

**NASHVILLE TOWN COUNCIL MEETING  
THURSDAY, AUGUST 20, 2009**

**ATTENDANCE** – Council members present – President Roger Kelso (arrived at 7:06pm), 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 (arrived at 7:20pm), Interim Town Marshal Stephanie Loerzel, Town Attorney James Roberts, Clerk-Treasurer Brenda Young and Deputy Clerk-Treasurer Debbie Ferry.

**REGULAR COUNCIL BUSINESS**

**1) CALL TO ORDER** by Vice-President Kirlin at 7:05pm.

**2) PLEDGE OF ALLEGIANCE**

**3) ROLL CALL** by Clerk-Treasurer Young

**4) APPROVAL OF AGENDA**

Vice-President Kirlin asked if there were any additions or deletions to the agenda. Councilmember Omberg asked to remove the Salary Ordinance Amendment from Old Business in the agenda. Councilmember King made a motion to accept the agenda with the deletion. Councilmember Omberg seconded the motion. All were unanimously in favor.

Vice-President Kirlin turned the meeting over to Council President Roger Kelso.

**5) APPROVAL OF THE MINUTES**

Councilmember Omberg made a motion to approve the minutes for the July 16, 2009 meeting and August 11, 2009 meeting as presented. Councilmember King seconded the motion. All were unanimously in favor.

**6) COMMUNICATIONS**

Nothing presented.

**7) CITIZEN CONCERNS**

Resident Billy Salmon asked Town Attorney Roberts if a representative of the Brown County Planning Commission had spoken to him regarding the issues they are having at Main and Johnson Streets. Town Attorney Roberts advised they have spoken with Town Superintendent Bush and he has passed on the correspondence information. Mr. Salmon explained that the person at that property is allowing parking on the property and has piles of firewood for sale. Town Attorney Roberts reported he would discuss these issues with the Town Council at the meeting this evening to see if they wanted to do anything.

Vice-President Kirlin asked if a person is running a business at that location. Town Attorney Roberts is not sure if there is a business being run at that location or not but there has been a sign out front advertising a product for sale. First, signage may or may not be permitted in a residential area and the commercial use would not be permitted. Discussion. Town Attorney Roberts advised that technically the Area Plan Commission is the enforcement agent for the Town's ordinance in this area but anyone can enforce the ordinance. He commented that perhaps this issue could be addressed with a stern letter.

## TOWN COUNCIL MEETING, AUGUST 20, 2009

President Kelso suggested Town Attorney Roberts writing two letters; one concerning the parking sign and the other regarding the sale of firewood. If they don't get a response that way they should go ahead and get an injunction. Vice-President Kirlin asked that the letter go to the property owner and to the resident.

Councilmember Omberg asked if anyone had approached the resident and told them what they are doing is not allowable. Interim Marshal Loerzel reported she told the resident two weeks ago to move the sign. Discussion. Vice-President Kirlin asked that a letter also be sent to the person selling firewood at the church property. Interim Marshal Loerzel will talk to the person at the church.

Council asked if Mr. Terrill has applied for a parking permit this year. Chief Administrator Carr advised Mr. Terrill came in and got the paperwork for the permit the other day when he saw they were taking photos of his property. He has not returned the parking permit paperwork at this time. She also advised Mr. Terrill to check with Planning and Zoning to see if this area was zoned to sell firewood. Councilmember King noted on a state level there is a quarantine on burning firewood due to the Ash Borer invasion.

Vice-President Kirlin made a motion to have Town Attorney Roberts work on getting people who are out of compliance in the Town either on selling firewood or illegal parking spots. Councilmember King seconded the motion. All were unanimously in favor.

### **NEW BUSINESS**

#### **1) PROCLAMATION – NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH**

Vice-President Kirlin explained the Council had before them a proclamation that he moved they adopt stating in the month of September 2009, Nashville, Indiana will declare it to be National Alcohol and Drug Addiction Recovery Month. Councilmember Omberg seconded the motion. All were unanimously in favor. Councilmember Omberg read aloud the proclamation.

#### **2) FUNDING REQUEST FROM COUNTY COMMISSIONERS – EMS STATION**

President Kelso explained the Council has received a letter from County Commissioner Mary Fouch asking for funds from the Town for the proposed EMS station. President Kelso added the location for the new EMS Station will be next to the Law Enforcement Center on Highway 46. They are in the process of requesting a grant from CFF in the amount of \$500,000. President Kelso reported the County Commissioners would like the Town Council to authorize contributing an amount of \$20,000 and he asked what the Council wanted to do.

Councilmember Omberg commented that \$20,000 would be 40% of the matching money required and that seems to be a lot of money for one thousand residents that also pay county taxes. Vice-President Kirlin commented he does not know where they would come up with \$20,000 and he has a semi-problem as a tax payer and resident that pay both county and town taxes. Therefore in his opinion they are asking the town taxpayers to pay twice on the project. Vice-President Kirlin added he does not mind participating in the project if they can come up with the money but not \$20,000. President Kelso asked what type of figure Vice-President Kirlin would propose. Vice-President Kirlin commented he believes 7% of the matching money from the Town, same as the percentage of the Town pays in County tax bills, might be a fair amount to contribute. President Kelso clarified that 7% would be approximately \$3,500.

## TOWN COUNCIL MEETING, AUGUST 20, 2009

County Commissioner Fouch explained the County is putting in \$50,000 for the match and their current plans are exceeding the \$550,000. Part of the money is going toward the architect and grant administrator. They have submitted the initial grant a week ago and have to submit the final grant with the budget in October and they have not selected an architect or grant administrator yet. Discussion.

Councilmember Omberg made a motion that the Town of Nashville agrees to be a partner in the building of the EMS building as long as funding is available, the grant is awarded and the amount to be awarded will be determined at a later date in the 2010 budget. Vice-President Kirlin seconded the motion. All were unanimously in favor.

### **3) WATER AND WASTEWATER STUDY**

Rate Consultant Patrick Callahan was present to review his handouts with the Council. He explained at the last Council meeting the Council had questions as to how much it would take to buy down the rates, suggestions of a capital charge for the customers in the new service area. Mr. Callahan went over in detail each scenario in the handouts and summarized for every \$250,000 in grant money the Town receives the reduction of the increase will be two percent. He noted he has been speaking with Michael Strahl of Rural Development almost everyday this past week and will forward these reports to him tomorrow. President Kelso asked Town Superintendent Bush to find out the assessed value of Coffey Hill and Orchard Hill areas because at one time they talked to the residents of these areas about using their property taxes for a preliminary period against the new rates. Discussion.

Council asked why they would expect the new sewer customers in the expansion area to pay less than the standard tap fees. Mr. Callahan reported that Rural Development is the financing of last resort and they typically try to help low income areas and they will comment on the cost of the tap fees if they believe them to be too high. President Kelso would like to have a scenario using property taxes to help offset the tap fees. Discussion.

Mr. Callahan noted at the last Council meeting there was discussion regarding a capital charge which would call for the new sewer expansion customers paying more up front for the up front debt with Rural Development. He explained if they take the total debt with Rural Development of the proposed project, about 79% of the cost is due to the collection system. This is a significant amount as it is to be paid over 40 years. President Kelso summarized with these numbers, the people in the new areas, without any grant funding, they would be paying an additional \$61.51 per month as opposed to the existing customers also paying in for the project at \$50.00 per month. Discussion. Mr. Callahan asked the Council to keep in mind they haven't gone out to bid on the project yet and the interest rates are going down at this time and therefore some of the rates may be lower.

Mr. Callahan passed out comparison charts and explained the Indiana Utility Regulatory Commission puts out a survey that is on-line. He also put together a report of some of his clients so that the Council could see both reports. Mr. Callahan reviewed the comparison charts with the Council. Overall the Town of Nashville Utility sewer rates are in line with those in the comparison charts and the water rates are a little higher but this is due to having to buy water for the Town to sell to its customers. Discussion. President Kelso asked about doing a rate structure that would give incentive for being conservative users of water and sewer. Mr. Callahan advised this would be a cost of service study and he has done these before and he imagined it would cost \$20,000 - \$25,000 to do that type of study.

President Kelso and the Council thanked Mr. Callahan for his work and commented the reports are very clear.

**RECESS**

A recess was called from 8:11pm to 8:22pm.

**4) TOWN HALL BUILDING MAINTENANCE**

Clerk-Treasurer Young advised she was asked by a couple people to add this item to the agenda. Several problems with the building include: the leaking roof, termites, sound system and air conditioner. Phyllis Carr reported two companies have done an inspection regarding the termite damage but she has not received the bids from them as of yet and she will also ask for another estimate as well. President Kelso estimated this cost of treating for the termites could run up to \$2,000.

Town Superintendent Bush spoke about the roof and reported he and Lamond Martin looked at the roof and found a soft spot which means they will have to tear off the shingles in that area and replace the decking. President Kelso asked what a cost estimate might be to do the work. Mr. Martin estimated it would run around \$140 a square foot. Councilmember King suggested re-shingling the whole roof if they go ahead with this project. Council agreed.

Town Superintendent Bush reported they spoke about the air conditioner issues at the last Council meeting. While it is still functioning at this time, is it the Council's intent to put repairs in next year's budget or do something with it yet this year. President Kelso commented they would need to know how much the repairs will be before they can make that decision. Town Superintendent Bush asked Chief Administrator Carr to gather three bids for this project. Clerk-Treasurer Young advised the Council that in the General Fund, in the Building Maintenance line item this year they have \$52,000 unencumbered but they will have to cut this budget by at least \$40,000 once they receive their 2009 budget from the State. That would leave them approximately \$12,000 and they may consider using money from the EDIT fund for the roof.

Vice-President Kirlin made a motion to take out of the building fund to treat the termites, funds not to exceed \$2,000 out of this year's budget and no more than \$200 per year for an annual contract if needed. Councilmember King seconded the motion. All were unanimously in favor.

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

Vice-President Kirlin reported he called the Local Technical Assistance Program regarding a radar speed display sign to be used on Jefferson Street as people come down Hwy 135. This would be a free sign and they can bring one to them next Thursday. He would like the police to join him in helping to find a place to put this sign.

Councilmember Omberg noted there is a petition being circulated by the residents of Jefferson Street and most of them would like some sort of speed reducing devices for that street. President Kelso asked how they would reduce the speed on that road. Councilmember Omberg explained they have talked about speed bumps and rumble strips. President Kelso commented it is a great idea to have the radar speed sign, no matter where they put it and it does tend to slow people down. He further suggested turning it into a speed trap and advertise they are doing so. Interim Town Marshal Loerzel is not sure they want to call it a trap but they can definitely do some extra patrolling on Jefferson Street.

Vice-President Kirlin reported the Development Review Commission is asking the Council's opinion on maintenance plans for landscaping. At this time there is nothing in the guidelines, but in Vice-President Kirlin's opinion they need to adopt this type of program to their guidelines. President Kelso suggested a developer set up an escrow account to make sure the landscape maintenance is funded. Council agreed to have the Development Review Commission work on adding maintenance plans for

## TOWN COUNCIL MEETING, AUGUST 20, 2009

landscaping to their guidelines and the Council will see how it goes. Clerk-Treasurer Young advised currently a new business development has to submit a landscape plan. Vice-President Kirlin agreed they submit a plan, but not a maintenance plan.

### **OLD BUSINESS**

#### **1) UPDATE ON SEWER EXPANSION PROJECT**

- Engineering Agreement
- Legal Services Agreement
- Bond Counsel Agreement

Town Superintendent Bush explained they should be getting a letter of commitment from Rural Development in the next three weeks and they should get the agreements in place sooner rather than later. Town Superintendent Bush and Vice-President Kirlin added that Michael Strahl of Rural Development needs these items before they can send the letter of commitment.

Town Superintendent Bush advised they have selected and approved the Bond Counsel Agreement from Barnes and Thornburg but it has not been signed. The agreement is for \$13,800 and not to exceed that amount.

President Kelso advised the legal services agreement is potentially with their Town Attorney and they have recommended Barnes and Thornburg for the Bond Counsel. Town Attorney Roberts advised he has reviewed the Bond Counsel contract and he would like to discuss these items with Ms. Blanchet of Barnes and Thornburg before he comes to any terms of signing the contract. Discussion.

Vice-President Kirlin made a motion to approve Bond Counsel contingent upon approval from Rural Development. Councilmember King seconded the motion. All were unanimously in favor.

Vice-President Kirlin commented if they hire Town Attorney Roberts as the Legal Services representative and Rural Development says certain items must be in the contract that Town Attorney Roberts doesn't agree with, what will they do? President Kelso explained he will have to negotiate changes in the clause that suite him until they get it cleared up. Vice-President Kirlin asked if Town Attorney Roberts will charge the same fees he charges the Town for the Legal Services agreement. Town Attorney Roberts advised he would not charge the same amount but was not able to give a fee rate at this time. Vice-President Kirlin commented they would have to have a special meeting to get the fee schedule worked out so they can complete the Bond Counsel agreement and it needs to be done sooner rather than later. Council scheduled the meeting for August 26, 2009 at 3:00pm.

President Kelso asked what was going on with the Engineering Services agreement. Town Superintendent Bush explained that is one of the items Mr. Strahl gave him to be completed. Town Superintendent Bush presented the agreement to Council for their review. President Kelso asked Jim West of Strand Engineers how long it will take to get the engineering done. Mr. West replied they could get it done within a reasonable time frame. Discussion.

President Kelso asked if the design fees need to include the generators at the wastewater treatment plant and the lift stations. Town Superintendent Bush asked if Council would like to add this to the meeting scheduled for next week. Vice-President Kirlin voiced concern about paying thirty percent when they will not have the funds yet and concerned that Strand change the billing from 60 to 30 days on the net. Council added they will not sign the contract with thirty days net and will find another engineering firm that will sign for sixty days if they have to. Discussion.

## TOWN COUNCIL MEETING, AUGUST 20, 2009

President Kelso noted the contract will have to be updated with reasonable expectations and they need an estimate on how long it will take to get the engineering done. President Kelso asked Town Superintendent Bush to find out when this needs to be done for Rural Development and OCRA. They will discuss this contract at the August 26, 2009 meeting.

### **2) BLUE ELK CROSSING PROJECT UPDATE – STEVE ALEXANDER**

Steve Alexander addressed the Council and advised he is deep in negotiations with lenders and will meet with Meryl Lynch tomorrow. They are looking at January 1, 2010 for the implementation of the annexation and will look for permits in the spring.

Vice-President Kirlin asked if Mr. Alexander is still going to apply for tax credits for low income seniors. Mr. Alexander said they would not as RealAmerica got that credit. He explained his equity people prefer an upper scale product. President Kelso asked when they are thinking of starting construction. Mr. Alexander reported they are planning to start in the spring.

Vice-President Kirlin asked how far along the project is with the Development Review Commission. Mr. Alexander noted they have had several meetings with them and the target is to be back on their agenda in October and he anticipates it will take two to three months of meetings with them to finalize things. President Kelso asked for a rough schedule of building so they can work with the utilities to make sure they are ready when needed. President Kelso asked Town Superintendent Bush to present a schedule at the next full meeting of how this is all going to come together.

### **3) CHAMBER OF COMMERCE REPORT**

Suzannah Zody spoke about the progress of the Salt Creek clean-up and noted 10 miles have been cleaned up at this time. They have cleaned the area from Gatesville General Store to the Red Barn Jamboree including the Gnaw Bone creek by the park entrance. They removed lots of tires and weird trash but recycling is taking a lot of the items. Ms. Zody noted there will be a couple of clean up days in September if anyone wants to volunteer, also a brochure showing the different phases will be available next week. The clean-up is a three phase project that will go all the way to the county line stopping around T.C. Steele Road and they are still looking into how they will hook-up to Lake Monroe from there.

Ms. Zody referred to her letter about the Christmas parade. She explained she is on the Holiday Committee with the Convention and Visitors Bureau. As part of their holiday promotion they want to do a Christmas parade. They will have four marching bands, four floats and ending with Santa and Mrs. Claus. The date for the parade is December 12, 2009 around 4pm and end between 5-6pm. Ms. Zody explained they did not want to block parking all day for the parade so they had made their route north on Van Buren Street turning right on Mound Street and coming back south on Old School Way back to the high school. Ms. Zody requested an officer to help direct traffic at Main Street as they cross the road. Discussion.

Vice-President Kirlin made a motion to approve the route for the Christmas parade on December 12, 2009 as presented. Councilmember Omberg seconded the motion. All were unanimously in favor.

**4) ECONOMIC DEVELOPMENT COMMISSION REPORT  
INTERLOCAL AGREEMENT - BROWN COUNTY ECONOMIC DEVELOPMENT  
COMMISSION**

Suzannah Zody reported the EDC has met with Atterbury, Indiana Economic Development Commission as well as Bloomington's film representative. Brown County will be compiling a data base of properties and services that may be used in filming.

Ms. Zody spoke about the Interlocal Agreement that was drafted by the Town Attorney to transfer the fiscal agency of Economic Development from the Chamber to the County as mandated by the State Board of Accounts. The County must also draft an ordinance saying this is possible but the County Attorney did not get it done in time for the Town Council meeting.

Vice-President Kirlin commented that he hoped Town Attorney Roberts did not draft the Interlocal Agreement, he hopes the Town is not paying one cent for the Town Attorney to do this work. Ms. Zody explained they need two documents. Town Attorney Roberts clarified that the ordinance is to be prepared by the County. The agreement is between the Town and the County and he has prepared a draft of that agreement. Vice-President Kirlin asked why the County Attorney did not draft this agreement. Town Attorney Roberts answered that he did not know. Ms. Zody commented that Economic Development Commission could pay the attorney fees. Vice-President Kirlin commented it was not about the money, it is time for the County to step up to bat to do things to support Economic Development or get out of Economic Development.

President Kelso summarized that what needs to be done is to approve the agreement. Ms. Zody has to get the ordinance from the County first. Town Attorney Roberts added it is premature to approve the agreement until the ordinance has been approved. Council tabled this item until next month's meeting.

President Kelso asked how the Economic Development Commission is measuring progress or success. Ms. Zody spoke about the RealAmerica project and how they helped to walk them through the process and in three to four years they can look at how this development has impacted the amount of job growth in the community.

**5) PARKING AND PUBLIC FACILITIES UPDATE**

Commission President Lamond Martin advised they have not had a couple of meetings but he presented minutes for the last meeting they had. Commission President Martin addressed the Council regarding the overtime pay for the restroom attendant. This was discussed at the May Council meeting but no resolution to the issue.

Commission President Martin explained there were several events in the spring where it was requested the restrooms be open later in the evening. Councilmember King asked why the restroom attendant's schedule couldn't be altered to work the later shift. Commission President Martin passed out the daily schedule of the restroom attendant duties for Council's review. President Kelso commented the bottom line on this issue is \$420 on something that generates revenue that the Town receives 1% on anyway. Discussion. President Kelso asked what the Commission's recommendation was regarding the overtime pay. Commission President Martin reported the Commission believes they should pay the overtime.

Vice-President Kirlin made a motion to approve \$420 overtime pay for the three events listed on the memo of April 16, 2009. Councilmember King seconded the motion. All were unanimously in favor.

## TOWN COUNCIL MEETING, AUGUST 20, 2009

Councilmember King would like in the future to not close the restrooms twice in one evening if they are having events. Commission President Martin believes this has already been worked out for future events. Councilmember King added that he believes the restroom attendant is doing a good job. Vice-President Kirlin asked if the bugs had been removed from the light fixtures in Antique Alley. Commission President Martin has not seen this but will have them removed.

Vice-President Kirlin commented at some point he would like the Town to somehow readdress the issue of buying the Robert's property and this may be more appropriate at another meeting. Councilmember King asked if anyone has spoken with Jay Carter about the piece of property down by the Pat Reilly parking lot. Discussion.

Councilmember King made a motion to have Town Attorney Roberts contact the lawyer for the Robert's property regarding the possible purchase of the property. Councilmember Omberg seconded the motion. All were unanimously in favor.

Councilmember King noted there is a light out at the Washington Street parking lot and who is responsible for it. Chief Administrator Carr will contact the electric company. Commission President Martin noted they have received the Pittman House parking lot signs and they will be installed soon.

### **6) DEVELOPMENT REVIEW COMMISSION REPORT**

Commission President David Martin advised the Commission met Tuesday at 5pm and walked the site of RealAmerica and discussed the project with them. The discussion continued during the regular meeting later that evening.

Commission President Martin advised at the meeting they were presented with three sign applications, one was tabled as no representative was present to talk about the sign and the other two applications were approved. They approved one certificate of appropriateness for repainting of a building.

### **7) ANY OTHER UNFINISHED BUSINESS OR COMMENTS THAT MAY COME BEFORE THE COUNCIL**

Councilmember King made a motion to spend the money to fix the sound system in the meeting room and get quotes on what the cost will be. Vice-President Kirlin seconded the motion. All were unanimously in favor. Councilmember King asked Chief Administrator Carr to have someone come in and give them a quote utilizing as much equipment that is working as possible.

Vice-President Kirlin made a motion that the meeting go past 10pm this evening. Councilmember King seconded the motion. All were unanimously in favor.

### **REPORTS FROM DEPARTMENT HEADS**

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

##### **A. Kelley Hill Water Main Extension**

Town Superintendent Bush advised he has spoken with the Town Attorney and he is ok with the Town awarding the booster station installation to Warford Gas and Electric for the amount of \$8,782.50. Councilmember King asked when they can take showers on Kelley Hill. Town Superintendent Bush's estimate, given what the pump supplier has said, it will be done by October 2, 2009. President Kelso asked if the booster station has a transfer switch on it so they could hook a generator to it if needed. Town Superintendent Bush advised it does not. Vice-President Kirlin asked what it would take to do a

## TOWN COUNCIL MEETING, AUGUST 20, 2009

transfer on the electric pole. Town Superintendent Bush advised he would talk to REMC about getting this installed.

### **B. Award of Lift Station Installation**

Town Superintendent Bush advised they need to award this to Warfords. Councilmember King made a motion to award the contract of the lift station on Kelley Hill to Warford Electric and Gas at a cost of \$8,782.50. Vice-President Kirlin seconded the motion. All were unanimously in favor.

### **C. Kelley Hill Water Tank Painting Update**

Town Superintendent Bush reported they were delayed a little bit due to the storm and water issues but today the second tank was drained and they have started stripping it. They anticipate getting the work done by the middle of September.

### **D. Freeman Ridge Water Main Extension**

Town Superintendent Bush advised this came on-line today. He explained they have installed a line between the Brown County water system at their tank at the intersection of Freeman Ridge and Bear Wallow roads. The line runs to a Nashville Utilities line on Freeman Ridge, they have now turned on this connection so water will flow from Brown County Water's tank to Nashville Utility customers in this area. If the power goes out, those customers will not lose water anymore. Town Superintendent Bush added this allows Nashville Utilities to do away with the Kirts Garage pumping station and this will save a significant amount of money in electric and service costs.

### **E. Quotes**

None presented.

### **F. Service Agreements**

None presented.

### **G. Utilities Report**

Town Superintendent Bush pointed out that during the power/water outage they turned on Schooner pumping station and the electrical portion for pump one caught on fire. They were able to turn on pump two and that allowed the town not to run completely out of water. President Kelso asked how often the station was used or tested. Town Superintendent Bush explained since it started having issues three years ago with rodents in the control panel, he has only tested it once a year. They were also having electrical and pump issues leaking on one pump. Discussion. President Kelso directed Town Superintendent Bush to get cost estimates on fixing this pumping station.

### **H. Council Inquiries**

President Kelso asked where they are at with the efficiency report. Town Superintendent Bush reported he has meet with the firm doing the study three times and they should have the report to him by the first week of September.

Vice-President Kirlin asked how the reverse 911 worked for the boil water order. Town Superintendent Bush explained initially there was a problem with the phone lines and a little over 60% of the calls were not made. Once they identified the problem and made repairs to the phone line, a second call went out and this time only 5% were not made. Clerk-Treasurer Young added the reverse 911 system is in her office and they work with the Town Administration to make the calls. Clerk-Treasurer Young advised some of the calls were not received because some areas were still out of power and the staff hand delivered notices to businesses as well.

## TOWN COUNCIL MEETING, AUGUST 20, 2009

Vice-President Kirlin asked if messages could be left on answering machines. Clerk-Treasurer Young reported the system can leave messages on answering machines. Council suggested repeating the warning twice for water boil orders. Clerk-Treasurer Young noted the calls are a courtesy and not requirement. The information is sent to the IDEM, Health Department, newspaper, radio stations and on the Town's website. Councilmember Omberg suggested also an e-mail database might be useful to send out the messages. Discussion.

Vice-President Kirlin asked about the meeting on August 8<sup>th</sup>, 2009 with INDOT regarding the upgrades to Hwy 46 and Parkview Road intersection. Town Superintendent Bush advised he was unable to attend the meeting. Vice-President Kirlin asked Town Superintendent Bush to contact INDOT and find out the timing of the project. Town Superintendent Bush explained the project is to raise the approach on Parkview so it is a more level surface intersecting Hwy 46. While this is being done INDOT will put in a temporary by-pass on Parkview Road. Town Superintendent Bush showed a diagram of the project to the Council.

### **2) INTERIM TOWN MARSHAL – STEPHANIE LOERZEL**

#### **A. Council Inquiries**

Interim Town Marshal Loerzel asked for a Safety Board meeting to discuss police department structure issues. Council scheduled the Safety Board meeting for September 3, 2009 at 7pm and a Utility meeting for September 3, 2009 at 8pm. Clerk-Treasurer Young reminded the Council there will be a joint meeting with the County, School and Town on September 9, 2009 at Town Hall.

Interim Town Marshal Loerzel informed the Council Operation Pullover will begin tomorrow and go through September 7, 2009. She advised that some of the local businesses are passing out the noise ordinance pamphlets, especially down at Pit Bull where lots of motorcycle traffic goes through.

Interim Town Marshal Loerzel reported Vice-President Kirlin had asked for some sort of breakdown on the benefits for the officer they will be hiring and for Officer Robinson. She presented the copy of those figures for the Council. Interim Town Marshal Loerzel noted Councilmember Cassidy had asked about the police department's wish list and she advised this is going great and handed out a list of those items received.

Councilmember King asked how Interim Town Marshal Loerzel's car was doing. She advised it would be nice to have a new one as it is in the shop again due to electrical air problems and she is being told it could be over \$1,000 to fix the problem. President Kelso commented they have allocated money in next year's budget to lease a new police vehicle. Discussion. President Kelso asked Interim Town Marshal Loerzel to bring information regarding lease costs for a new vehicle to the Safety Board meeting.

Interim Town Marshal Loerzel reported the department went to the firing range for training two weeks ago and used some ammunition. She will need at least \$500 for more ammunition but they have enough at this point to qualify again this year.

Vice-President Kirlin made a motion that the Council start a search committee to interview and accept applications for the Town Marshal position. Councilmember King seconded the motion. All were unanimously in favor. Vice-President Kirlin suggested at the Safety Board meeting they could decide who they want to set on the search committee. Councilmember Omberg addressed Interim Town Marshal Loerzel and told her she is invited and encouraged to apply for the position. He added that they are required to go through this process and it is not a personal swipe.

TOWN COUNCIL MEETING, AUGUST 20, 2009

Vice-President Kirlin complimented the police department on writing ten warning tickets and ten tickets for noise violations.

**3) TOWN ATTORNEY – JAMES ROBERTS**

**A. Council Inquiries**

Town Attorney Roberts circulated a memorandum in response to the Council's questions regarding use of vacation time. They may discuss this at the next Council meeting.

Town Attorney Roberts read from his things to do list: to write a letter about the wood and signs, contact Kim Blanchet of Barnes & Thornburg regarding the fee contract, attend at special Council meeting on Wednesday, August 26<sup>th</sup> at 3pm, review the billing on the Interlocal Agreement and pass on those fees to the County.

Vice-President Kirlin commented the Tree Board has pointed out another problem with a tree and asked Chief Administrator Carr if something is being done about it. Chief Administrator Carr advised a purchase order has been submitted to have the tree on Jefferson Street removed. She also advised she will be submitting to the Council next week, a list of stumps that need to be ground out.

**4) CLERK-TREASURER – BRENDA YOUNG**

**A. Claims**

Councilmember Omberg made a motion to approve the claims for the period of 7-10-09 through 7-31-09 and for the period of 8-01-09 through 8-13-09. Councilmember King seconded the motion. All were unanimously in favor.

Clerk-Treasurer Young presented information from the Census that needs to be signed by Council. She also presented paperwork to appoint someone as the new construction program liaison. Councilmember Omberg made a motion to appoint Vice-President Kirlin as the liaison and to sign any necessary documents. Councilmember King seconded the motion. All were unanimously in favor.

Vice-President Kirlin advised the Council desperately needs a representative on the Emergency Management Commission and this is also by state mandate. They have been blasted about not having anyone present for meetings and he asked Councilmember Omberg if he would like the Council to appoint a new representative. Councilmember Omberg replied he would like someone else to be appointed representative as he does not have time for this meeting. Councilmember King commented he could be the representative. Vice-President Kirlin made a motion to appoint Councilmember King as representative to the Emergency Management Commission. Councilmember Omberg seconded the motion. All were unanimously in favor.

**ADJOURNMENT**

The meeting was adjourned by President Kelso at 10:45pm.

*The audio recording made at the Town Council meeting on 8-20-09 is retained in the office of the Town Clerk-Treasurer.*

  
Clerk-Treasurer Brenda K. Young

  
President Roger Kelso

TOWN COUNCIL MEETING, AUGUST 20, 2009

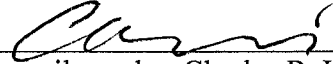


---

Vice-President Robert Kirlin

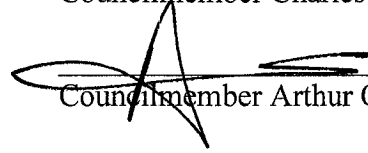
---

Councilmember R. Dale Cassidy



---

Councilmember Charles B. King



---

Councilmember Arthur Omberg