

NASHVILLE TOWN COUNCIL MEETING WEDNESDAY, MAY 25, 2016

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

COUNCIL BUSINESS – 2:00pm

1) **CALL TO ORDER** by Councilmember King at 10:02am.

2) **ROLL CALL** by Deputy Clerk-Treasurer Ferry.

3) ORDINANCE 2016-04 SHUTTLE BUSINESS LICENSING AND REGULATIONS

Town Manager Rudd reported they received lots of input from the public regarding the shuttle licensing ordinance at their last meeting. He clarified that there is a business in town that would like to offer shuttle service from a town parking space to the State Park. Town Manager Rudd believes this is a good opportunity to provide a service that our visitors and residents might want. He explained as things stand now, this business would not be allowed to operate.

Town Attorney Szakaly advised he has reviewed the issue and what is needed to allow someone to operate this business. His recommendation to the Council is that they not pass a new specific ordinance just for the shuttle, but rather amend the existing ordinance which refers to horse drawn carriage businesses as they are similar businesses. Town Attorney Szakaly suggested the Council amend Chapter 115 Horse Drawn Carriage Business in the Code of Ordinances and add “or shuttle” in the appropriate places.

Councilmember Rudd asked if the train has the same ordinance. Town Attorney Szakaly reported the train has its own separate ordinance. Councilmember Rudd asked that they all be combined. Town Attorney Szakaly commented that this would be a good idea but could not be done today.

President King asked about the cost of the space rental. Deputy Clerk-Treasurer Ferry reported the ordinance specifies a cost of \$50 per space and a \$57 administrative fee. Town Attorney Szakaly noted the current carriage ordinance allows for a maximum of three licenses and he suggested if they include the shuttle business they should increase the number of licenses to at least four. Vice-President Gore commented they should leave the fees as they are at this time. Discussion.

President King opened the meeting up for questions and comments from the audience. Brown County CVB Director Jane Ellis asked if the issue is that the business cannot operate today because they will be utilizing town parking spots rather than private property. Town Attorney Szakaly explained the Town has control of its own streets but it does not have control of private property to a certain extent. She asked if they are creating a special license, different from the general business license. Town Manager Rudd explained there is a separate fee to operate a shuttle business if they want to use town public spaces. Brown County CVB Director Ellis asked, if she wanted to start a private tour business with a bus and utilize the motorcoach loading and unloading space already established and designated in town, would she still have to come and apply for a special license to do this or are they creating this license because they are talking about renting parking spaces on the street. Town Attorney Szakaly explained this proposed change as written talks about shuttles that are leaving from designated loading zones as approved by the Town. This licensing only applies to those shuttles and trips that originate in

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Nashville. Brown County CVB Director Ellis asked if someone wanted to do tours originating from downtown Nashville, would that mean coming back and changing the ordinance to allow for another license. Town Manager Rudd advised if another business wanted to have a shuttle business and have a public parking space designated by the Town Council they would need to apply for a shuttle license. If they wanted to drop off riders at the bus unloading/loading zone they would not have to get a shuttle license. Town Attorney Szakaly advised they are currently looking at allowing a maximum of four horse carriage and/or shuttle licenses. Councilmember Rudd voiced concern about limiting the number of licenses. Discussion.

Brown County CVB Director Ellis clarified that if she or another person wanted to operate bus tours using the currently established bus unloading/loading zones in the town they would not be required to obtain a shuttle license. Town Manager Rudd confirmed that was correct. Discussion. President King commented that there have been a lot of good points that have been presented by the audience and maybe they could have a committee meeting about the subject. However, in the meantime, let's get this person going on his shuttle business. Further discussion.

President King announced the time for public input is now passed. He offered to create a committee to further talk about the shuttle licensing. President King asked the Council if they want to make the ordinance allow for more than a maximum of four licenses if they pass the ordinance. Vice-President Gore thinks it would be easy to increase the number at a later time and leave it at four now. Councilmember Rudd believes they should make the number of licenses five or six to leave it open for more business. Deputy Clerk-Treasurer Ferry asked for clarification. President King explained it is one ordinance that will include both carriages and shuttles, such as five carriages and one shuttle.

Town Manager Rudd said the Council would be amending Ordinance Chapter 115 Horse Drawn Carriage business to include shuttles and he passed around a sheet of paper with the language submitted by Town Attorney Szakaly. Town Manager Rudd noted Vice-President Gore's correct "and shuttles" to read "or shuttles". Vice-President Gore also asked to change the number of licenses from three to six.

President King asked for a motion to amend Ordinance 2009-07 to include shuttles and change number from 3 to 6. Vice-President Gore moved to amend Ordinance 2009-07 to include shuttles and change the proposed wording to read "or shuttles" and to increase the number of licenses from 3 to 6. Councilmember Rudd seconded the motion. All were in favor.

President King asked for a motion to suspend the rules and have a second reading by title only. Vice-President Gore made that motion. Councilmember Rudd seconded the motion. All were in favor. Vice-President Gore made a motion to amend Ordinance 2009-07 Horse Drawn carriage business to include shuttles and change wording to read "or shuttles" and increase the number of licenses from 3 to 6. Councilmember Rudd seconded the motion.

President King summarized that they are amending the ordinance at this time and leaving it open to make bigger changes later. If they want to have a committee or study group to look at this and decide what is the best thing to do bearing in mind the number of parking spaces in town. President King said there was a motion on the floor and a second and asked all for all those in favor. All were unanimously in favor.

President King announced the amendment to the ordinance for the shuttle and horse drawn carriage ordinance, which is separate from the train, has passed. President King noted the matter is closed and

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maybe Town Manager Rudd can help get people organized for a committee to study it and redo it. Town Manager Rudd told the audience if anyone is interested in refining and making improvements they are always open to that. He finds this to be a big improvement from zero to three additional licenses.

4) PUBLIC HEARING ON WATER CIP GRANT

Deb Lilly of ARA introduced herself as Acting Public Hearing Officer for the Town of Nashville for the CDBG Drinking Water Improvement Program public hearing. She advised this is the second public hearing that the Town has held on this project. Ms. Lilly explained that on or about June 10, 2016 the Town will apply for \$600,000 from the Indiana Office of Community and Rural Affairs for the drinking water improvements which include: extending the Freeman Ridge Water Main, replacement of the Schooner Valley Booster Station, abandoning and demolishing the booster station and water tank at Kirts Garage and replacement of approximately one third of the utility water meters. She explained the matching funds of \$1,220,000 are coming from Rural Development which will be in the form of a loan. Ms. Lilly and Town Manager Rudd answered a couple questions from the audience on the program.

5) ANTIQUE ALLEY RESTROOM LEASE

Town Manager Rudd advised they have some correspondence they want to send to the property owner of the Antique Alley to let them know the Town would like to close and secure the Antique Alley restrooms as the Town now has a new facility nearby. His office is also attempting to reach those that were interested in discussing their ideas about the continued use of the Antique Alley facility. President King explained the land in Antique Alley was leased by the Town and they installed and owned the building, fixtures and supplies of the restrooms. They have now built another set of restrooms on Town property to replace the Antique Alley facility. He noted the landowner can keep the building or ask that the Town remove the building on his property.

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

Business owner Nancy Crocker addressed the Village District issue and she thinks the Council should expand the district as proposed at the last Council meeting as in her opinion this would be in the best interest of the town. Business owner Andy Tilton commented that they should extend the Village District all the way out to the CVS so that they can make future plans if another building goes there. This will help them to create a corridor where visitors can see there is a lot going on in town. President King asked to add the Village District to next month's meeting agenda.

Councilmember Rudd commented that they are only looking at doing expanding the Village District for one person and that is the reason it was brought up. Town Attorney Szakaly explained the Village District popped up separately from Planning and Zoning. He thinks it is important that the Council recognize if they need a Village District as they have the Planning and Zoning controls already in place long before the Village District. His recommendation is, before they start expanding the Village District even further, that a close a look be taken why it happened in the first place, is it still necessary and if it is going to continue does it really only effect parking or is it going to more with regard to reviews of DRC and etcetera. Discussion.

President King offered that anyone wanting to serving on a committee to discuss the shuttle ordinance put their name in with Administrative Assistant Mary Beth Fisher. Andy Tilton asked how he could get copies of proposed ordinances before they come up at Council meetings. Town Manager Rudd advised people can call him or the Council to talk about proposed ordinances. Town Szakaly explained the process and voiced concern about putting out ordinances prior to the Town Council review. Ms.

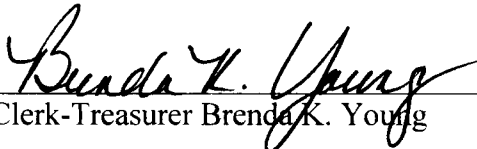
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Crocker asked if any time an ordinance comes before the Council that they not vote on it the same evening it is presented. This would allow for an ordinance become public. She also asked that anytime issues concerning businesses come before the Council that they be addressed during evening meetings so that business owners can be in attendance.

ADJOURNMENT

Councilmember Rudd moved to adjourn the meeting. Vice-President Gore seconded the motion. All were unanimously in favor. President King adjourned the meeting at 11:19am.

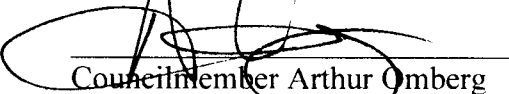
The audio recording made at the Town Council meeting on 5-25-16 is retained in the office of the Town Clerk-Treasurer.


Clerk-Treasurer Brenda K. Young


President Charles B. King


Vice-President Jane Gore


Councilmember Alisha Gredy


Councilmember Arthur Omberg


Councilmember Dave Rudd