded the motion. Councilmember Omberg noted the cabin was occupied during the time period in question. All were unanimously in favor.

Town Superintendent Bush spoke about the meter at the house and explained although the bill is higher typically when a pressure reducer valve sticks open and in this case the meter is within tolerance. Discussion. Vice-President King doesn't believe this explanation fits this situation and suggested since the current water bills are back in line, they should adjust this bill.

Vice-President King moved to adjust the house water bill to the average for Ms. Lynch. Councilmember Omberg seconded the motion. All were unanimously in favor. Ms. Lynch thanked the Council for their time.

B. Audience

Nothing presented.

7) TOWN MARSHAL – STEPHANIE LOERZEL

A. Council Inquiries

Chief Deputy Jim Robinson reported that Town Marshal Loerzel has hurt her back again and that is why she is not present this evening.

Chief Deputy Robinson advised the Town does have an interlocal agreement with the County regarding the dog ordinances. This allows the police department to enforce the ordinance and impose fines for those that violate the ordinance. President Kirlin clarified that the County Animal Control can also enforce the ordinance within town limits. Town Attorney Roberts advised he met with the County Attorney and suggested they amend the interlocal agreement so that the Animal Control officers can enforce the Town's dog ordinance as well as the County's ordinance.

Chief Deputy Robinson reported Operation Pullover will begin tomorrow. This is to enforce seat belt use and checking for drunk drivers. Councilmember Omberg explained the funds come from a grant that is paid by the Federal government that pays for the officers' salaries while working this program.

Vice-President King talked about not running radar out by the old Opry but rather patrol the Town limits. Chief Deputy Robinson will make sure all the officers know of this request.

Michelle Kelp asked if the officer is on the side of the road are they supposed to have their lights on. Corporal Seastrom reported the police officer is not required to have their lights on while on the side of the road.

President Kirlin asked about the chain in front of his favorite restroom. Chief Deputy Robinson reported the chain is locked every night and they open it every morning around 9am. President Kirlin suggested that the chain may hang a bit low and someone may try to run over it. Councilmember Omberg asked Town Superintendent Bush to tighten up the chain.

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Vice-President King and President Kirlin thanked the Police Department for all they did for Sheriff Stogsdill's funeral.

NEW BUSINESS

1) RESOLUTION 2011-03 – AUTHORIZING APPLICATION SUBMISSION AND LOCAL MATCH COMMITMENT – CDBG PLANNING GRANT

Eric Frye with Administrative Resources presented a resolution to submit a planning grant and authorize a local match requirement. He explained the Council has gone through the process of requesting for qualifications and have selected the firm they want to use and submitting a planning grant is the last step in this process. Mr. Frye reported this is a grant request to the Indiana Office of Community and Rural Affairs and this is a \$50,000 study with a \$5,400 match requirement.

Councilmember Omberg asked what the study will gain for the community. Mr. Frye explained the study will give them a good assessment of what the Town already has what strategies they need to employ to solicit tourism opportunities and fill in local cavities in the community with different commercial opportunities. President Kirlin advised the Council is trying to be proactive in the type of businesses they need in the community. Once they receive the report on what is needed in the community they will give the report to Economic Development to go out and find those businesses. Councilmember Omberg asked why the CVB isn't doing this. President Kirlin explained the CVB is to promote tourism.

Councilmember Gore moved to adopt Resolution 2011-03. Vice-President King seconded the motion. President Kirlin, Vice-President King and Councilmember Gore voted in favor of the motion, Councilmember Omberg voted against the motion. The motion passed 3-1.

2) MOLLY'S LANE REQUEST – ED RYAN

Mr. Ryan asked if the Council had seen the pictures he submitted of Molly's Lane and passed around copies of the pictures. Mr. Ryan explained his business; Big Woods Brewery is bringing more traffic to the alley. He reviewed the pictures with the Council and explained the issues they have in the area. Mr. Ryan commented that there may be better ways to do things and make things look better in town and especially on Molly's Lane.

Mr. Ryan explained Molly's Lane is not an active thoroughfare but rather it is used more as a parking lot and unloading zone. They are proposing this would make a great space for the coffee shop and new pizza place to have people sitting outside. Mr. Ryan understands there are emergency vehicle issues but from their perspective and their customers, they all love the idea of blocking off this alley. Town Superintendent Bush asked how many stores use this alley for loading. Mr. Ryan advised only the coffee shop and his pizza place would use the alley for loading and unloading. He has spoken with the owner of the coffee shop and they like the idea of outside seating as long as she can use the area for unloading during the off hours.

Vice-President King commented that he does not believe the Town can participate in a commercial venture and other entities in the past have asked to close an alley and they were told no. Mr. Ryan would like the alley to be closed during business hours seven days a week. Councilmember Omberg suggested closing the alley after 4pm. Discussion. Town Superintendent Bush recommended the Town have a public meeting regarding closing the alley. They should invite the abutting property owners to the meeting so they can hear everyone's opinion. Councilmember Omberg would also like the opinions of all other business owners in the town as well. Vice-President King asked Town Attorney Roberts if it is legal to grant public property to businesses to use. Town Attorney Roberts advised there could be

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some problems, however it is done in communities and they also have ordinances allowing businesses on public sidewalks or public ways. The Town actually has an ordinance that forbids business on public ways and if they wanted to change the ordinance they could do so. Discussion.

President Kirlin commented that he does not have a problem with a public hearing, however his biggest concern is safety, from the fire and police department point of view, and this would be opening up a can of worms. President Kirlin asked Council if they would like to set a public meeting date. Council set a public meeting for Thursday, June 23, 2011 at 6:30pm to discuss walking thorough fares.

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

None presented.

OLD BUSINESS

1) PROPERTY AT 212 W. MAIN STREET – LEE TERRILL

President Kirlin gave some history on this topic and reported the Health Department has come to the Council to see if they are interested in condemning this property. The Town had a meeting with the family and had an architect look at the building and submitted a report on the building. President Kirlin asked what happened at the second meeting to review the architects report. Town Attorney Roberts advised that Mr. Terrill and his sister asked for more time prior to this meeting and did not attend the scheduled meeting. Town Attorney Roberts, Councilmember Omberg and representatives from the Health Department met and decided to issue a notice of condemnation but held off on doing so until they could discuss it further with the Town Council and the family.

Mr. Terrill advised he did not see the report and he said he needed more time and this is why he did not attend the meeting. Mr. Terrill said he did not feel that he and his family are being treated fairly. Discussion. Town Attorney Roberts reminded the Council that the Terrill's met in his office on March 1, 2011 and they all agreed to a time table to complete a structural assessment by April 1, 2011 which was done by Steve Miller. The second deadline by May 1, 2011 they were to explore possible local charities regarding restoration which was done by Councilmember Omberg. The deadline to start restoration or make a decision to condemn the property was May 15, 2011. Mr. Terrill advised he has started the restoration process, he was told by Steve Miller that he would have to knock off the back of the house to get to the center and he has started this process. Mr. Terrill advised is going to knock off the front of the house to get to the center of the house and rebuild it.

President Kirlin asked Mr. Terrill if he had a building permit through the County to rehab the building. Mr. Terrill advised he did not know he needed a permit. Councilmember Omberg commented that the work would have to be done in a reasonable amount of time. Discussion.

Michelle Kelp, a co-owner of the property, spoke and said she did not attend the second meeting and was not sure when she was told about the meeting and she was not involved in the first meeting. Ms. Kelp advised she has talked with Steve Miller and he advised the two rooms on the back need to be removed before Mr. Miller would be able to see if the rest of the structure could be saved or not. Ms. Kelp noted they do not have the funds to rebuild the house as it needs to be done in a short time frame. Discussion. President Kirlin advised the Town would like to be fair to the property owners and they feel they have been fair but now the time has come where an action needs to be taken.

President Kirlin asked what happens to the property if the house is condemned. Mr. Kennard with the Health Department advised the residence would have to be vacated within 15 days then the Town would have to make a decision as to what with be done with the property. Discussion.

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Councilmember Gore asked Mr. Terrill how long it would take him to get the back part of the house torn out. Mr. Terrill advised he has one third of the work done and the rest will take two or three weeks depending on the weather. Discussion. Mr. Terrill reported his plan is to take the front and back of the house off to get to the center of the house and then to rebuild both the front and back. Ms. Kelp asked that she and their mother be considered in the Council's decision regarding the house. Discussion.

President Kirlin asked if the property owners can come back before the Council in another month with a pretty good plan and pretty good time frame on when the problem could be resolved. Mr. Kennard noted the Health Department also needs the time frame of when they owners will make the house healthy and livable. President Kirlin asked Mr. Terrill to also clean up the property while he is doing the restoration.

President Kirlin asked the Council what they wanted to do at this point. Councilmember Gore suggested they give the property owners until the next meeting to see some substantial progress including cleaning up around the outside of the house and to present to the Council a time frame of what and when all the work will be completed. President Kirlin noted they will also have to get building permits to do the work.

Town Attorney Roberts voiced concern that Ms. Kelp had not received notices regarding the two scheduled meetings. He advised he sent the meeting notices to the address that is on the property tax card and he suspects she lives somewhere else. Town Attorney Roberts asked Ms. Kelp for her mailing address so that he can see future communications. Ms. Kelp gave Town Attorney Roberts her mailing address.

President Kirlin asked Councilmember Omberg and Town Attorney Roberts if they would meet with the property owners within the next two weeks to review the architect's report on the house. At the next regular Town Council meeting the property owners will come back with a plan for the house, clean up the property and they will go from there.

Mr. Terrill commented that in the newspaper it was reported that he was selling firewood. President Kirlin asked if Mr. Terrill was selling firewood. Mr. Terrill admitted that he has sold firewood. President Kirlin advised that a person cannot run a business in a residential neighborhood. Mr. Kennard noted that according to state law a person cannot take firewood off of one property, move it to another property cut it and sell it.

Councilmember Omberg, Town Attorney Roberts and Ms. Kelp scheduled their meeting for Monday, June 6, 2011 at 5:30pm. Town Attorney Roberts will send letters to all parties regarding the date and time of the meeting. Dr. Paige of the Health Department will let Town Attorney Roberts know if he will be able to attend the meeting.

2) SEWER EXPANSION PROJECT

Tony Akles of Strand Engineers advised Mitchell and Stark is working diligently to get the waste water treatment plant work done. They have been working some Saturdays and still have about four structures left to go and are currently working on the north clarifier. With the weather drying up the last week or so the project is moving along and they are working as hard as they can to meet the deadline of July 30, 2011.

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President Kirlin asked if the construction team is ready for the Council to see the work being done at the wastewater treatment plant. Mr. Akles said they could come down to see the southern clarifier and the digesters.

Mr. Akles spoke about the collection side of the project. Central Engineering is coming down to crunch time and they still have about sixty tanks left to install with a substantial completion date of May 31, 2011. Mr. Akles confided that he is very concerned and does not believe they will meet this date. They have been working on Saturdays but not likely to get the work done on time. Mr. Akles advised he is pushing them to get the work done and they will talk more about this at the pay meeting on Tuesday, May 24th. Councilmember Omberg asked what happens if the work is not completed on time. Mr. Akles advised they could resubmit another letter asking for an extension. OCRA has already extended the completion date to August 31, 2011 but Rural Development will have to sign off on it as well. Discussion.

Mr. Akles advised the final pay meeting is scheduled for June 16, 2011 at 10am to do the pre-final work. Mr. Akles will develop a punch list from this meeting and present the list to Central Engineering so they know what will need to be done before the retainage will be paid off. The pre-final work on the treatment plant will be scheduled for July.

Councilmember Omberg moved to approve the claim for Central Engineering Construction Association, Inc. in the amount of \$382,523.53 contingent upon the receipt of funds. Councilmember Gore seconded the motion. All were unanimously in favor.

Councilmember Omberg moved to approve the claim for Mitchell and Stark Construction, Inc. in the amount of \$122,061.23 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 at their last meeting they met with the architect regarding the parking lot at Pat Reilly Drive and Jefferson. They are waiting on the survey information and as soon as they have this they can put together a plan and then bring it before the Council.

Commission President Martin advised they are getting together proposals for maintenance on existing facilities. The Commission also discussed the request by Family and Children Services for reserve parking spaces in the Old School Way parking lot. Commission President Martin reported the Commission is not in favor of this request. Discussion.

Clerk-Treasurer Young announced they have worked with their legislatures, Senator Vi Simpson and Representative Eric Koch who were successful in getting the Town's Food and Beverage tax through 2022.

President Kirlin asked if the Antique Alley restroom contract with Mr. Rogers has been signed. Town Attorney Roberts advised that he wrote Mr. Rogers that the Town has agreed to his terms and asked him if he wanted his attorney or the town attorney to prepare the agreement. At this time he has not heard back from Mr. Rogers.

Councilmember Omberg commented that there is not a water fountain at Onya Latour. Commission President Martin reported the fountains were taken down at the end of last season and evidently this one

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was not reinstalled. Deputy Clerk-Treasurer Ferry explained a purchase order has been issued to have the work done by a plumber.

4) CHAMBER OF COMMERCE REPORT

Chamber of Commerce Representative Bob Everman shared the mission statement with the Council: the Chamber is committed to promoting, educating and growing business by improving communication and encouraging collaborative relationships between business, community and government. Representative Everman reported the Chamber is seeking new members and working to strengthen their Board of Directors. The Board of Directors meeting is scheduled for June 7th at Willow Manor at 8am. Their next small business is scheduled for June 14th and they will be discussing financial planning toward succession.

President Kirlin noted the Town is also a member of the Chamber of Commerce. He asked that the Town's website be added as a link on the Chamber's website.

Mr. Everman spoke as a consultant for the Brown County Highway Department and reported weather permitting; on June 1st they will be paving Snyder Hill from Old 46 to new Highway 46. Mr. Everman advised this is a cooperative project between Town and County.

5) DEVELOPMENT REVIEW COMMISSION REPORT

Commission President Suzannah Zody reported at their last meeting they approved one certificate of appropriateness and two signs. They also set a Technical Review Committee meeting for the new gazebo for Pam and Bruce Gould. Commission President Zody noted two items were approved in-house.

Vice-President King thought the Commission was to review signs in the buffer zones. Commission President Zody advised the Commission only has jurisdiction on zones B1, B2 and B3. She noted the Commission discussed coming before the Council and having this changed. They will review the maps first and then may come back before the Council.

Commission President Zody reported there was a business that decided to bring the indoors out by keeping their door open that was not of an appropriate trim. She spoke with the business owners about this and the owners agreed to paint the door white within the next week.

Commission President Zody advised the Commission requested two stop work orders; one at Acorn Cottage gazebo and fence. The fence was not submitted for approval and there are aspects of the gazebo that were not approved. Clerk-Treasurer Young noted that she proofed the letters that were sent out to the owners, but they were not stop work orders such as what the County issues. Those letters requested that the owners come in and file the appropriate paperwork with the Town and get approval from the DRC before moving forward with their projects. Commission President Zody advised the other order would not be a stop work order as the work has already been completed at Mulberry Cottage where they paneled over the windows in the upstairs of the building. Town Superintendent Bush reminded everyone that the County is the enforcement arm of these ordinances.

Commission President Zody reported she has the recordings from the DRC meetings when the EMS building was discussed. She will review those recordings and get to the bottom of what materials were approved for the building. Once she reviews the recordings she will send a letter to the Council with her findings.

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Commission President Zody noted that all but two Commission members have been on board for less than a year and a half so it is a very young Commission. They had a good conversation at the last meeting about what they felt were their shining moments so far and what things didn't work.

Clerk-Treasurer Young commented that she was on the DRC during the approval process of the EMS building. She listened to the recordings of the meetings that Commission President Zody was referring to earlier today. Clerk-Treasurer Young noted that when the EMS building was first being discussed the materials were to be similar to what is on the jail. However, at a later meeting the architect said the bids were coming in lower and they thought on the office side of the building they would be able to split face the building material. She also made the motion to approve the plans and those plans do call for metal on the EMS building.

Commission President Zody advised the Commission would like to make a change to the sign application. They would like to have the landlord's signature or a designee sign the application so they are aware of what signs are being placed on their buildings. The landlord's signature is required on the Certificate of Appropriateness applications. President Kirlin asked Town Attorney Roberts if they could approve this change. Town Attorney Roberts answered that the County must approve of the changes as it is their form. Councilmember Omberg moved to have Commission President Zody go to the County to see if they will approve the changes as presented.

6) ECONOMIC DEVELOPMENT COMMISSION REPORT

Suzannah Zody reported they are working on the internet reports and expect to have them done in about eight weeks. They are getting good cooperation from the schools and being advised of what they intend to do regarding high speed internet. She advised Economic Development has moved to the Small Business Incubator that is above the PNC bank. Ms. Zody commented that this is a good move for them as it is a more neutral space between County and Town.

7) TREE BOARD

President Kirlin reported Tree Board President Gould was not present for the meeting. Town Superintendent Bush opened the sealed bids for town tree maintenance as advertised. He explained that typically they open all the bids and take them under advisement. President Kirlin clarified that the bids also include stump removal. The sealed bids were opened by Town Superintendent Bush in the following order:

- All Things Green with a total bid of \$8,411.20
- Stinson Tree Service with a total bid of \$5,100.00
- Designscape with a total bid of \$8,685.00
- Monroe LLC with a total bid of \$8,950.00

Town Superintendent Bush asked that the bids be taken under advisement to allow him time to review the bids. Clerk-Treasurer Young read from the advertisement that after opening all the bids, the bids will be reviewed by the Town Superintendent and the Tree Board President before they will be awarded. Vice-President King moved to give the authority to award the bid upon examination by Town Superintendent Bush and the Tree Board President. Councilmember Gore seconded the motion. All were unanimously in favor of the motion.

RECESS

A recess was held from 9:15pm-9:20pm

8) RECYCLING

Councilmember Omberg asked to keep this topic in front of the Council as he sees this as a good opportunity for the Town. He asked where the Council is at with this. President Kirlin advised he is keeping on top of this recycling proposal as the President of the Solid Waste Board. The recycling company has already signed up a couple of larger businesses and he is to be meeting with the school. Bonnie Closey of Solid Waste is meeting with the owner of the recycling company on a monthly basis. Ms. Closey cannot find one town that is currently working with this recycling company.

Vice-President King commented that he has lived in other communities that provided this type of recycling pick up and he doesn't like the look of recycling bins being curbside once a week. He does appreciate the recycling but not the look. President Kirlin doesn't see any forward movement with this particular company. Discussion. Councilmember Omberg offered to look into this company further and bring back his findings to the Council as the current recycling center hours are not useful to those that work outside of town. President Kirlin advised he will look into the possibility of opening the recycling center different hours.

9) 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. Quotes/Bids

Town Superintendent Bush noted these were done earlier in the meeting.

B. Service Agreements

Town Superintendent Bush advised they were not doing any service agreements this month.

C. Utilities Report

Town Superintendent Bush reported last month he fired one of the temporary employees for cussing and carrying on while working on the job. The temporary service is working out very nice and he is finally able to get the work caught up that Council has asked him to do. President Kirlin noted that even the alleys were being trimmed of weeds and bushes.

Town Superintendent Bush advised the sign project is in the data processing phase and he is retaining the two temporary employees until the sign project is finished. All the inventory data has been collected and the reflectivity gun reports will tell them which signs pass or fail. He believes that nearly all the town signs will fail and some signs were so bad they have already ordered replacements. Town Superintendent Bush will meet with LTAP to help him file for the grant for sign replacements.

Town Superintendent Bush asked Council's approval to start up the meter replacement project again. They started a line of credit to purchase meters and he would like to replace the meters along the highway first so they are drive by read. President Kirlin asked if the Town could use the same type of equipment as Brown County Water. Town Superintendent Bush advised that it would be very expensive to change to their type of meters. He would like to borrow \$50,000 to purchase the meters and transmitters to be installed along the highway by his current sign crew. Councilmember Omberg asked how they would pay the \$50,000 line of credit. Town Superintendent Bush explained it is

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already worked out in the water rate budget but they are just not using it at this time. Councilmember Omberg asked how many man hours they will save each month with these types of meters. Town Superintendent Bush estimated it would save them about eight hours a month and increased reading accuracy.

Councilmember Omberg made a motion that Town Superintendent Bush start to implement the replacement of water meters along the highways using the line of credit. Vice-President King seconded the motion. All were unanimously in favor.

D. Council Inquiries

Vice-President King commented that part of the curb by the courthouse has disintegrated and they were not able to paint the curb as no parking. Motorcycles are now parking there and getting tickets for illegal parking. Town Superintendent Bush advised he has spoken with the INDOT twice and they are not willing to fix this curb even though it is their responsibility. Town Superintendent Bush said they can either paint the crumbling curb or fix it ourselves. President Kirlin advised he has met with the new person at INDOT in charge of these roadways and he is going to talk to her about fixing the issues on the State right-of-ways. Town Superintendent Bush reported that President Kirlin did a great job meeting with INDOT and OCRA and they have been promised to be put on the list for small town reconstruction project.

President Kirlin asked what it would cost to purchase a sidewalk milling machine. Town Superintendent Bush advised to buy the machine it would cost \$5,400. President Kirlin asked if Town Superintendent Bush would like a milling machine or to start saving for a new street sweeper. Town Superintendent Bush commented that he has written a five year plan for purchasing a street sweeper. In the meantime maybe they should just rent a milling machine, do a project and see how Council likes the look of the project. Town Superintendent Bush noted to replace the teeth on a milling machine it is very expensive so it may be better that they rent the machine. He believes it would cost around \$200 a day to rent the machine. Discussion. Town Superintendent Bush will do more research on milling machines.

Town Superintendent Bush reported they are going to replace a section of sidewalk in-house. The sidewalk is by the fire hydrant they just moved on Main Street. He would like to see how good the sidewalk looks and then may do all the sidewalk work in-house. President Kirlin asked that Town Superintendent Bush give Matt Gray a price for replacing the sidewalk near his business.

Town Superintendent Bush would like to rent a milling machine to mill some sections of roads and then pave the roads themselves. He advised they spent \$5,000 for one patch last year and he believes it will be cheaper to rent a machine and do the work in-house. Councilmember Omberg suggested that Town Superintendent Bush try this out and see how it works and how well it holds up.

Councilmember Omberg asked who painted the handicapped parking space on Washington Street. Town Superintendent Bush advised it was painted by his sign crew. Councilmember Omberg commented that they did a phenomenal job. Town Superintendent Bush reported they made very good time on the sign project so they are now working on other projects throughout town.

President Kirlin asked about the street signs that they have been replacing every few years. Town Superintendent Bush reported that the current signs they have been using are not reflective enough for the new standards. Vice-President King suggested routing out the letters and mounting the sign on a piece of reflective material.

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President Kirlin asked what was used on the new light poles, stain or sealant. Town Superintendent Bush reported they used sealant but the poles turned a darker color because there was moisture in the wooden poles. They should have done the sealant later in the year when the poles were drier.

President Kirlin asked why the street lights were not on in the evening. Vice-President King said the lights were on at 4:30 but off by 8:30pm. Town Superintendent Bush said he will to check the timer on the lights. President Kirlin asked if the watering system on the light poles was working. Town Superintendent Bush advised it is not working and they are watering the plants by hand. He thinks after they had tested the irrigation system someone may have dug into one of the pipes causing it to no longer work.

President Kirlin asked if the Town is sending flowers or anything to Chief Administrator Carr for the death of her father. Clerk-Treasurer Young reported they can send flowers or something to the funeral home tomorrow once they find out the arrangements.

2) TOWN ATTORNEY – JIM ROBERTS

A. Council Inquiries

Town Attorney Roberts reported Clerk-Treasurer Young reminded him that they have drafted a contract to redistribute vacation and sick time that was used by an injured employee. He noted Clerk-Treasurer Young, Town Superintendent Bush and the employee have reviewed the contract are ok with it. Town Attorney Roberts explained the contract was written for the Town Administration to sign off on the contract. Council asked Town Superintendent Bush to take care of signing the contract.

President Kirlin asked where they are at with the annexation of the Shell Station. Town Attorney Roberts advised a public hearing has been scheduled, notices have been sent out and everything is in order. President Kirlin asked that the Council be sent a reminder e-mail of the date and time of the public hearing.

President Kirlin asked where they are at with the litigation with the Orminstons. Town Attorney Roberts advised Ms. Orminston asked for a continuance and the court has granted this. He believes the new court date is scheduled for some time in July in small claims court.

Clerk-Treasurer Young asked about a possible new timber frame business in town and how they would handle the licensing of this business. Town Attorney Roberts commented they would need to know more about this business and if the owner plans on installing a roof to the proposed structure that is a building and he will need to have a permit. Town Superintendent Bush noted if it is not a permanent structure they will not need a site improvement plan.

President Kirlin asked if the issues with the EMS building and water have been solved. Town Superintendent Bush reported Town Attorney Roberts reviewed the agreement between the Town and EMS and he is now ready to sign the agreement. He asked that President Kirlin also sign off on the agreement and he will then send it to the County for their signatures. Town Superintendent Bush has scheduled the contractor to start the work next week as long as all the parts come in.

3) CLERK-TREASURER – CLERK-TREASURER BRENDA YOUNG

A. Council Inquiries

Councilmember Omberg moved to approve the claims for the period of 4-15-11 through 4-30-11 and for the period of 5-01-11 through 5-12-11. Councilmember Gore seconded the motion. All were unanimously in favor.

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Clerk-Treasurer Young asked about the meeting scheduled for June 9, 2011 with the Redevelopment Commission. President Kirlin asked Town Attorney Roberts to attend the meeting. President Kirlin explained the meeting will be a presentation by Barnes and Thornburg regarding the role of the Redevelopment Commission.

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

Nothing presented.

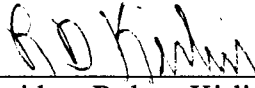
ADJOURNMENT

Councilmember Gore moved to adjourn the meeting. Councilmember Omberg seconded the motion. The meeting was adjourned by President Kirlin at 9:57pm.


The audio recording made at the Town Council meeting on 5-19-11 is retained in the office of the Town Clerk-Treasurer.



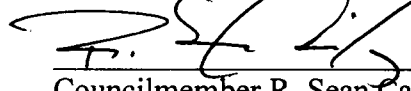
Clerk-Treasurer Brenda K. Young



President Robert Kirlin




Vice-President Charles B. King



Councilmember R. Sean Cassidy



Councilmember Jane Gore



Councilmember Arthur Omberg