

**NASHVILLE TOWN COUNCIL MEETING  
THURSDAY, MAY 19, 2016**

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

**COUNCIL BUSINESS – 6:30pm**

**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 Deputy Clerk-Treasurer Ferry.

**4) APPROVAL OF AGENDA**

Town Utility Manager Cassiday asked that the Sewer Rate Analysis under his report be removed from the agenda this evening. President King approved the agenda with the change.

**5) NOTES TO NOTE**

President King thanked the public for putting up with the recent road work. He also thanked the County for being their partners for the last year and a half and they have been great to work with. President King also gave a special thank you to the Board of Zoning Appeals and Plan Commission as well as the Sherriff's Department. He appreciates all that they do.

President King reported they still have ongoing work on State Road 135 North and the lines are left to be painted. They are to be completed in the next couple of weeks.

**6) APPROVAL OF THE MINUTES – 4-21-16 Council Meeting and 4-28-16 Council Meeting**

Councilmember Gredy made a motion to approve the minutes of the 4-21-16 Council meeting and 4-28-16 Council Meeting. Councilmember Rudd seconded the motion. All were unanimously in favor.

**7) CLAIMS**

Councilmember Gredy made a motion to approve the claims for the period of 4-15-16 through 4-30-16 and for the period of 5-01-16 through 5-12-16. Councilmember Rudd seconded the motion. Vice-President Gore advised that she reviewed the claims that are before the Council. All were unanimously in favor.

**8) COMMUNICATIONS**

**A. Written**

None presented.

**B. Audience**

Business owner Mike Kline said whoever picked the time of year to do the Van Buren Street project did a good job. President King advised they had Town Manager Rudd meet with INDOT to schedule the timing of the work.

## TOWN COUNCIL MEETING MAY 19, 2016

Mr. Kline reported that the business owners in Antique Alley would like to have a dialogue with the Town regarding the restrooms changes in that area. Town Manager Rudd explained that the Food and Beverage Commission handles the restrooms for the Town. Mr. Kline advised that the merchants would like to see more restrooms open at peak times such as Memorial Day through October. Their concern is the closing of the Antique Alley restrooms and now that another restroom has been built on the Village Green. Business owner Mary Ann Thompson would like to discuss how to keep the Antique Alley restrooms open. The Council advised the Town's contract for the Antique Alley restrooms has ended and the merchants should speak with the landowner. Mr. Kline asked that the local merchants have a dialogue with the Town concerning the adequate number of restrooms in town.

President King explained the Food and Beverage Commission has built new restrooms in the area with a larger capacity and this should alleviate long wait times. He suggested if the merchants wanted to discuss this further they meet with the Food and Beverage Commission. Discussion.

### **BOARDS AND COMMISSIONS REPORTS**

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

BCVFD Chief Dak Kelp advised the ladder truck is getting the final truck repairs and should be back by the beginning of July. He noted they are well below budget on the truck, they are at about \$18,000 on the truck and the Council approved up to \$25,000 for all the repairs. He advised the air bottles need to be replaced and asked the Town to cover the cost of 10 bottles from the funds they had allotted for the ladder truck. They will also need to get two front tires and with that in mind they will need a total of \$30,000. BCVFD Chief Kelp added that they need a non-destructive test to be done this year at a cost of \$1,200.

Councilmember Rudd suggested the Town pay for the air bags and tires. Discussion of where funds might be available. President King suggested that the Fire Department go ahead and replace the tires with the funds they already have and they can address the other needs at the next meeting once they talk with Clerk-Treasurer Young.

Councilmember Rudd made a motion to have the department get the air bottles contingent on Clerk-Treasurer Young approving the purchase beyond the \$25,000 that has already been approved. Vice-President Gore seconded the motion. All were unanimously in favor.

BCVFD Chief Kelp advised they have had a full month of not doing the medical responses and their runs have dropped in half. He has heard some grumbling from EMS personnel that the fire department is no longer taking these calls. The Council and Police Chief Seastrom reported that they have not received any complaints.

Town Manager Rudd commented that he loved the flag the Fire Department put up in honor of Loren Moore.

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

##### **• UPDATE ON VILLAGE GREEN RESTROOMS 27 S. JEFFERSON STREET**

Parking and Public Facilities Commission President Lamond Martin reported they were successful in getting the restrooms open by the Spring Blossom Parade. They are still working on interior furnishings, signage and the punch list with the contractors.

## TOWN COUNCIL MEETING MAY 19, 2016

Parking and Public Facilities Commission President Martin advised they are going to proceed with the seal coating of Washington Street Parking lot. They will also start on Pittman House Lane improvements. He passed around information concerning the improvements such as lighting in the area to encourage more pedestrian traffic.

Parking and Public Facilities Commission President Martin reported that someone is interested in putting vending machines in the restrooms. The Commission voted unanimously not to put vending machines in the restrooms.

Parking and Public Facilities Commission President Martin advised vandalism has occurred at the Old School Way Restrooms in the men's room. They will have to replace a stall door and they will be gathering cost estimates. He is currently working with Hunter Electronics on the camera system in this area so that the Police Department will be able to download the video that is taken in this area to help stop the vandalism.

### **3) ARTS AND ENTERTAINMENT REPORT**

- **RESOLUTION 2016-03 ESTABLISHING A NASHVILLE ARTS AND ENTERTAINMENT DONATION FUND**

Arts and Entertainment Commission Member Nancy Crocker reported they have people interested in donating to the Arts and Entertainment Commission to promote the public art as well as the summer concert series. The Commission is asking that Council approve a donation fund system with Resolution 2016-03.

Councilmember Gredy made a motion to adopt Resolution 2016-03. Councilmember Rudd seconded the motion. All were unanimously in favor.

- **PLACE BASED INVESTMENT FUND GRANT AGREEMENT**

Arts and Entertainment Commission Member Crocker reported the Town did receive the Place Based Investment Fund Grant for work to be done at the Village Green. Town Manager Rudd reported they are still waiting to sign the agreement with OCRA. Once the grant is signed the funding of \$50,000 will come up front and then they can begin the work. Town Manager Rudd announced that Administration Manager Carr will be managing this project moving forward.

Town Manager Rudd asked the Council's permission to proceed with developing and issuing requests for proposals for the art installations. He also asked their permission to proceed on exploring and issuing contracts to certain pieces of the project such as electrical panel relocation. Discussion.

Vice-President Gore made a motion to authorize to get contractor bids to get things rolling. Councilmember Gredy seconded the motion. All were unanimously in favor.

- **RESOLUTION 2016-04 ESTABLISHING A PLACED BASED INVESTMENT DONATION FUND**

Deputy Clerk-Treasurer Ferry advised the Council has before them Resolution 2016-04 Establishing a Restricted Place Based Investment Fund for the Town of Nashville.

Councilmember Gredy made a motion to adopt Resolution 2016-04. Councilmember Rudd seconded the motion. All were unanimously in favor. Town Manager Rudd commented that it will be important

## TOWN COUNCIL MEETING MAY 19, 2016

to determine where the funds will come from in the various Commission budgets for the Village Green projects. He will bring a proposal before the Council at their next meeting.

### **4) DEVELOPMENT REVIEW COMMISSION REPORT**

Administration Manager Carr reported the Commission approved five COA's and one sign application at their last meeting. They are setting up a work session on June 21, 2016 at 5pm to meet with the Town Attorney to go over temporary structures, marquee signs and sandwich boards.

### **5) TREE BOARD REPORT**

Administration Manager Carr advised a letter went out to the tree company to have three trees removed and a bunch of stumps ground out.

### **6) REDEVELOPMENT COMMISSION REPORT**

Town Manager Rudd reported the Commission addressed Riverfront Licenses and he will bring this before the Council later in the meeting.

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

Parking and Public Facilities Commission President Martin showed a picture of the new sign for the Village Green restrooms as well as signs for the inside of the restrooms.

## **NEW BUSINESS**

### **1) UMBAUGH UTILITY BUDGETING PRESENTATION**

Town Manager Rudd reported that Christina DeWitt is present to give the Council and staff a presentation on utility budgeting. Ms. DeWitt passed out information on her presentation to the Council and discussed ways communities use budgets as a tool for their community.

### **2) RESOLUTION 2016-02 A RESOLUTION AUTHORIZING SUBMITTAL OF OCRA GRANT**

Town Manager Rudd advised Deb Lilly of ARA is helping the Town through the application process for an OCRA grant for their water project. They are working to obtain \$600,000 in grant funds which will be extremely important for the water project. Ms. Lilly explained that OCRA requires an authorizing resolution to be included in the application from the Town. She anticipates submitting the application around June 8, 2016. Ms. Lilly reported the total project costs will be 1.82 million dollars of which the local match will come through the Rural Development loan of 1.22 million dollars.

Vice-President Gore made a motion to approve Resolution 2016-02. Councilmember Rudd seconded the motion. All were unanimously in favor. Ms. Lilly added that OCRA requires a public hearing on this matter and it is scheduled for May 25, 2016 at 10am at Town Hall.

Town Manager Rudd noted that OCRA is focusing on five community performance indicators: assessed value, per capita income, population growth, educational attainment and public school enrollment. He reported 54 of the 92 counties in Indiana are in population decline and OCRA is trying to steer counties out of this. Town Manager Rudd advised Brown County is in population decline but they do have certain advantages to help turn this around. Next year, OCRA will be scoring grant applications on these five indicators and one of the things they can do to help improve in these five areas are to invest in their quality of life.

**3) RESOLUTION 2016-05 HAWTHORNE HILLS ABATEMENT SCHEDULE AMENDMENT**

Town Attorney Szakaly reported that the Council had previously passed the Hawthorne Hills tax abatement some time ago. When looking at the schedule it kicked in a year early as the tax abatement should apply to a completed project. Since the building is still being built, he has submitted an amendment to the schedule in Resolution 2016-05.

Councilmember Rudd made a motion to accept Resolution 2016-05. Councilmember Gredy seconded the motion. All were unanimously in favor.

**4) ORDINANCE 2016-03 VILLAGE DISTRICT AMENDMENT**

Town Attorney Szakaly addressed the map of the current Village District area. He explained the proposed amendment would expand the district by taking in the east side of Jefferson Street and the north side of Pat Reilly Drive. Town Attorney Szakaly read from the ordinance they are amending. It defines the Village District as not a separate zone, but shall be treated as an overlay for the purpose of guidance to builders, landowners, developers and businesses as well as guidance to the DRC for the fair administration of guidelines and standards. Businesses in the Village District shall be exempted from parking requirements of the Nashville zoning code.

Town Manager Rudd explained the proposal to expand the Village District is because the landowners of the Taco Bell building and the new renters of the building, the Chocolate Moose and Brown County Coffee, are requesting this overlay district to be extended to them because the current parking requirements on the property are such that they are not able to provide adequate parking per the Town's zoning ordinance. The other options to provide parking would be the owner/renter of the property to lease parking spaces within 300 feet of the space or request a variance from the BZA.

Councilmember Rudd commented that he only heard about this proposal two days ago and it has not given him enough time to look into the proposal and thinks this should go before Planning and Zoning instead of the Council making these types of decisions. Discussion.

The owner of the neighboring property explained the history of the area. Discussion. Two other business owners in the area spoke in favor of expanding the Village District in this area.

Town Manager Rudd summarized that there is a lot of history on this property and it's contributing to the situation they have seen play out over the last several years. It sounds like the options available to the renter are three: get into the Village District, lease parking spaces within 300 feet or they ask for a variance from the BZA. Discussion.

President King asked the Council what they want to do at this point. Councilmember Rudd commented that he would like to see the owner/renter go through Planning and Zoning for a variance. President King asked the neighboring building owner what he would like to see happen. Mr. Payne said he has a problem with the principal of the thing by changing the rules so the building can be occupied. Discussion.

President King asked for further suggestions from the Council. Vice-President Gore made a motion to table Ordinance 2016-03. Councilmember Gredy seconded the motion. All were unanimously in favor.

## TOWN COUNCIL MEETING MAY 19, 2016

Mr. Payne asked to see the rules and regulations that would pertain to him if he were included in the Village District. Town Manager Rudd advised it would be a short list and would alleviate his parking requirements immediately.

**RECESS** A recess was called from 8:40-8:47pm

### **5) ORDINANCE 2016-04 SHUTTLE BUSINESS LICENSING AND REGULATIONS**

Town Attorney Szakaly advised there is at least one company that is interested in providing a shuttle between the State Park and the town. He has reviewed the Town's ordinances and they don't currently have a shuttle ordinance. Town Attorney Szakaly presented proposed Ordinance 2016-04 which includes a licensing provision. He left blank the number of shuttle licenses although Town Manager Rudd is suggesting one shuttle license. Town Attorney Szakaly explained the ordinance would require anyone who runs a shuttle to apply for a license with the Town and have all Federal and State regulations met. The ordinance also allows for the Council to control where and how the shuttle parks.

President King reported the proposed shuttle business owner has worked out an agreement with DNR on how they will enter and exit the park. It is now up to the Council to decide how to handle this. Town Manager Rudd explained the proposed ordinance defines what a shuttle is, list the requirements and provides an opportunity for the person to operate. Councilmember Rudd questioned why they are limiting this to one shuttle. President King explained if they have the whole town filled up with these types of venues it becomes too unmanageable. Vice-President Gore added the ordinance could be amended at a later date if they start with one shuttle license. Discussion. Town Manager Rudd explained if the Council was to pass the ordinance tonight they would also need to designate a parking space for the shuttle. The proposed business owner is requesting the parking spaces in front of the Nashville General Store. Deputy-Clerk Treasurer Ferry noted the Council would also have to decide on the fees.

President King opened the meeting up for comments and questions from the public. Andy Tilton asked why licenses are required as there are lots of buses that come through town that drop off and pick up people. President King explained this is to allow a permit to put the shuttle on the street in designated parking spaces like the train and horse carriage do. Discussion.

Mr. Tilton suggested rather than creating a license for shuttles, the Town designate a spot for shuttle buses to load and unload. He noted there is already loading and unloading for motorized coaches on Old School Way and E. Main Street. Discussion. Town Attorney Szakaly advised the Council could accomplish their purpose with a simple business license and a designated parking space without creating a separate ordinance. Further discussion.

Councilmember Rudd made a motion to go forward with this ordinance as they can change the number of approved shuttles at a later time. Mr. Tilton asked if this would affect the tour buses that come into town. Town Attorney Szakaly read from the proposed ordinance and he can amend it to read shuttles beginning and ending in Nashville. President King commented that he doesn't want to limit the buses that come into town. Discussion. Town Manager Rudd suggested the Council table the ordinance to allow Town Attorney Szakaly to make changes to the ordinance to cover the concerns voiced.

Vice-President Gore made a motion to table Ordinance 2016-03 and address it at next week's meeting. Councilmember Gredy seconded the motion. All were unanimously in favor.

**6) BIG WOODS BREWING COMPANY RIVERFRONT LICENSE RENEWAL**

• **60 MOLLY'S LANE AND 44 N. VAN BUREN**

Town Manager Rudd advised that Tim O'Bryan of Big Woods Brewing Company is present to request approval of two Riverfront District permits. These are renewal permits for 60 Molly's Lane and 44 N. Van Buren Street. Town Manger Rudd reported that the Nashville Redevelopment Commission has heard these and passed them onto the Council for their final approval. Mr. O'Bryan commented that the Riverfront District licensing has been positive for their business and let them grow as a business. administratively and the brewery.

Vice-President Gore made a motion to approve the renewal of both licenses: 60 Molly's Lane and 44 N. Van Buren Street. Councilmember Gredy seconded the motion. All were unanimously in favor.

**7) PROPOSED CAR WASH**

Administration Manager Carr advised there is a person in the audience that is up for a legal notice of a public hearing for rezoning that would like to address the Council. Randy Hahn introduced himself to the Council and explained they are proposing to have the land between the YMCA and Nashville Police Department rezoned as they would like to build a four bay car wash in this area. President King asked if there was a timeline on this project. Mr. Hahn advised they will have to get everything approved first, and the public hearing for the rezoning is scheduled for May 24, 2016.

**8) INDOT GRANT FOR ROAD FUNDING**

Utility Manager Cassidy reported there will be a meeting on May 27, 2016 in Seymour with INDOT where they will explain the application process for the grant.

**9) ASSET MANAGEMENT PLAN CONTRACT**

Utility Manager Cassidy advised they need to put together the asset management plan which is the quality and stature of our roads. This information will be used in writing the road funding grant. He attended a class with the County Highway Manager and they were taught how to rate their roads without hiring engineers.

Town Manager Rudd explained the grant fund will allow them to use the special LOIT funds of \$78,000 they have already received from the State. The grant will allow them to use three funding sources to use as a match to apply for funds. He suggested they use the special LOIT funds just received, some funds from the Rainy Day fund and any wheel tax increase that the County passes. Town Manager Rudd explained the County is going to pass this increase and it could allow for an additional \$22,000 for the Town to use as a match.

Town Manager Rudd suggested they take 25% or roughly \$20,000 from the LOIT distribution that is flexible in how they spend it, and spend this on sidewalks immediately rather than waiting on the INDOT grant. He would like to redo sidewalks that are in immediate need of repair and use the rest of the LOIT funds toward the match for the INDOT grant.

Councilmember Rudd made a motion to approve \$20,000 toward sidewalks. Councilmember Gredy seconded the motion. Councilmember Rudd amended the motion to approve 25% of the LOIT funds received. Councilmember Gredy seconded the motion. All were unanimously in favor.

Utility Manager Cassidy spoke regarding the Asset Management Plan and if he does decide to have engineers review and give feedback on the plan, he asked Council's permission to spend up to \$7,000

## TOWN COUNCIL MEETING MAY 19, 2016

on this review. Councilmember Rudd made a motion to spend up to \$7,000 for a contract to complete the asset management plan. Councilmember Gredy seconded the motion. All were unanimously in favor.

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

None.

### **REPORTS**

#### **1) CLERK-TREASURER – BRENDA YOUNG**

Deputy Clerk-Treasurer Ferry had nothing further to report.

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

Town Manager Rudd advised they have been working really hard to build their relationships with State agencies and have been very successful. They are still working on their relationship with INDOT and in the next couple of weeks they can grow this relationship. He will update the Council on this further next month.

Town Manager Rudd asked the Council to trust him that a lot of fantastic things are happening. He offered to forego the rest of the report due to the length of the meeting at this point. The Council agreed.

#### **3) UTILITY MANAGER – SEAN CASSIDAY**

Utility Manager Cassiday reported the storm water project on Washington Street is flying through and should be done tomorrow.

Utility Manager Cassiday advised the street striping in town has been done and there are some touch up things to do.

Utility Manager Cassiday reported Rob Besosa purchased the Old Tucker Building and is looking to completely redo the sidewalk in this area as it is in disrepair. Mr. Besosa would like to be involved in the 50/50 match with the Town in redoing the sidewalk to the parking lot. Utility Manager Cassiday is recommending they give him the 50/50 match so they can get this end of town to look the way it should. He noted there are funds for this project at a cost to the Town of \$1,700.

Councilmember Rudd made a motion to do the 50/50 match. Vice-President Gore seconded the motion. All were unanimously in favor.

#### **4) ADMINISTRATION MANAGER – PHYLLIS CARR**

##### **A. Right of Way Requests**

Administration Manager Carr presented the Council with two right of way requests. The Nashville Christian Church VBS is asking to block Pittman House lane between the house and the church for the kids to cross. President King commented that they have done this for years. Vice-President Gore made a motion to grant the right of way request. Councilmember Gredy seconded the motion. President King, Vice-President Gore and Councilmember Gredy voted in favor of the motion. Councilmember Rudd voted against the motion and the motion passed 3-1.

Administration Manager Carr advised there is a couple that live on Town Hill Road who are moving. They must hire a truck to move their items and Town Hill is a tight area to get a semi in this area. They



TOWN COUNCIL MEETING MAY 19, 2016

are asking to use a part of the Pat Reilly parking lot to park the semi and will shuttle their belongings to the semi. They would like to use the parking lot on July 5-7, 2016.

Councilmember Rudd made a motion to grant the right of way request. Councilmember Gredy seconded the motion. President King, Councilmember Gredy and Councilmember Rudd voted in favor of the motion. Vice-President Gore voted against the motion and the motion passed 3-1. Police Chief Seastrom asked that the semi be parked on S. Jefferson on the edge of the street. Andy Tilton offered his parking lot if it would be easier for the movers and he would not charge for the use of his lot. Administration Manager Carr will let the resident's know about this offer.

**5) POLICE CHIEF – BEN SEASTROM**

Police Chief Seastrom asked that between now and the next Council meeting that members of the Council meet with the Nashville Police Merit Commission to discuss benefits and an upcoming grant. The Commission has asked him to apply for a grant for an investigator. President King asked them to pick a date and get back to them.

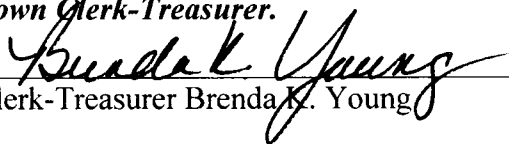
**6) TOWN ATTORNEY – ANDY SZAKALY**


Town Attorney Szakaly reported that by the June Council meeting he will have a proposal with regard to the Town Court so that it can take effect July 1, 2016. The Town Court will be utilizing their Circuit Court to enforce the Town's ordinances.

**ADJOURNMENT**

Councilmember Rudd moved to adjourn the meeting. President King adjourned the meeting at 9:44pm.

*The audio recording made at the Town Council meeting on 5-19-16 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