

**NASHVILLE TOWN COUNCIL MEETING  
THURSDAY, OCTOBER 21, 2021**

Council members present at Town Hall: President Jane Gore, Vice-President Nancy Crocker, Councilmember Anna Hofstetter, Councilmember Tyra Miller, and Councilmember Dave Rudd. Also in attendance at Town Hall: Clerk-Treasurer Brenda Young, Deputy Clerk-Treasurer Debbie Ferry, Municipal Operations Consultant Dax Norton, Police Chief Ben Seastrom, Administration Manager Phyllis Carr, and Records Clerk Sandie Jones. Also in attendance via Zoom: Town Attorney Jim Roberts.

**COUNCIL BUSINESS**

**1) OPENING THE MEETING**

**A. CALL TO ORDER** by President Gore at 6:49 pm.

**B. PLEDGE OF ALLEGIANCE**

President Gore asked all in attendance to stand and recite the Pledge of Allegiance.

**C. ROLL CALL** by Clerk-Treasurer Young.

**D. APPROVAL OF AGENDA**

President Gore asked to add under New Business a discussion of Columbus Day/Indigenous People Day. Also, under Town Administration there are a couple items; right of way permit and installation of the maps. Councilmember Rudd made a motion to approve the agenda as amended. Councilmember Hofstetter seconded the motion. All were unanimously in favor.

**2) APPROVAL OF THE CONSENT AGENDA**

- A. CONSIDER APPROVAL OF THE DRAFT UNAPPROVED MEETING MINUTES – 9-30-2021 EXECUTIVE SESSION, 9-16-2021 REGULAR MEETING, 9-30-2021 BUDGET MEETING AND 10-14-2021 BUDGET PUBLIC HEARING**
- B. CONSIDER APPROVAL OF CLAIMS (ACCOUNTS PAYABLE VOUCHERS)**
- C. CONSIDER APPROVAL OF CHOCOLATE WALK PARKING SPACE CLOSURES – NOVEMBER 13, 2021**
- D. CONSIDER NAEC REQUEST TO USE NAEC EDIT FUNDS**

Councilmember Rudd made a motion to approve the consent agenda. Councilmember Miller seconded the motion. All were unanimously in favor.

**3) PUBLIC HEARING**

**A. ORDINANCE 2021-11 WHOLESALE WATER COST TRACKER RATE  
ORDINANCE**

Councilmember Hofstetter made a motion to open the Public Hearing. Vice-President Crocker seconded the motion. All were unanimously in favor. President Gore opened the Public Hearing at 6:51pm.

President Gore explained that last month they had the first reading of Ordinance 2021-11 the Wholesale Water Cost Tracker Rate ordinance. She asked if there were any comments or questions from the public. There were none.

Councilmember Hofstetter made a motion to have the second reading of Ordinance 2021-11 by title only. Vice-President Crocker seconded the motion. All were unanimously in favor. Councilmember Hofstetter read Ordinance 2021-11 aloud by title only.

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Councilmember Hofstetter made a motion to adopt Ordinance 2021-11. Vice-President Crocker seconded the motion. All were unanimously in favor.

Vice-President Crocker made a motion to close the Public Hearing. Councilmember Hofstetter seconded the motion. All were unanimously in favor. President Gore closed the Public Hearing at 6:54pm.

### **4) CLERK-TREASURER REPORT**

#### **A. FUND BALANCE REPORT**

Clerk-Treasurer Young advised that the Council has been sent all the financial records for their review. She reminded them that the Budget adoption hearing will be held on October 28, 2021 at 6:30pm.

### **5) MONTHLY DEPARTMENT REPORTS**

#### **A. POLICE DEPARTMENT**

Police Chief Seastrom reported that it has been a good month so far and they haven't seen the peak number of visitors just yet.

#### **B. TOWN ADMINISTRATION**

##### **• EAST WASHINGTON STREET SIDEWALK REPAIR REQUEST**

Administration Manager Carr reported that they have received a request for a 50/50 match in the repair of the sidewalk on East Washington Street. Photos and cost estimates were presented to the Town Council.

Councilmember Rudd made a motion to approve the 50/50 match to repair the sidewalk. Vice-President Crocker seconded the motion. All were unanimously in favor. Vice-President Crocker encouraged other property owners to participate in this program.

##### **• PITTMAN HOUSE LANE SIDEWALK AND CURB REPAIR REQUEST**

Administration Manager Carr presented two quotes from Dynamic Concrete to fix the sidewalk and curb on Pittman House Lane. She explained there is a drainage issue in this area causing flooding in the businesses in this area. Discussion. Clerk-Treasurer Young advised there are funds available in the MVH sidewalk line item for this project.

Vice-President Crocker made a motion to repair the whole shebang and to have Administration Manager Carr to sign the contract. Councilmember Hofstetter seconded the motion. Administration Manager Carr will contact the concrete company and get back with Mr. Benson regarding the schedule. All were unanimously in favor. Business owner Ross Benson asked about the time frame on the project as he is having work done on his building.

##### **• CROSSWALK PAINTING SCHEDULE UPDATE**

Administration Manager Carr advised that she has not heard if they have been awarded the Community Crossings grant funds to pave roads in Town. She asked if the Council wants her to move forward with doing the crosswalks this year. Discussion.

Vice-President Crocker made a motion to restripe the crosswalks in the Village area. Councilmember Rudd seconded the motion. All were unanimously in favor.

##### **• RIGHT OF WAY REQUEST – HOB NOB**

Administration Manager Carr reported that the DRC has approved the removal of the staircase on the west side of the Hob Nob building and to replace some siding. They are requesting permission to put a

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dumpster on one parking space for 2-3 days of construction with work to be done November 7-10, 2021. Police Chief Seastrom asked that the dumpster be moved back a couple spaces to the west.

Councilmember Hofstetter made a motion to approve the right of way request. Councilmember Miller seconded the motion. All were unanimously in favor.

### • NEW MAP INSTALLATION

Administration Manager Carr advised they have received a quote of \$960 to install the new maps in the kiosks at the Village Green.

Vice-President Crocker made a motion to pay \$960 for the installation of the maps using EDIT funds. Councilmember Hofstetter seconded the motion. All were unanimously in favor.

## C. CONSULTANT

### • BICYCLE-PEDESTRIAN MASTER PLAN RFP REQUEST

MOC Norton presented an RFP for a Bicycle-Pedestrian Master Plan. He explained this would be a request to see what firms might be interested in creating a plan for the Town and what those costs would be. There is no cost to the Town at this time, it is simply to get quotes from firms.

Councilmember Hofstetter made a motion to move forward with the Nashville Bicycle-Pedestrian Master Plan RFP. Councilmember Miller seconded the motion. All were unanimously in favor.

### • UTILITY SERVICE BOARD REPORT

MOC Norton reported that the USB is moving along with their water and sewer budgets. He is still looking for additional funding for the DNR project and sanitary sewer rehab. MOC Norton will come up with a spreadsheet of grant opportunities and review it with the Council at next month's meeting.

### • TOWN HALL MEETING SCHEDULE

MOC Norton talked about having quarterly meetings with the public and incorporate this information from those meetings into the regular monthly Town Council meeting. Another option would be to hold two Council meetings a month with one to meet with the public and one to do Council business. Vice-President Crocker commented that if they hold Town Hall meetings, they will not require a quorum. Discussion.

BC Chamber of Commerce Vice-President Jane Ellis advised that the Chamber has slated to sponsor three Town Hall meetings in 2022. They are willing to help organize this for the Town to hear from the members of the community. MOC Norton suggested that Records Clerk Jones and Ms. Ellis to work together in getting the calendar worked out. The Council thanked Ms. Ellis for the Chamber's help.

## D. TOWN ATTORNEY

MOC Norton asked if they need approval from the Town Council for the billing software to be updated with the new water tracker rates. Clerk-Treasurer Young asked for a motion from the Council to update the software. Councilmember Rudd made this motion. Vice-President Crocker seconded the motion. All were unanimously in favor.

Clerk-Treasurer Young asked when will the tracker go into effect. Town Attorney Roberts advised the ordinance goes effective upon passage. Since this is in the middle of a billing cycle, he suggested the ordinance go into effect on the December 3, 2021 bill. Town Attorney Roberts noted this ordinance does not require additional publication before going into effect.

**6) UNFINISHED BUSINESS**

**A. BROWN COUNTY CHRISTKINDL ARTISAN MARKET – FUNDING REQUEST**

President Gore advised that the Council has been asked to make a donation to the Brown County Christkindl Market which will be held December 3-4, 2021. Councilmember Hofstetter commented that she doesn't think they should spend their tax funds since they don't donate to any other nonprofits. Vice-President Crocker noted the Nashville Arts and Entertainment Commission has already donated \$2,500 to sponsor local artist vendor booths. She noted that she is donating Playhouse ads and a Santa outfit to the event on behalf of the Town. Councilmember Miller wants the Town to donate \$500 for the event. Discussion.

CVB Director Jane Ellis commented that the request of donations on behalf of the Town is a buy-in for the community. Part of the event will include the Nutcracker Nosh which is promoting the various restaurants throughout town. She believes this event will result in increased food and beverage tax funds for the Town. Ms. Ellis would like to see the Town on the sponsorship banner showing their support for this community event.

Councilmember Miller made a motion to donate \$500 out of the Town's EDIT fund for the sponsorship of the Brown County Christkindl Market. President Gore seconded the motion. All but Councilmember Hofstetter voted in favor of the motion. The motion passed 4-1.

**B. HORSE CARRIAGE PARKING LOCATIONS**

Administration Manager Carr reported that they have two horse carriage companies that each have two carriages. There are currently two hitching posts on the south side of East Franklin Street, and she asked that a third post be installed closer to the alley. They will also need another parking location for one of the carriages. Administration Manager Carr suggested the fourth parking space be at the loading zoning on the north side of West Franklin Street. Administration Manager Carr asked for clarification as to what is the meaning of parking spaces for the carriage company.

CVB Director Jane Ellis noted that Coachlight Square was named this as it was to have a carriage stand at one time. Administration Manager Carr advised there was a shuttle spot on East Washington Street that is no longer being used. Police Chief Seastrom noted there is also space by the Visitor's Center. Discussion.

Jennifer Lung, owner of Classic Carriages, addressed the Council and explained she has been an owner since 2016. When she purchased the business, she understood that they can each bring out two carriages. They would like a centralized area for the carriage businesses. She was also under the understanding that her business allows her to have the two parking spaces on East Franklin Street and the other carriage business would park on West Franklin. When the carriage parking spaces were eliminated on West Franklin Street, they were told the Town would make room for them elsewhere. Discussion. Administration Manager Carr wants the carriage spaces labeled so that there are assigned spaces on each carriage license.

Councilmember Rudd made a motion to allow Administration Manager Carr to put up the third hitching post on East Franklin Street. Councilmember Miller seconded the motion. All were unanimously in favor.

Vice-President Crocker made a motion to create a continuous loading zone and designated area for horse and carriage parking on the north side of W. Franklin Street from Honeysuckle Lane to Van Buren Street. Councilmember Hofstetter seconded the motion. All were in favor except for Councilmember

Miller who abstained.

### **C. DISCUSS NOISE ORDINANCE**

Kenan Rainwater addressed the Council and explained that he had previously been hired to install the satellite sound system at Hard Truth Hills before their recent expansion. They installed speakers in the trees to get the sound closer to the audience sitting at the outdoor tables. Mr. Rainwater thought this was a good attempt to keep the sound of the music on the property.

Mr. Rainwater advised that the recent expansion of the stage and audience area at Hard Truth Hills is now three times the size it used to be. He has talked with the owners who have advised that they plan on expanding the satellite sound system along with a conventional sound system to create a concert environment for the audience members.

Mr. Rainwater was recently hired to run sound for a band that played at Hard Truth Hills. When he ran the sound, he kept the decibels between 95-100 at the stage at a distance of 100 feet from the stage. Ms. Rogers reported that the sound level was much more tolerable during this event.

Mr. Rainwater thinks that Hard Truth Hills will work with their neighbors to keep the sound tolerable. He encouraged Hard Truth Hills to hire a sound engineer for their musical events which will help to keep the sound at appropriate levels and have a better quality. Mr. Rainwater commented that if there were to be a noise ordinance that if a venue serves over a certain number of people, they should hire a sound engineer. A smaller venue wouldn't need a sound engineer.

Vice-President Crocker asked Mr. Rainwater if he would be willing to sit on a noise ordinance committee looking at parameters in an advisory position. Mr. Rainwater commented that he might, depending on the meeting dates and times. Vice-President Crocker would like to create a cross section of people to sit on the committee. Councilmember Miller agreed that it would be great to have people participate in this committee as it is an important issue in our community. Discussion. Vice-President Crocker and Councilmember Miller agreed to work with a committee on the noise ordinance.

Vice-President Crocker made a motion to form a two-month advisory committee with other stakeholders in the community. Councilmember Miller seconded the motion. All were unanimously in favor.

### **D. DISCUSSION OF SKATEBOARD ORDINANCE**

President Gore suggested the Council form a small committee to work on this ordinance. Discussion. Councilmember Hofstetter made a motion to abolish the skateboard ordinance. The motion died for lack of a second.

Vice-President Crocker asked Police Chief Seastrom about his thoughts on the skateboard ordinance. He suggested if they are going to keep a skateboard ordinance that they modify the current skateboard ordinance due to the use of different types of boards and riders now. Police Chief Seastrom also suggested expanding the allowed area but would keep the skateboards off Van Buren Street and limit the time of uses. Discussion.

Councilmember Rudd made a motion to table this discussion. Councilmember Hofstetter seconded the motion. All were unanimously in favor.

**7) NEW BUSINESS**

**A. DISCUSS COMMISSION/BOARD APPOINTMENTS SCHEDULE**

President Gore advised that next month the Town Council will have a list of appointments that need to be made at the end of the year close out meeting. She also suggested they should vote who on the Town Council will be 2022 President at the close out meeting. That Council President has some appointments to the boards/commissions.

President Gore asked that the Council make the appointments as they usually have done, not interview each candidate during the meeting. Vice-President Crocker asked that each Councilmember contact applicants to learn more about them. Discussion. Vice-President Crocker asked that the newspaper post a list of boards/commissions.

**B. CONSIDER ORDINANCE 2021-15 AMENDMENT TO ZONING ORDINANCE – 352 TUCK A WAY RIDGE DRIVE**

President Gore advised this favorable recommendation comes from the Area Plan Commission to rezone this property from R1 to R2. She explained when the Town annexed this area everything that was an R2 became an R1. The owner of the property at 352 Tuck A Way Ridge Drive is asking to rezone the property to R2 so that they can change their home into a duplex. The applicant explained that when they bought the house the basement of the house had its own apartment. Councilmember Rudd commented that they should turn the whole area back to R2. Discussion.

Several audience members voiced concern about changing zoning for this property as it sets a precedent for others to do the same. Discussion.

Town Attorney Roberts advised that zoning ordinances only need one reading by the Town Council. Councilmember Rudd made a motion to pass Ordinance 2015-15 by title only. Vice-President Crocker seconded the motion. All were in favor except for Councilmember Hofstetter who abstained.

**C. CONSIDER ORDINANCE 2021-16 AMENDMENT TO LOT SIZES**

President Gore advised the Area Plan Commission held a public hearing on the amendment to lot sizes in the Town of Nashville. The APC is now forwarding a favorable recommendation to the Town Council to make this amendment. President Gore explained the changes to the lot sizes. Discussion.

Vice-President Crocker made a motion to adopt Ordinance 2021-16 by title only and she read aloud the title. Councilmember Rudd seconded the motion. All were in favor except for Councilmember Hofstetter who abstained.

**D. DISCUSS CREATING A TAXICAB ORDINANCE COMMITTEE**

Councilmember Rudd and Councilmember Hofstetter want to table this matter tonight. Town Attorney Roberts advised this matter came to the table as a taxicab company called the Town inquiring about setting up a service here. He advised the current taxicab ordinance on our books is from the 1940's. He suggested the Council develop an ordinance that would allow them to regulate taxicab use in the Town.

President Gore asked if anyone wants to form a committee to create an ordinance? Councilmember Hofstetter offered to be on this committee. Discussion. MOC Norton suggested they create a legislative committee with two Council members and staff to complete a Council action form. This form assigns a Council member as a sponsor for the proposed legislation. The proposed legislation would then be presented to the Council as a whole to determine what they want to do from that point. Discussion. Vice-President Crocker asked if they could amend the ordinance pertaining to shuttles and horse

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carriages to include taxicabs. Town Attorney Roberts looked at other community's taxicabs ordinance that talk about posting of rates and other specific items related to taxi cabs. Those items don't really relate to shuttles and carriages.

President Gore asked the Council to table this item tonight and bring it back before the Council at a later date.

**E. COLUMBUS DAY/INDIGENOUS PEOPLE DAY**

Councilmember Hofstetter made a motion to proclaim Indigenous Peoples Day an official Town Holiday on the second Monday in October. This is a day to recognize the traditional homelands of the Indigenous Peoples of modern day Brown County. Vice-President Crocker seconded the motion. All but Councilmember Rudd were in favor. The motion passed 4-1.

**8) ADJOURN**

Councilmember Rudd moved to adjourn the meeting. Vice-President Crocker seconded the motion. All were unanimously in favor. President Gore adjourned the meeting at 9:52 pm.

*The audio recording made at the Town Council meeting on 10-21-2021 is retained in the office of the Town Clerk-Treasurer.*

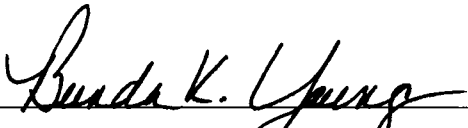
  
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President Jane Gore

**BY REMOTE ACCESS VOTE**  
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Vice-President Nancy Crocker

**BY REMOTE ACCESS VOTE**  
\_\_\_\_\_  
Councilmember Anna Hofstetter

  
\_\_\_\_\_  
Councilmember Tyra Miller

  
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Councilmember Dave Rudd

  
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Clerk-Treasurer Brenda K. Young