

# NASHVILLE TOWN COUNCIL MEETING

## THURSDAY, JANUARY 21, 2016

**ATTENDANCE:** Council members present – President Charles B. King, Vice-President Jane Gore, Councilmember Alisha Gredy and Councilmember Arthur Omberg (arrived at 6:43pm). Council member not present – Councilmember Dave Rudd. Also in attendance – Town Manager Scott Rudd, Town Utility Manager Sean Cassiday, Administration Manager Phyllis Carr, Town Attorney Andy Szakaly, Police Chief Ben Seastrom, Clerk-Treasurer Brenda Young and Deputy Clerk-Treasurer Debbie Ferry.

### COUNCIL BUSINESS

1) **CALL TO ORDER** by Councilmember King at 6:30pm.

2) **PLEDGE OF ALLEGIANCE**

Councilmember King asked all in attendance to rise and recite the Pledge of Allegiance.

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

4) **ELECTION OF OFFICERS**

Councilmember Gore nominated Buzz King for President. There were no other nominations. All were in favor of the nomination.

Councilmember Gredy nominated Jane Gore for Vice-President. There were no other nominations. All were in favor of the nomination.

5) **APPROVAL OF AGENDA**

President King announced they will add the We the People presentation before Notes to Note.

6) **WE THE PEOPLE**

Four members of the We the People team addressed the Council and reported they have won this year's State Championship as well as regional competition and have qualified for the National competition in Washington DC. They explained in order to attend the National competition they have to fundraise between \$32,000 - \$35,000 to cover air fare, hotels, meals, and etcetera. The team members ask that the Town Council, as well as audience members, donate to this program. Clerk-Treasurer Young advised the Council donated to last year's team from the Riverboat Gambling fund.

Suzanne Gaudin, a grandparent of one of the team members, spoke on behalf of team and praised them for their work. She thanked everyone in advance for donating funds to the team. Robin Bowman, parent of a team member, noted the students are also doing other fundraising events such as a pancake dinner, silent auction, chili supper, bake sales, etcetera.

President King advised they normally donate to We the People to attend the national competition.

Vice-President Gore made a motion that they donate \$1,200 to We the People this year.

Councilmember Gredy seconded the motion. All were unanimously in favor. The team members announced that they leave on their trip April 29, 2016 and will return on May 3, 2016. President King suggested they revisit this topic next month and if they have any extra money they can donate that too. The students thanked the Council for their support.

**7) NOTES TO NOTE**

President King reported that he recently saw someone pushing snow from a parking lot onto the street and sidewalk across the street. He asked that people keep their snow in their own property and not to clog up the streets or sidewalks.

President King announced the Town Administration is doing all they can to do the snow removal in the proper way. They did have some equipment malfunction but that has now been fixed.

**8) APPROVAL OF THE MINUTES**

President King advised the minutes from previous meetings were not ready to be approved at this time.

**9) CLAIMS**

Councilmember Omberg moved to accept the claims for the period of 12-11-15 through 12-30-15 and for the period of 1-01-16 through 1-14-16. Vice-President Gore seconded the motion. President King noted that he reviewed the claims this month. All were unanimously in favor of the motion.

Councilmember Omberg moved to accept the claim for Brown County Auditor for the amount of \$817.44 contingent upon receipt of funds for Operation Pull Over. Councilmember Gredy seconded the motion. All were unanimously in favor.

**10) COMMUNICATIONS**

**A. Written**

**• Terry Eve Water Adjustment**

Terry Eve, local resident and retired plumber, addressed the Council concerning a water leak at his house two weeks ago. Mr. Eve explained this has been a continuing problem and he has had 8 or 9 leaks at his location with most of the leaks being on the Town's side. He noted the water pressure coming into his home is approximately 200 pounds per square inch and this is excessive. Mr. Eve verified that he has two pressure regulators to try and control this problem.

President King announced that the Town has contracted with a company to put a pressure regulator on the whole system so that no one will have this problem anymore.

Councilmember Omberg made a motion to give the standard deduction of \$245.89 off of the \$388.23 bill. Councilmember Gredy seconded the motion. Vice-President Gore, Councilmember Gredy and Councilmember Omberg voted in favor of the motion, President King voted against the motion. The motion passed 3-1. A discussion concerning water pressure followed.

**• Harold Stanley – Unpaid Bill Adjustment Request**

Mr. Theule, Harold Stanley's son-in-law, reported that they evicted a tenant at 158 School House Lane #4 and found out there were three months unpaid water/sewer bills for a total of \$581. He asked if they can get an adjustment to this bill. Discussion.

Councilmember Omberg made a motion to forgive the penalty for 158 School House Lane, #4. Councilmember Gredy seconded the motion. Town Attorney Szakaly asked if the landlord could also receive a copy of the bill so they know when tenants are behind. Billing Clerk Crabtree advised that the landlord can call the billing office to check on the billing status of their tenants. Clerk-Treasurer Young explained two bills can't be printed and the bills are sent to whoever is to pay the bill. She advised the landlords sign a landlord form allowing the tenant to put the bill in their name. However, if the tenant

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does not pay it is the responsibility of the landlord to get the bills paid. All were unanimously in favor of the motion.

- **Nashville Christian Church – Sidewalk Project Request**

President King advised previously he and Town Superintendent Bush worked with the Nashville Christian Church and encouraged them to put in a sidewalk along Washington Street for the tourists. During those discussions, they told the church they would pay half the bill of the concrete to help them out. President King explained that this is apparently not the Town policy but the church has sent a letter asking for help in paying for the concrete as previously agreed. Town Utility Manager Cassiday advised in his research, the Town has not participated in paying for new construction sidewalks. President King would like to table this until the next meeting to allow for more research on the topic. Councilmember Omberg asked that they look at the cost per foot to do sidewalk work. He also noted this sidewalk was not “Main Street” type sidewalk and he wanted all new or improved sidewalks done in this manner so that they can match. Town Utility Manager Cassiday advised this information would have to go to the DRC as they approved the plans for this area.

Vice-President Gore made a motion to table the request until further research is done. Councilmember Omberg seconded the motion. All were unanimously in favor of the motion.

### **BOARDS AND COMMISSIONS REPORTS**

#### **1) BROWN COUNTY VOLUNTEER FIRE DEPARTMENT REPORT**

BCVFD Dak Kelp reported the new ladder truck is here, but now off to the shop to get the repairs completed. They don't expect the work done for about three weeks and they can have an open house in March. The Council set an open house event with the Fire Department for Saturday, March 12, 2016 from 2-4pm.

BCVFD Chief Kelp advised the ladder truck is insured for \$300,000 and it will cost them \$2,000 a year. This is policy will insure the truck for about 75% of replacement costs.

BCVFD Chief Kelp reported the department had 612 runs last year and it is the most they have ever done by about 60 runs. As of today, they have already done 30 runs which is almost 2 runs a day. He noted they are doing this work with 12 guys on the roster and they really need to start looking at paid personnel.

BCVFD Chief Kelp commented that a source for tax funding is a fire protection territory. He advised the Town can set the levy at wherever they want to set it and the Town Council would remain in control of it. Councilmember Omberg offered to meet with BCVFD Chief Kelp to discuss some ideas and bring recommendations back to the Council.

#### **2) NASHVILLE ARTS AND ENTERTAINMENT COMMISSION REPORT**

Nashville Arts and Entertainment Commission Member Nancy Crocker reported the Commission talked about the State's upcoming bicentennial celebration and the “bison-tennial” project. She explained each county is asked to purchase a fiberglass bison to decorate for the bicentennial events. Nashville Arts and Entertainment Commission Member Crocker explained the Commission would be glad to oversee this project and noted each bison costs \$2,000 and they talked about putting in front of the Village Green restrooms. The Commission proposed painting the bison with chalkboard paint so it would be ever changing art in Brown County. Discussion.

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Vice-President Gore made a motion to support the idea and to have the bison located on Town property. Councilmember Gredy seconded the motion. All were unanimously in favor.

Nashville Arts and Entertainment Commission Member Crocker reported the Commission will meet with the Parking and Public Facilities Commission on February 9, 2016 to tour the Village Green Restrooms. They will look at ways to display public art in and around this new facility.

### **3) REDEVELOPMENT COMMISSION REPORT**

Town Manager Rudd reported the Redevelopment Commission is working on their three year plan and have a scheduled a work session to talk about their priorities for that plan. He advised the Commission is talking about possibly forming a housing task force in coordination with the County.

### **4) MAIN STREET REPORT**

Clerk-Treasurer Young reported they haven't held a meeting yet this year but they will be working on their annual report that is submitted to the State.

### **5) CLEAN COMMUNITY COMMITTEE REPORT**

Town Utility Manager Cassiday advised they had a meeting scheduled for January 9, 2016 but only two members were present and they discussed what items need to be finalized for their annual report to the State which is due March 7, 2016.

### **6) PARKING AND PUBLIC FACILITIES REPORT**

- **Update on Village Green Restrooms at 27 S. Jefferson**

Parking and Public Facilities Commission President Lamond Martin reported they met this month and discussed parking issues. They are looking for places to park busses and rv's as they have such limited land available in town.

As for the Village Green Restrooms, he is hoping to have the concrete poured by the first of next month and want the restrooms to be operational by the middle of May. Councilmember Omberg asked if they could have the restrooms open by the first weekend in May for the Spring Blossom Parade.

### **7) DEVELOPMENT REVIEW COMMISSION REPORT**

Administration Manager Carr reported the Commission met Tuesday and approved one sign application.

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

Town Manager Rudd advised a graph has been created of the number of permits that that DRC had before them in 2015. He noted the associated development investment of ten million dollars came before the DRC last year.

### **NEW BUSINESS**

#### **1) BROWN COUNTY AREA PLAN COMMISSION CERTIFICATION FOR MONICA JEAN KAFOURE REZONE REQUEST - ORDINANCE 2016- 02 AN ORDINANCE TO REZONE 147 AND 169 E. MAIN STREET PROPERTIES**

Chris Ritzmann, Brown County Zoning Inspector, read aloud the staff report which is favor of the rezoning the properties at 147 and 169 E. Main Street from B1 to B2. Councilmember Omberg asked

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Bruce Gould if they have plans for the property. Mr. Gould advised they don't have any definite plans but they would like to buy the property if it is rezoned. Discussion.

Councilmember Omberg moved to have the first reading of Ordinance 2016-02 by title only. Councilmember Gredy seconded the motion. All were unanimously in favor. Councilmember Omberg read aloud Ordinance 2016-02 by title only.

Councilmember Omberg moved to suspend the rules and have the second reading of Ordinance 2016-02 by title only. Councilmember Gredy seconded the motion. All were unanimously in favor. Councilmember Omberg read aloud Ordinance 2016-02 by title only.

Councilmember Omberg moved to adopt Ordinance 2016-02 by title only. Vice-President Gore seconded the motion. All were unanimously in favor.

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

None.

### **REPORTS**

#### **1) TOWN MANAGER/ECONOMIC DEVELOPMENT DIRECTOR – SCOTT RUDD**

##### **A. Ceremony for Ladder Truck**

Town Manager Rudd advised the ceremony is scheduled for Saturday, March 12, 2016 from 2pm-4pm.

##### **B. Floodplain Appeal Update**

Town Manager Rudd advised that DNR is still working with an engineer to finalize some data.

##### **C. IACT Conference Report**

Town Manager Rudd reported he and Clerk-Treasurer Young have been attending an IACT Conference the last couple days. Today they had a lunch where Clerk-Treasurer Young was recognized by both the Governor Pence and candidate for Governor John Gregg for her work as a long time Clerk-Treasurer for the town of Nashville and current second Vice-President of IACT.

##### **D. Insurance Renewal Discussion**

Town Manager Rudd addressed the cyber liability and privacy coverage applications. This will protect the Town from identity theft and any kind of cyber attack that might happen. He recommended the Council approve bringing this type of policy on at a cost of \$2,300 for a million dollars in coverage.

Town Manager Rudd and Administration Manager Carr have discussed a couple of vehicles that are inoperable and they currently have full insurance coverage. They will work on removing those vehicles from the insurance once they have been disposed. Town Utility Manager Cassidy noted they are putting together a list of items they plan to get rid of, some to be scrapped and some to be sold.

Councilmember Omberg made a motion to accept the new insurance policy with the add-on of one million for cyber protection. Vice-President Gore seconded the motion. President King, Vice-President Gore, Councilmember Omberg voted in favor of the motion. Councilmember Gredy abstained and the motion passed.

**E. 3 Year Work Plan – Public Input**

Town Manager Rudd advised the next step will be to have a joint meeting with the chair of each committee to talk about their priorities and try to identify certain synergies between the committees. He sees this emerging in the quality of life investment area and asked the Council to attend these meetings as well.

**F. Mountain Biking**

Town Manager Rudd reported they have been ranked #1 in the nation for the mountain biking trail system in the Brown County State Park. The DNR has recently assessed a \$5 daily fee for people to use the mountain bike trails in the State Park or a yearly fee of \$20. He explained different entities in the County have been promoting and marketing the bike trails to attract more visitors to the Town and County. Town Manager Rudd advised this new fee will discourage people from staying longer or perhaps even coming to their community when surrounding states have this opportunity for free. He thinks they should write a letter to DNR advising the mountain biking fees could be harmful to our economy and we would like to work more closely in partnership with DNR. Discussion.

Councilmember made a motion to authorize President King to sign a letter in support of no fees for mountain biking in the state park. Councilmember Gredy seconded the motion. All were unanimously in favor.

**2) TOWN ADMINISTRATION**

**UTILITY MANAGER SEAN CASSIDAY**

**A. USDA Budget for Water and Sewer**

Utility Manager Cassiday passed out the newly revised budget worksheets for water and sewer and noted they have lowered the water budget to 2.4% from last year. The sewer budget was lowered by 6.58% from last year. Discussion.

Councilmember Omberg made a motion to approve the water and sewer budgets as presented. Councilmember Gredy seconded the motion. All were unanimously in favor.

**B. Snow Plowing Update**

Utility Manager Cassiday reported he has talked with County Highway Superintendent Mike Magner about the expectations the Town and County have regarding the joint effort in the snow plowing routes. He believes this combined program is working out very well.

Councilmember Omberg reported he heard two positive comments about the snow removal and asked that this information be passed onto the guys.

**C. Storm Sewer Project**

Utility Manager Cassiday passed out information from the engineers on this project. He noted the engineers have given a price of \$28,000 to take care of the problem at the Circle K building. Councilmember Omberg questioned if the cost of the project is on the Town or if the property owner should pay as well. Utility Manager Cassiday thinks they could talk to the property owner about paying for some of the work but he believes the property owner has been told in the past that the Town will pay for the improvements. Discussion.

**D. Street Striping**

Utility Manager Cassidy reported he has left messages with the person they've contracted to do the work and they will meet to go over the striping plans.

**E. Playhouse Stair Removal Project**

Utility Manager Cassidy advised he is still waiting on the plans for this project.

**ADMINISTRATION MANAGER PHYLLIS CARR**

**A. Service Agreements**

Administration Manager Carr opened the following service agreements and Police Chief Seastrom read the aloud the proposals as follows:

**Concrete work**

- Millbuild – sidewalk, curb repair, concrete, equipment charge is \$70 per hour.
- Dynamic Concrete – equipment charge \$75 per hour, 4 hour minimum charge, concrete work to be bid by job.

**Air Conditioning**

- HFI – labor \$80 regular, \$109 overtime, \$133 double time, various equipment types and prices.
- Snyder's HVAC – service call \$85 plus parts, labor charge per hour is \$60 per man, after hours charge \$85 plus parts, various equipment types and prices.

**Plumbing**

- HFI – labor charge \$80 regular, \$109 overtime, \$133 double time, various equipment types and prices.
- Dunham Plumbing – service call charge \$59, labor per hour \$95, plumber helper \$20, after hour charge is time and a half, various equipment types and prices.

**Wastewater Excavation**

- Wagler Brothers – equipment charge \$82.50 per hour, service call charge two hour minimum, labor charge \$35 per hour, after hour charge \$200, various equipment types and prices.
- Reed Excavating – equipment charge \$90 per hour, service call \$95, labor charge \$65 per man hour, various equipment types and prices.
- Roto Rooter – equipment charge is \$305 per charge, service call \$65, labor per hour \$95, various equipment types and prices.

**Septic Wastewater Hauling & Excavating**

- Reed Excavating – equipment charge \$95, service call \$95, labor per hour \$65, after hour charge \$150 per hour, various equipment types and prices.
- Setser Septic Service – equipment charge \$175, service call \$250, labor per hour \$30.

**Tree Removal**

- Stinson Tree Service – first hour work \$250, service call charge \$250, each additional hour \$150, various equipment types and prices.

Councilmember Omberg made a motion to take the bids under advisement for feedback from Town Manager Rudd, Utility Manager Cassidy and Administration Manager Carr. Vice-President Gore seconded the motion. All were unanimously in favor.

**3) POLICE CHIEF – BEN SEASTROM**

Police Chief Seastrom advised the Council and Police Department each need to make an appointment to the Police Merit Commission. He reported Kenneth Wendling is interested in being the Town Council's appointment if they so desire.

Councilmember Omberg made a motion to accept Kenneth Wendling as the Council's appointee to the Nashville Metropolitan Police Merit Board. Councilmember Gredy seconded the motion. All were unanimously in favor.

**4) TOWN ATTORNEY – ANDY SZAKALY**

**A. School Corporation Agreement**

Town Attorney Szakaly reported the agreement has already been signed by the School Corporation and explained this follows the State Statute in allowing the police officers to enforce school regulations on school property. If the Council agrees, Town Attorney Szakaly asked that the Council President also sign the agreement. Once signed, the document will be recorded; however the agreement can only last 20 years per State Statute.

Councilmember Omberg made a motion to authorize the Council President to sign the agreement to enforce local and state traffic ordinances on school property on behalf of the Town. Vice-President Gore seconded the motion. All were unanimously in favor.

**B. Town Court**

Town Attorney Szakaly reported the Court of Appeals has ruled that all sorts of town regulations were void and improperly passed for the Town of Carmel. There is a class action lawsuit pending in this case and the Supreme Court has been asked to review this. He noted this is the same for at least 12 other communities who do exactly the same thing in Indiana.

Town Attorney Szakaly reported the Town's statutes state specifically the name of the street and the speed limits for the specific streets. However, there is one paragraph that does talk about the State Statute applying. He asked the Council if they want to move forward on getting a Town Court or having tickets enforced by the circuit court. Discussion. The Council asked Town Attorney Szakaly to continue looking into creating a Town Court.

**5) CLERK-TREASURER – BRENDA YOUNG**

**A. Council Inquiries**

Clerk-Treasurer Young asked for a motion from the Council to allow the President to sign the agreement with Boyce Systems for software maintenance concerning the payroll, budget and utility billing.

Councilmember Omberg made a motion to authorize the Council President to sign the agreement with Boyce Systems. Councilmember Gredy seconded the motion. All were unanimously in favor.

Clerk-Treasurer Young announced they have in the water utility an outstanding check listing totaling \$139.94 and she will be voiding these six checks. She noted these uncashed checks are over two years old.

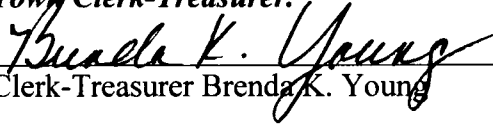


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**ADJOURNMENT**

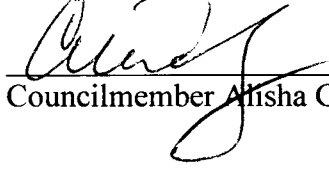
Councilmember Omberg moved to adjourn the meeting. Councilmember Gredy seconded the motion. All were unanimously in favor. President King adjourned the meeting at 8:50pm.

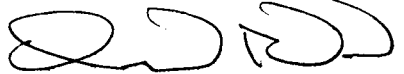
*The audio recording made at the Town Council meeting on 1-21-16 is retained in the office of the Town Clerk-Treasurer.*

  
Clerk-Treasurer Brenda K. Young

  
President Charles B. King

  
Vice-President Jane Gore

  
Councilmember Alisha Gredy

Councilmember Arthur Omberg  
  
Councilmember Dave Rudd