

**NASHVILLE TOWN COUNCIL MEETING
THURSDAY, OCTOBER 15, 2020**

ATTENDANCE IN-PERSON: Council members present – President Jane Gore, Vice-President Alisha Gredy, Councilmember Nancy Crocker, Councilmember Anna Hofstetter, and Councilmember Dave Rudd. Also in-person attendance: Clerk-Treasurer Brenda Young, Police Chief Ben Seastrom and Municipal Operations Consultant Dax Norton. Also in attendance via remote access: Administration Manager Phyllis Carr, Water/Sewer Operator Robin Willey and Town Attorney Jim Roberts (left at 7pm).

COUNCIL BUSINESS – 6:30 pm

1) OPENING THE MEETING

A. CALL TO ORDER by President Gore at 6:30 pm.

B. ROLL CALL by Clerk-Treasurer Young

C. APPROVAL OF AGENDA

President Gore advised that she would like to add under New Business, First Responders Day which will be held on October 28, 2020. She asked the Council members to start thinking about the Board/Commission appointments they would like to make for 2021. They will talk about this next month.

Councilmember Crocker made a motion to approve the agenda as amended. Councilmember Rudd seconded the motion. All were unanimously in favor.

2) RENEWAL OF EXECUTIVE POWERS

President Gore asked for a motion that allows her to continue her executive powers. Councilmember Rudd made a motion to continue the Executive Powers. Vice-President Gredy seconded the motion. All were unanimously in favor.

3) PRESENTATIONS

A. NASHVILLE REDEVELOPMENT COMMISSION – DISCUSS TIF EXPANSION

Redevelopment Commission Consultant Ed Curtin advised that the Commission has been looking at the TIF areas and have decided what they should look like. At this time, they need some legal and financial assistance. He presented two letters of engagement: one from Stifle and another from Barnes & Thornburg to assist the Commission. Redevelopment Commission Consultant Curtin explained their help is critical as they need to make sure they follow all the requirements according to state statutes.

Redevelopment Commission Consultant Curtin advised that the Redevelopment Commission is ready to develop the Economic Development Plans that go along with the TIF areas. Next steps will be to adopt a Declaratory Resolution, then bring before the Area Plan Commission and then before the Town Council for their approval. Upon approval of the Town Council, the plan will go before the Nashville Redevelopment Commission for a public hearing and final adoption with a Confirmatory Resolution.

Town Attorney Roberts asked about the hourly rates in the agreements. Redevelopment Commission Consultant Curtin advised that both agreements have the rates listed. He noted that Stifel would provide the financial guidance and Barnes & Thornburg would provide the legal guidance. Town Attorney Roberts advised Council could approve of the agreements subject to review and report by him.

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Councilmember Rudd made a motion to give Stifel and Barnes & Thornburg the contracts. Councilmember Crocker asked where the money is coming from to pay for these agreements. Discussion. Clerk-Treasurer Young advised that the Council could use funds from Economic Development. Vice-President Gredy seconded the motion. All were unanimously in favor.

B. STORMWATER MASTER PLAN

MOC Norton reported that recently there have been some major stormwater drainage issues in town. DB Engineering has drafted a stormwater master plan proposal for the Town Council to consider.

Huck Lewis of DB Engineering gave a presentation on the background of the company and then introduced Matt Snyder, VP & Operations Manager, and Matt Larrabee, engineer. Mr. Snyder and Mr. Larrabee explained the stormwater master plan proposal to the Council.

Councilmember Rudd asked where the funds would come from to do this master plan. MOC Norton advised that they have funds on the wastewater side for this project. Clerk-Treasurer Young noted they also have CCD funds that could be used for this project. Councilmember Rudd commented that they have a big problem with stormwater drainage and need to address the problems before they get worse. Discussion.

President Gore thanked DB Engineering for their presentation and the Council will take this information under advisement.

4) TOWN ATTORNEY ROBERTS REPORT

Town Attorney Roberts announced he had to leave the meeting at this time but would be available by phone if needed. He reminded the Council that as a part of the Water suit settlement the Council needs to appoint two members on the committee to work with Brown County Water Utility regarding any future rate changes. Town Attorney Roberts advised one appointment must be a Town Council member and the other appointment could be any resident of the Town. President Gore reported that she and Councilmember Rudd would like to be appointed to this committee. Discussion. Councilmembers Hofstetter and Crocker asked that one appointment be open to all qualified residents in the town. Town Attorney Roberts advised that they need to make their appointments by the next Town Council meeting.

5) CONSIDER ORDINANCE 2020-10- AN ORDINANCE TO AMEND THE ZONING MAPS (HARPER REZONE REQUEST)

Town Attorney Roberts advised that the Area Plan Commission has submitted a Certification of Approval for the rezoning of the Harper properties. He has reviewed the prepared ordinance for rezoning and has approved the ordinance as to form.

Councilmember Crocker asked if these are the properties across from the fairgrounds. President Gore advised that is correct and advised the properties requesting to be rezoned are close to other commercial properties. Discussion.

Kim Harper addressed the Council and explained that their plan is to keep their long-term renters in their homes but when they move out, she would like the opportunity to turn the properties into vacation rentals. Ms. Harper advised that she has many complaints from her long-term renters about the noise from the school football games and events, the recycling center, Hard Truth Hills music and events at the Season's Hotel. Since her properties are surrounded by businesses, she thinks it would be a good fit. Discussion.

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Councilmember Crocker made a motion to have the first reading of Ordinance 2020-10 by title only. Councilmember Rudd seconded the motion. All were unanimously in favor. President Gore read aloud Ordinance 2020-10 by title only.

Councilmember Rudd made a motion to suspend the rules and have the second reading of Ordinance 2020-10 by title only. Vice-President Gredy seconded the motion. All were unanimously in favor. President Gore read aloud Ordinance 2020-10 by title only.

Councilmember Rudd made a motion to adopt Ordinance 2020-10 by title only. Councilmember Crocker seconded the motion. All were unanimously in favor.

Town Attorney Roberts advised he would have to leave the Zoom meeting now but would be available by telephone if needed later in the meeting.

6) APPROVAL OF THE CONSENT AGENDA

- A. CONSIDER APPROVAL OF THE MEETING MINUTES – 9-17-2020 MEETING DRAFT UNAPPROVED MINUTES AND 9-25-2020 MEETING DRAFT UNAPPROVED MINUTES**
- B. CONSIDER APPROVAL OF CLAIMS (ACCOUNTS PAYABLE VOUCHERS)**
- C. CONSIDER RECOMMENDATION OF BROZINNI PIZZERIA (140 W. MAIN STREET) TO STATE ALCOHOL & TOBACCO COMMISSION FOR RIVERFRONT DISTRICT LICENSE RENEWAL**
- D. NAEC REQUEST TO USE FUNDS**
- E. CONSIDER APPROVAL OF ADA GRIEVANCE PROCEDURES**
- F. CONSIDER APPROVAL OF RIGHT-OF-WAY PERMIT**
 - **CHOCOLATE WALK – PARKING SPACE CLOSURES - 11-14-2020**

Councilmember Rudd made a motion to approve the consent agenda. Councilmember Crocker seconded the motion and asked where the train will be parked for the Chocolate Walk. Administration Manager Carr advised the train will make a stop on Washington Street next to the CVB. Also the Chocolate Walk organizers will set up cones at the Prosecutor's Office parking lot for food trucks, and the Town will set up all the other cones blocking the requested parking spaces. All were unanimously in favor of approving the consent agenda.

7) CLERK-TREASURER REPORT

A. FUND BALANCE REPORT

Clerk-Treasurer Young advised that the Council has received the fund balance report and asked if there were any questions. There were none.

B. CONSIDER ORDINANCE 2020-11 ORDINANCE FOR APPROPRIATIONS AND TAX RATES (ADOPTION OF 2021 BUDGET)

Clerk-Treasurer Young presented Ordinance 2020-11 and explained this ordinance is to adopt the 2021 budget. She advised that the Town Council held a public hearing on the budget on September 17, 2020 for any discussion of the budget. Once the budget is adopted it will go to the DLGF for their final approval.

Councilmember Hofstetter made a motion to have the first reading of Ordinance 2020-11 by title only. Councilmember Crocker seconded the motion. All were unanimously in favor. Councilmember Hofstetter read aloud Ordinance 2020-11 by title only.

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Councilmember Crocker made a motion to suspend the rules and have the second reading of Ordinance 2020-11 by title only. Vice-President Gredy seconded the motion. All were unanimously in favor. Councilmember Crocker read aloud Ordinance 2020-11 by title only.

Councilmember Rudd made a motion to adopt Ordinance 2020-11 by title only. Councilmember Hofstetter seconded the motion. All were unanimously in favor. Councilmember Crocker thanked Clerk-Treasurer Young and her staff for their hard work on the budget process.

C. UPDATE ON THE COVID-19 SMALL BUSINESS GRANT PROGRAM

President Gore reported that the Grant Review Committee, which she is on, had two meetings to review the grant applications. They approved 29 applications and were able to distribute all \$250,000 in funds they were awarded. Clerk-Treasurer Young thanked her staff for the work on this project as well as their grant administrators ARA. President Gore noted that 5 applications were denied grant funds but for very important reasons.

8) MONTHLY DEPARTMENT REPORTS – POLICE DEPARTMENT, PUBLIC WORKS (STREETS, UTILITIES, MRO), ADMINISTRATION (LEAD AND COPPER REPORT), CONSULTANT AND TOWN ATTORNEY

President Gore advised the department reports have been submitted to the Council for their review.

Police Chief Seastrom commented that they are moving along with October and working with their large tourist population. He noted the traffic has been incredibly busy. Councilmember Crocker and Councilmember Hofstetter have heard from several shop owners that this is their best sales year in a very long time.

Councilmember Hofstetter went on record to apologize if anyone was offended by her comments at the last meeting about the blue lives matter discussion. She added that she has great respect for their Police Department and meant no disrespect. Councilmember Hofstetter read aloud a prepared statement and would like to find some common ground with opposing views. She spoke about how symbols have changed over time. Discussion.

Resident Arlene Mofitt gave a history of the thin blue line flag. Ms. Mofitt advised that she is a retired Chicago Police SWAT Sniper, the first female ever. She is also a founding member of the Brotherhood of the Fallen which is now a national group. Ms. Mofitt does not want to see the flag taken away that honors those people that have served and lost their lives protecting others.

Brown County Democrat Editor Sara Clifford asked where this flag is displayed. Police Chief Seastrom advised the thin blue line flag is on almost all the Town Police cars since they were purchased in 2017.

Administration Manager Carr spoke about the Lead and Copper letter that was sent out to all the Town's water customers stating there were about 11-12 sample sites that had above the allowable amount of lead. This has never happened in their testing before and she immediately contacted the testing facility. They submitted a second set of samples and those lead results came back below the allowable lead levels.

Administration Manager Carr explained that since the first samples came back with high lead levels, IDEM required the utilities to send out a notice of the high level. Because the first samples tested high, in January through June 2021 IDEM is requiring that 40 samples be tested to check again for the lead levels. She will test the ones that came back with high levels the first time and can test others that put in

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a request up to a total of 40 locations. Water Utility Operator Willey explained the testing process and how the utility responded to the results. He noted the testing facility even questioned the results and have not found a reason for the high lead results in the 11-12 samples. Water Utility Operator Willey reported that they have also tested all the water entry points and the testing found those to be below the lead exceedance levels.

Water Utility Operator Willey advised that he has been talking with Haden King of IDEM and they are pleased with the Utilities response to the testing samples. Discussion.

Resident Paula Staley asked if children in the locations that showed high lead levels were being offered blood lead testing. Water Utility Operator Willey advised this would be up to the homeowners to get this testing and the Utility is following all the procedures that are required by IDEM. Discussion. Administration Manager Carr reported that they have ordered water sample bottles and if any resident wants to have their water tested before the next round of testing, they may do so at a cost of \$53 per sample.

Brown County Democrat Editor Clifford asked if the schools were included in the testing sites and if so, did they test high. Water Utility Operator Willey reported that the schools were tested, one came back high but on the second testing all came back below the exceedance levels for lead. Discussion. MOC Norton commented that the Town's water distribution lines are not lead base. If there is a lead issue in the system, it would be more likely a service line issue.

Councilmember Crocker would like to put some pressure on the County Health Department to do blood lead testing for children in the area. Discussion. Councilmember Crocker asked Administration Manager Carr to contact the Brown County Health Department to see if they provide blood lead testing and pass this information to the Brown County Democrat to publish.

President Gore referred to the Utilities' monthly report and noted that the purchase of the excavator appears to have paid off. Water Utility Operator Willey agreed and said they have utilized this equipment for a lot of hard to get to repairs. President Gore also welcomed new Utility Department crew member Cathy.

Administration Manager Carr presented a small right-of-way request from Brown County Bikes. They would like to have a Halloween Pumpkin Jump in front of their new shop on South Jefferson Street. They would like to block five parking spaces in front of their shop on Saturday, October 31, 2020 from 1-4pm for the event.

Councilmember Crocker made a motion to approve the blocking of five parking spaces for the event. Councilmember Rudd seconded the motion. All were unanimously in favor.

President Gore announced that on October 28, 2020 the Rotary is partnering with the Brown County Foundation to raise funds on First Responders Day. They will have seven locations to take up collections for all six fire departments of Brown County.

Administration Manager Carr reported they have two yellow benches to be made for Lincoln Pinch Park. The bench manufacturers' facility had a fire earlier this year delaying the making of the benches. They are back up and running and now she needs Council's approval of a \$50 set-up fee to make the benches.

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Councilmember Rudd made a motion to approve the claim for the \$50 set-up fee. Councilmember Crocker seconded the motion. All were unanimously in favor.

MOC Norton advised that BRIC is a program through FEMA and the Town has pre-applied for the program to help fund the I&I project as well as the sewage treatment plant as it relates to flooding and stormwater. He announced that their BRIC application has been moved to the next round. They will need to send in their official application which is due November 20, 2020.

MOC Norton reported that he emailed the Council with a list of items starting with completing a Comprehensive Plan for the Town. They will also need a Economic Development Plan as well.

MOC Norton has completed a draft of the Water and Sewer budgets and submitted them to the Council. He would like to go over the budgets with each Councilmember line by line.

9) UNFINISHED BUSINESS

A. CONSIDER ADOPTION OF SANITARY SEWER MASTER PLAN

MOC Norton advised the Council was presented the plan in August and have not received a tremendous amount of feedback on the plan. He advised this will be up to the Council to approve and once they do they can hand the plan off to the Utility Service Board once this board is created.

Councilmember Rudd commented they should adopt the plan and move on. Councilmember Crocker noted this is a plan, nothing is set in stone, they can make changes as needed.

Councilmember Rudd made a motion to adopt the Sanitary Sewer Master Plan. Councilmember Crocker seconded the motion. All were unanimously in favor.

B. SECOND READING AND CONSIDER ADOPTION OF ORDINANCE 2020-05 ESTABLISHMENT OF A NASHVILLE MUNICIPAL UTILITIES UTILITY SERVICE BOARD

Councilmember Crocker made a motion to have the second reading of Ordinance 2020-05 by title only. Councilmember Hofstetter seconded the motion. All were unanimously in favor. Councilmember Crocker read aloud Ordinance 2020-05 by title only.

Councilmember Rudd made a motion to adopt Ordinance 2020-05 by title only. Councilmember Crocker seconded the motion. All were unanimously in favor.

C. DISCUSS HUMAN RELATIONS COMMISSION

Councilmember Crocker advised that she has reached out to some people but has not made much progress. Resident Paula Staley reported that there is a petition circulating with over 300 signatures asking to ban hate symbols in the Town and school property. Discussion.

Councilmember Crocker advised that MOC Norton has provided them with a good document to work from in creating a Human Relations Commission. Ms. Staley and Councilmember Hofstetter would like to work with Councilmember Crocker in creating this commission for the Town.

D. SANITATION STATIONS

Councilmember Crocker reported that they are behind on getting the sanitation stations installed throughout Town. She is hoping to have the final touches and installation done by the end of next week. Councilmember Crocker advised that she went over budget by \$500 and noted that several artists

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donated their artwork for the stations rather than being compensated \$75 each. Police Chief Seastrom would like the stations labeled as Town of Nashville property. President Gore thanked Councilmember Crocker for her work on this project.

E. BENCH INVENTORY UPDATE

Councilmember Crocker advised that she is still working on the bench project and most of the property owners are very responsive and want to work with the Town. She has talked with owners of the Live Edge shop and they are interested in making the benches as is another local woodworker.

8) NEW BUSINESS

A. DISCUSS FIRE DEPARTMENT

President Gore advised that she put this on the agenda as she wants to be proactive and start discussing some issues about a fire department. With their recent fire downtown, they were very fortunate it was extinguished and didn't burn other buildings. She and MOC Norton have done some research and the cost of creating a paid fire department would be very expensive for our small community.

President Gore advised that the community of Whitestown has created a program using public safety officers. This program allows police officers to become firefighters as the need arises. They do get paid for this additional job title. Discussion.

MOC Norton advised it would cost approximately \$200,000 up front to start this program. He guesstimated to have a paid fire department would cost around 1.5 million annually. MOC Norton noted that in the past residents have stopped the process of creating a fire territory as they did not want an increase in taxes. Discussion.

Ms. Staley asked if the Town receives any funds from the State for the protection of the State Park. President Gore advised that they do not receive funds nor does the County. MOC Norton advised there has been talk of using some of the entrance fees to go toward the fire department funding. However, this did not go over well with the State Legislature. MOC Norton noted that TIF funds could go toward fire department funding. Discussion.


B. CONSIDER TOWN PARK RENTAL CONTRACT

Vice-President Gredy advised they are going to table this as the Commission is concentrating on other things at this time.

9) ADJOURN

Councilmember Rudd moved to adjourn the meeting. Vice-President Gredy seconded the motion. All were unanimously in favor. President Gore adjourned the meeting at 8:31 pm.

The audio recording made at the Town Council meeting on 10-15-2020 is retained in the office of the Town Clerk-Treasurer.



President Jane Gore

BY REMOTE ACCESS VOTE

Vice-President Alisha Gredy

BY REMOTE ACCESS VOTE

Councilmember Nancy Crocker

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BY REMOTE ACCESS VOTE

Councilmember Anna Hofstetter

BY REMOTE ACCESS VOTE

Councilmember Dave Rudd

Brenda K. Young
Clerk-Treasurer Brenda K. Young