

**NASHVILLE TOWN COUNCIL MEETING
THURSDAY, MAY 21, 2009**

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

REGULAR COUNCIL BUSINESS

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

2) PLEDGE OF ALLEGIANCE

3) ROLL CALL – by Deputy Clerk-Treasurer Ferry

4) APPROVAL OF AGENDA

Vice-President Kirlin asked if there were any additions or deletions to the agenda. Councilmember Omberg asked to add the Farmers Market under New Business.

Councilmember Cassiday made a motion to accept the agenda as amended. Councilmember King seconded the motion. All were unanimously in favor.

5) APPROVAL OF THE MINUTES

Councilmember Omberg made a motion to approve the minutes for the April 16th, 2009 Public Hearing and April 16th, 2009 meeting as presented. Councilmember King seconded the motion. All were unanimously in favor.

6) COMMUNICATIONS

Town Superintendent Bush advised he had written communication from Shannon Hancock, who was also present at the meeting, and she is requesting to connect to the Town's water main two homes that she wants to build on her property on Kelley Hill Lane. Town Superintendent Bush explained that the first proposed house will be close to the highway and will not be a problem connecting to the Town's water main as the main will be adequately pressurized. The second proposed house is further down the lane and President Kelso commented in a previous Town Council meeting they did not want water lines running long distances from the meter.

Mrs. Hancock explained there has been a lot of confusion over this process throughout the last two years. She would like to know what the cost is to connect to the Town's water line. Town Superintendent Bush advised that no connections are being allowed until the Town installs the booster station in this area. After the station is installed it would be possible for her to connect to the water main at the cost of a standard tap on fee for the one meter that is closest to the highway.

Vice-President Kirlin asked if Council had any problems with the one hook-up for Mrs. Hancock. Councilmember King commented he did not see a problem with the one hook-up for \$1,024 which is the standard fee. Councilmember King further noted as far as the second hook-up they will have to look at that later but it would require a separate meter.

TOWN COUNCIL MEETING, MAY 21, 2009

Councilmember Cassiday made a motion to approve one tap only. Councilmember King seconded the motion. All were unanimously in favor.

Mrs. Hancock asked if the water main extension would impose on her building site in any way. Town Superintendent Bush advised the extension is supposed to be along the edge of the road and should not interfere with her building.

7) CITIZEN CONCERNS

None presented.

NEW BUSINESS

1) ORDINANCE TO AMEND ORDINANCE NUMBER 2003-03 THE "HORSE-DRAWN CARRIAGE ORDINANCE"

Vice-President Kirlin reminded the Council that at the last meeting Mr. Terrill asked to have a mule with a wagon to give rides to people in Town. Vice-President Kirlin commented he has read the amendment that was drafted by Town Attorney Roberts and found it to be very clear. Town Attorney Roberts explained in the amendment he allowed for an additional license for a maximum of three licenses and he added a definition section to include all draft animals used to draw vehicles by animal power.

Councilmember King made a motion to have the first reading of Ordinance 2009-07 by title only. Councilmember Cassiday seconded the motion. All were unanimously in favor. Vice-President Kirlin read Ordinance 2009-07 by title only. Councilmember Omberg made a motion to have the second reading of Ordinance 2009-07 by title only. Councilmember Cassiday seconded the motion. All were unanimously in favor. Vice-President Kirlin read Ordinance 2009-07 by title only. Councilmember Cassiday made a motion to adopt the amendments to Ordinance 2003-03 by Ordinance 2009-07. Councilmember King seconded the motion. All were unanimously in favor.

Mr. Terrill asked about the checklist he was given for the vehicle inspection and if he needs to meet with the Police Department. Council advised he does need to meet with the Police Department regarding the wagon and the animal.

2) LOTUS PETAL – MOVIE REQUEST

Business owner Chris Dick asked the Council for permission to have free family friendly outdoor movies located next to his cinema in Antique Alley. He presented a packet of information to the Council for them to review. Mr. Dick reported he has tested his equipment to make sure the movies could be seen outdoors. He also spoke with the immediate surrounding businesses to ask for their approval and those approval signatures are in the packet of information he presented to the Council. Mr. Dick is asking for permission to show the movies from now through the end of the year as weather permits.

Councilmember Cassiday asked if there was construction involved in this project. Mr. Dick explained he will be using an inflatable screen that will tether to his building only.

Vice-President Kirlin asked Town Attorney Roberts what actions they need to take on this request such as does he need a separate business license or does he need additional insurance. Town Attorney Roberts commented the only revenue he will be collecting is concession sales and Mr. Dick already has a license to cover that. Since this is a free activity, he does not see the need for an additional business license. Vice-President Kirlin asked about the noise level. Mr. Dick advised it will not be much louder

than speaking volume. Discussion. Mr. Dick noted he would only show movies PG-13 and under as he wants to keep the movies family friendly, predominately he would like to show vintage movies. Vice-President Kirlin advised the Council gives it's blessing for the outdoor movies.

3) ENGINEERING AGREEMENT – SEWER EXPANSION PROJECT

Town Superintendent Bush reported this item needed to be tabled.

4) CHOCOLATE WALK – BROWN COUNTY HUMANE SOCIETY

Red Nastoff thanked the Council for the exception to the ordinances last year for the Chocolate Walk. They had an amazing event with a large turnout. She also thanked the staff in the Clerk's office as they were very helpful with the licensing process.

Ms. Nastoff presented a letter signed by Jane Weatherford of the Brown County Humane Society requesting a special exception to Nashville Ordinance 1998-3 in order to sell tickets on the streets and also to promote the event prior to November 14th, 2009. Ms. Nastoff noted they have listed the dates they are proposing to sell the tickets. Councilmember King asked if there are any changes from last year. Ms. Nastoff reported they kept with not doing weekends in October which the Council had requested. They also are not using any June, July or August dates to sell, but only September, October and November dates. They also stayed with the same hours of 10am to 5pm and the same locations the Council suggested last year.

Councilmember Cassiday asked the other councilmembers if they had heard any comment from any other businesses on the event. Vice-President Kirlin and Councilmember King advised they had not heard any negative comments. Ms. Nastoff noted the Humane Society has heard lots of positive comments about the event.

Councilmember Omberg commented this is a great organization to support and made a motion to give the Humane Society an exemption as requested. Councilmember Cassiday seconded the motion. All were unanimously in favor.

5) INTERNET SERVICES – BRIAN GABRIEL

Tabled until the next Council meeting.

6) COMPUTER EQUIPMENT

Councilmember Cassiday asked if anyone besides him had seen the bids for computer equipment. Councilmember Omberg saw two bids; one was for \$870 and the other for \$991. Councilmember Cassiday spoke about the one sent by Holly Catron at \$991 but there is an extensive list of software with it. Town Superintendent Bush advised he reviewed this bid and if they look at the speed of the laptop this is a fair price. They would need to purchase additional software to go along with this laptop to do what they want to do with the computer. Discussion.

Councilmember Cassiday asked if they had the money to buy these laptops now. Town Superintendent Bush reported Clerk-Treasurer Young told him if the Council took the money out of the gambling fund they could pay for the laptops. Councilmember Cassiday noted they need 10 laptops to be used during Council meetings. Town Attorney Roberts and Interim Town Marshal Loerzel advised they do not need laptops.

Councilmember Omberg made a motion pending approval from Clerk-Treasurer Young that the Council purchase eight laptops at the cost of \$975 each. Councilmember Cassiday seconded the

motion. Vice-President Kirlin advised he will not support the motion as he believes they should shop around for other prices to see if this is the best deal they can get. Councilmember Cassidy stated he would get further pricing.

Councilmember Omberg amended his motion to add that Councilmember Cassidy will take the laptop specifics and get pricing from four other vendors and give Councilmember Cassidy permission to choose the best price. Discussion. Councilmember Cassidy seconded the motion. All were unanimously in favor of both motions.

7) FARMERS MARKET

A representative of the Farmers Market addressed the Council and explained they have run into problems with people not knowing where the market is located. They are asking for temporary signs to be placed in the parking lot at the corner of Van Buren and Gould Street directing people to the market. They also asked for a banner to be placed on the fence behind the parking lot. They have discussed this with the owner of the parking lot as well as the Historical Society which have both agreed to the banner.

Councilmember Cassidy asked where the market is located. The representative explained they are in the old True Value lumber building that is within the Historical Society's complex. She presented a photo of the banner they would like to display. Vice-President Kirlin explained the banner would have to go before the Design Review Commission first. Town Superintendent Bush explained that temporary sign permits are done through the County and do not have to go through DRC. If they are going to have a permanent sign they will need to complete a sign application and go before the DRC. The representative asked if they could use sandwich boards on a temporary basis. Discussion.

Councilmember Omberg commented that directional signs would be appropriate. Town Superintendent Bush noted the Town Council is not in the approval process of signs they would have to go to the County Planning and Zoning and/or the Development Review Commission for sign approval. Vice-President Kirlin commented they do not have to approve a four day temporary sign but when the event is over they need to be taken down. The representative explained the temporary sign would only be up for 12 hours. Town Attorney Roberts noted he has just advised the Development Review Commission that banners are to be treated just like regular signs.

8) CHAMBER OF COMMERCE – SUZANNAH ZODY

A. Town Clean up Project

Suzannah Zody explained the Chamber of Commerce's Community Development Committee held an open meeting and a survey and one of the top ideas local business people wanted them to start working on was a town clean up day. They have designated Monday, June 15th, 2009 from 9am to 11:30am with a meet up at Coachlight Square. They will provide donuts and coffee and are hoping for a total of forty volunteers. They will clean up different areas of the town and she is requesting the Town's help with bags, gloves and a truck to pick up the trash that has been collected. Ms. Zody also requested funds to help pay for food during the Town Clean Up Project.

Vice-President Kirlin commented they have done this in the past with Take Pride Day and he thinks it is about time that someone starts this again. In the past they have furnished bags and they could drop those off at Coachlight Square. The Town does not have gloves but perhaps they could obtain them from Solid Waste. Vice-President Kirlin commented he does not have a problem taking \$200 out of the Town's funds to help with the project. Councilmember Omberg made a motion to give \$200 to this project out of the gambling fund. Vice-President Kirlin seconded the motion. All were unanimously in

TOWN COUNCIL MEETING, MAY 21, 2009

favor. Vice-President Kirlin asked that Ms. Zody work with Chief Administrator Carr on the pick up location of the trash bags.

9) INTERLOCAL AGREEMENT – BROWN COUNTY ECONOMIC DEVELOPMENT COMMISSION

Suzannah Zody explained the Economic Development Commission has received funding from the Brown County Commissioners for 2009 for a contractor. Mari Miller, Brown County Auditor, had consulted with the State Board of Accounts and their firm advice was that the fiscal agency should be changed back from the Chamber to the County in which the auditor will be in charge of the books. Ms. Zody explained the County is funding the Economic Development Commission with \$24,000 so they will manage the books and pay for phones and provide an office for the EDC. However, the County needs an agreement from the Town stating they agree with this arrangement. The State Board of Accounts asked that the Town and County attorneys draft an agreement that the County manages the books.

Councilmember Omberg asked if the job position that is being funded has been well designed and written so that it is clear what the individual has been hired to do so they cannot be used to do something else. Ms. Zody advised yes, it has and it was enclosed in the five year plan the Council has already reviewed. Ms. Zody further noted this job position will report directly to the Economic Development Commission and will be doing exclusively Economic Development tasks and she will be firm about that.

Vice-President Kirlin asked how much the Council appropriated for this. Ms. Zody explained they gave a commitment towards the Atterbury project which was \$5,000 over two years. They are still trying to apply for grants for the project. Discussion.

Town Attorney Roberts advised he contacted the County attorney regarding the agreement and asked that the County attorney prepare the agreement. The County attorney said he would work on this and hopefully it will be ready by the next Council meeting for approval.

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

Nothing presented.

OLD BUSINESS

1) PARKING AND PUBLIC FACILITIES UPDATE

Commission President Lamond Martin informed the Council the Commission reviewed the bids for the seal coating projects of Washington Street parking lot and Pittman House Lane. They are recommending going with Bloomington Seal Coating at a cost of \$4,375. Councilmember King asked if they knew how much water was going to be mixed in with the coating. Councilmember Omberg asked if they checked the references of this company. Commission President Martin commented they have not checked references but if the Council has problems with this company they have competing bids. Council advised that since the bid was already awarded to this company to go forward, but make sure they do a good job on the project.

The Commission is in limbo regarding the service contract extensions and he believes Town Administration is going to ask the Council to extend the contracts until they can get new ones in place.

Commission President Martin advised there were no new updates regarding the bathrooms at the Historical Society complex.

Commission President Martin explained a question regarding the restroom contract. Presently the contractor is paid out of the Food and Beverage funds for overtime work when there are special events in the Town. The Commission would like the event coordinators to contribute to that expense. Vice-President Kirlin commented he would be against this because they are already collecting sales tax that goes toward paying on the contract. Councilmember Omberg explained if the restrooms need to stay open later, the contractor should adjust their schedule. Discussion. Commission President Martin noted at the next council meeting he will present a general overview of what the restroom attendant duties are during the course of the day.

Councilmember Omberg asked that the water fountains be looked at. Commission President Martin advised he did some work on the water fountain on the north side of town and it is beyond repair. Councilmember Omberg asked they get a new fountain as soon as possible and Commission President Martin said he would do so.

Councilmember King asked if they could arrange for someone to check the latches on the doors and faucets and if things are broken to get them repaired as soon as they can. Commission President Martin explained the restroom attendant reports this information to the Town Administration and it goes through the proper channels to be repaired.

Vice-President Kirlin asked if there is good signage to direct people to the Pine Box parking area. Councilmember King noted there are no signs directing to this area. Vice-President Kirlin asked for signs to be installed to tell people about the parking lot. Councilmember King asked that "No Overnight Parking" be added to the signs so that residents will not park in the lot.

2) DEVELOPMENT REVIEW COMMISSION REPORT

Commission President David Martin explained the Commission would like to change their guidelines in that any documents that call for a set of plans from an applicant now be required to present two sets of plans in order that Planning and Zoning may have the second set. Vice-President Kirlin noted the Council agrees to make this change to the guidelines.

Commission President Martin reported at the last meeting they had four Certificate of Appropriateness applications, three passed and one was denied. One that was approved was for the Courthouse to install some additional railings on the steps and they will mirror the Main Street railing design. Commission President Martin noted the application that was denied was to make an addition to an historic house obscuring part of the front façade of the house.

Commission President Martin reported the Commission had two sign applications, one passed and one was tabled. The sign application that was tabled had to do with banners and the Commission was hoping to get some clarification and direction from the Council regarding banners. Commission President Martin explained he was unable to find anything in the Town's ordinances regarding banners. He asked the Council for definitions of a banner and permanent/temporary signs. Councilmember Cassidy asked Town Attorney Roberts if they hadn't already decided that a banner would fall under a temporary sign. Town Attorney Roberts stated no, the temporary sign definition is in their land usage signage ordinance which defines how long it is going to be up. Councilmember Cassidy suggested the Development Review Commission come up with those definitions and bring them to Council for approval. Vice-President Kirlin commented they need to give the Commission direction on this issue. Commission President Martin asked for a legal definition they can go by. Town Attorney Roberts noted there is not currently a definition for a banner and in absence of that definition it has to be treated as any other signage. The sign ordinance does not care what the sign is made on. Councilmember King

TOWN COUNCIL MEETING, MAY 21, 2009

commented the original intent of the sign ordinance was to keep Nashville from looking like every other tourist trap. Discussion. Commission President Martin asked the Council to come up with an idea of what they want to do regarding banners and have Town Attorney Roberts prepare a draft that they can all discuss together. Discussion. Vice-President Kirlin advised the Council will revisit this discussion at the next regular council meeting and asked that Town Attorney Roberts prepare a draft on the issue.

Vice-President Kirlin asked if Planning and Zoning received copies of the Development Review Commission meeting minutes. Commission President Martin advised the minutes are public record and they will have copies sent to the Planning Director.

3) UPDATE ON SEWER EXPANSION PROJECT

Town Superintendent Bush explained at the last utility meeting Council wanted to see updated maps for Coffey Hill. He presented the maps and explained what areas have all the annexation paperwork completed and those that did not. At this time they have 76% of the annexation paperwork completed. Regarding the easements completed for this same area, Town Superintendent Bush noted they need 33 more easements for this area. Vice-President Kirlin suggested they call those thirty three homes to see if they are interested in the project. Discussion. Vice-President Kirlin asked Town Superintendent Bush to inform the Council within two weeks what his results were from calling the 33 homeowners.

Town Superintendent Bush told the Council he did not have an updated map of the Orchard Hill area but when they discussed this area two weeks ago he only needed nineteen more easements. Vice-President Kirlin commented now they are down to needing fourteen easements and asked if Town Superintendent Bush will call those fourteen homes and inform the Council of the outcomes.

Town Superintendent Bush reminded the Council if they annex these two areas those homes within 150 feet of the sewer line have to connect as stated in the Town's ordinances. Vice-President Kirlin commented this is also a State ordinance. Council thanked Town Superintendent Bush and Chief Administrator Carr for all of their work on this project.

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

Vice-President Kirlin noted the Salvation Army sent the Council a letter requesting street blockage. No one from the Salvation Army was present to discuss their request. Councilmember King and Vice-President Kirlin commented that the last event the Salvation Army held was very loud. Chief Administrator Carr reported the event is scheduled to be held on June 27th, 2009 from 4-7pm. Council tabled the request until the next Council meeting and advised a representative would need to be present at the meeting to discuss the request.

Vice-President Kirlin explained after the Council denied the Habitat for Humanity parking space request, he met with some members of the board and they convinced him that those spaces would be needed to unload and build a building on one of the four corners. Chief Administrator Carr advised the event is scheduled for June 6th, 2009. After talking with Habitat for Humanity, Vice-President Kirlin believes they made a mistake in denying their request. Councilmember King commented that no one from Habitat was present at the last Council meeting to answer their questions regarding the parking space request. Vice-President Kirlin asked Chief Administrator Carr to notify those people requesting street closure or parking space closures they must have a representative appear before the Council in order for the request to be addressed.

Vice-President Kirlin made a motion to approve the Habitat for Humanity request. Councilmember King seconded the motion. Councilmember Omberg asked how many parking spaces were being requested. Vice-President Kirlin showed the list of ten spaces to the Council noting this was the same request that was made last year. Chief Administrator Carr read Habitat for Humanity's request to have the parking spaces blocked off late Friday night or early Saturday morning. All were unanimously in favor of the motion.

Vice-President Kirlin asked if there were any comments from the audience at this time. One business owner voiced a concern about the Salvation Army street blockage request. He explained that the last three Salvation Army events were so very loud that it could be heard over the movie playing in his theater. Council advised they would address this at the Council meeting in June and invited the business owner to attend the meeting as well.

REPORTS FROM DEPARTMENT HEADS

1) INTERIM TOWN MARSHAL – STEPHANIE LOERZEL

A. Council Inquiries

Interim Town Marshal Loerzel asked the Council to support a program called "A Child is Missing" which is similar to the Amber Alert program. This new program includes: missing children, elderly people suffering from Alzheimer's or mentally/physically disabled people and children that are run-a-ways. Interim Town Marshal Loerzel noted this is a free program and explained an officer would contact the program about the missing person and the program would then send out automated calls to residences and businesses in town to pass on the information. The calls would only be made between 6am and 10pm. Council agreed this is a good program to participate in.

Interim Town Marshal Loerzel informed the Council that the new camera and radar equipment will start being installed in the vehicles in the next couple of weeks.

Interim Town Marshal Loerzel commented that she has been thinking about selling the '97 Crown Vic police car and Councilmember Omberg mentioned they might also sell the trailer. She noted they do not have any need for the trailer and it needs to go. Council agreed to have Interim Town Marshal Loerzel sell the car and the trailer.

Interim Town Marshal Loerzel discussed the COPS grant they applied for and she would now like to start a hiring process so if they do get approved for the grant they can call applicants. Councilmember Omberg commented this is a good idea and once a year they should go through this process. Interim Town Marshal Loerzel is hoping to hear by September 30th, 2009 if they have been approved for the grant.

Interim Town Marshal Loerzel notified the Council that Operation Pullover is going again. This started on May 15th, 2009 and will end on May 31st, 2009. The blitz is enforcing seat belt use. Vice-President Kirlin clarified that Operation Pullover does not cost the town anything which means they can go outside of the town limits. Interim Town Marshal Loerzel noted the funds come from the Governor's Council.

Interim Town Marshal Loerzel confirmed her department held a monthly meeting. Vice-President Kirlin asked to receive a copy of the minutes from those meetings.

TOWN COUNCIL MEETING, MAY 21, 2009

Interim Town Marshal Loerzel approached the subject of the one-time bonus and noted Town Attorney Roberts was to be working on the wording for this one time payment. Town Attorney Roberts thought he did this already but will look into it further.

Councilmember King asked about when they block off the streets for an event and people park in areas that were blocked off how they handle that situation. Interim Town Marshal Loerzel explained they first run the license plates to try and find the owner of the vehicle, if they cannot find the owner they put a ticket on the vehicle. Vice-President Kirlin noted they ran into this about four years ago and his understanding from the attorney is if they do not have no parking signs posted they cannot ticket the vehicles. Discussion. The Council decided not to put signs up at this time.

Councilmember Cassidy commented he is not seeing any other officers besides Officer Robinson doing foot patrol. Interim Town Marshal Loerzel reported she knows for a fact the other officers are also doing foot patrol and put this on the monthly report she sent to the Councilmembers in their packets.

Vice-President Kirlin asked Interim Town Marshal Loerzel to have her department to become familiar with the application of "In Case of Emergency" phone numbers used in cell phones. This will allow an officer to call a person in someone's contact list if that person was in an emergency situation.

Councilmember Omberg thanked the Nashville Police Department for participating in Career Day at the Junior High and they did an excellent job.

Vice-President Kirlin reported he is hearing a lot of comments about illegally parked motorcycles and asked how many officers are working on Saturdays. Interim Town Marshal Loerzel advised they are working with one officer as they are maxed out. Vice-President Kirlin asked if the police department staff had any training on illegal motorcycle mufflers. Interim Town Marshal Loerzel doesn't believe they have had any formal training on what an illegal muffler consists of. Vice-President Kirlin asked they received some training on this issue.

Vice-President Kirlin asked the Town Council at what point do they want to form a search committee for a Town Marshal. The Council chose to put this decision on hold at this time.

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

A. Kelley Hill Water Main Extension

Town Superintendent Bush explained they have applied for an IDEM permit for the booster station and should hear back in 30-60 days.

B. Hickory Knob Force Main Extension

Town Superintendent Bush noted there was nothing new to report on this.

C. Freeman Ridge Water Main Extension

Town Superintendent Bush advised they will be opening bids at the June 4th, 2009 meeting.

D. Joint Paving Project with County

Town Superintendent Bush advised they will be opening bids on this project also on the June 4th, 2009 meeting.

E. Hiring of Part-Time Position

Town Superintendent Bush explained the assistant plant operator will be off at least three more weeks due to a medical issue. He had budgeted for a part time employee and would like to hire someone for this position now. The employee would be paid out of the water fund as that is where he has the available funds. Council granted Town Superintendent Bush permission to hire the part-time employee.

F. Task List

Council would like to see an updated task list from Town Superintendent Bush at the next meeting if possible.

G. Quotes

None presented.

H. Service Agreements – Extension of Current Contracts

Town Superintendent Bush explained because his time is limited he has not gone through their current service agreements. He is now recommending they extend their current service contracts to go through the end of the year. Councilmember King made a motion to extend the current contracts through the end of the year. Councilmember Cassiday seconded the motion. All were unanimously in favor.

I. Utilities Report

Town Superintendent Bush reported a new development has happened with the Pine Tree Hills lift station. They are currently pumping and hauling the sewage and they have the parts to rebuild it and they have also ordered a new pump as well. Discussion.

J. Council Inquiries

Vice-President Kirlin asked about the violations at the wastewater treatment plant. Town Superintendent Bush explained the violations were on the primary and repairs were scheduled to begin this week but due to the fact Pine Tree Hills lift station broke down the treatment plant repairs have been pushed back one week. Vice-President Kirlin questioned what it means to have unsatisfactory maintenance. Town Superintendent Bush reported this means they are in violation of their permit because their machinery is not working correctly. Discussion. Town Superintendent Bush noted he has thirty days to respond to the violations and he would like to get things back in working order before he sends the response so that he can ask them to come back and inspect the fixed issues.

Town Superintendent Bush spoke about the storm water project. When they discussed it at the last meeting he was looking at a little area on Gould Street down Johnson Street and across Main Street. The grant writer advised this area would not allow them to get the grant with this plan so that area was moved. He sent a memo out to the Council describing the new area. Vice-President Kirlin has signed the letter for the environmental study and ARa has sent out a request for qualifications for their engineering and those are to be due by June 11th, 2009. The application is due on June 12th, 2009. Vice-President Kirlin noted they need to have public hearings for the storm water project and Council scheduled the hearing for June 10th, 2009 at 6pm and 6:30pm.

Town Superintendent Bush noted they will be opening the bids for paving on June 4th, 2009 as well. Vice-President Kirlin asked about sealing the pavement at Pine Tree Hills. Town Superintendent Bush talked to the Brown County Highway department about the Town doing some street sweeping for the County and the County would do some sealing for the Town. Town Superintendent Bush advised the work would be done in the next two weeks.

TOWN COUNCIL MEETING, MAY 21, 2009

Vice- President Kirlin asked if Town Superintendent Bush was aware of the Tree Board report on a dangerous tree in front of the Allison House. Town Superintendent Bush advised they have a service agreement for tree removal or trimming.

3) TOWN ATTORNEY – JAMES ROBERTS

A. Council Inquiries

Town Attorney Roberts noted he had nothing to present.

4) CLERK-TREASURER – BRENDA YOUNG


A. Claims


Councilmember Omberg made a motion to approve the claims for the period of 4-10-09 through 4-30-09 and for the period of 5-01-09 through 5-14-09. Councilmember Cassidy seconded the motion. All were unanimously in favor.

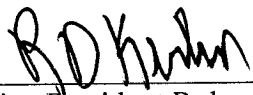
ADJOURNMENT

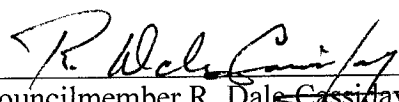
Councilmember Cassidy made a motion to adjourn the meeting. Councilmember King seconded the motion. The meeting was adjourned by Vice-President Kirlin at 9:11pm.


The audio recording made at the Town Council meeting on 5-21-09 is retained in the office of the Town Clerk-Treasurer.


Clerk-Treasurer Brenda K. Young


President Roger Kelso


Vice-President Robert Kirlin


Councilmember R. Dale Cassidy


Councilmember Charles B. King

Councilmember Arthur Omberg