

**NASHVILLE TOWN COUNCIL MEETING
THURSDAY, JULY 18, 2019**

ATTENDANCE: Council members present – President Jane Gore, Vice-President Alisha Gredy, Councilmember Nancy Crocker, Councilmember Anna Hofstetter and Councilmember Dave Rudd. Also in attendance – Utility Manager Sean Cassiday, Administration Manager Phyllis Carr, Town Attorney Jim Roberts, Municipal Operations Consultant Dax Norton, Clerk-Treasurer Brenda Young and Deputy Clerk-Treasurer Debbie Ferry.

COUNCIL BUSINESS – 6:30pm

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

2) PLEDGE OF ALLEGIANCE

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

3) ROLL CALL by Clerk-Treasurer Young.

4) APPROVAL OF AGENDA

President Gore asked if there were any changes to the agenda. No changes were requested. Councilmember Crocker moved to approve the agenda as presented. Councilmember Rudd seconded the motion. All were unanimously in favor.

5) REVIEW OF MEETING PROCEDURES

President Gore advised that she wants audience participation, but wants to keep that to a minimum. She will give each speaker three minutes to talk about a subject on the agenda. President Gore asked that there be no discussion between audience members, rather present all questions and comments to the Council. President Gore asked that the Councilmembers also keep their comments to a minimum and allow each member to speak and have their say, but she also wants to move the meeting forward and have action votes if that is what the topic requires.

6) APPROVAL OF THE MINUTES – 6-14-19 AND 6-20-2019 MEETINGS

Councilmember Crocker advised that she didn't have time to review the minutes of 6-20-19 as they just received the minutes this afternoon. Vice-President Gredy reported that she did read both sets of minutes and made a motion to approve the minutes of the 6-14-19 and 6-20-19 meetings as presented. Councilmember Rudd seconded the motion. All were unanimously in favor.

7) ACCOUNTS PAYABLE VOUCHERS

President Gore announced that she reviewed all the vouchers today and didn't have any questions or concerns. Vice-President Gredy made a motion to approve the July 2019 accounts payable voucher register and the following additional claims: Area Appraisal Services in the amount of \$750 for the appraisal of 200 Hawthorne Street property, People's State Bank in the amount of \$400 for the 180 Commercial Street property and South Central Appraisal Associates for \$400 for the 200 Hawthorne Street property. Councilmember Rudd seconded the motion. All were unanimously in favor.

8) COMMUNICATIONS

A. AUDIENCE

RIGHT-OF-WAY REQUESTS

• BIG WOODS ORIGINAL – QUAFFTOBERFEST – SEPTEMBER 2019

Administration Manager Carr advised the Council had in their packets a request from Big Woods to

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hold Quafftoberfest on September 21, 2019 and have attached Plan A and Plan B for the event. She explained that Plan A is to close off Molly's Lane from Van Buren Street to Big Woods Original which would involve closing Honeysuckle Lane. Plan B is to close Molly's Lane from Van Buren Street to Honeysuckle Lane which allows for traffic along Honeysuckle Lane. Administration Manager Carr noted the Council has approved of Plan B in previous years.

President Gore reported they have received a letter from a neighbor of the business, and she is opposed to Plan A. President Gore commented that Plan A seems extreme and Councilmember Rudd and Councilmember Crocker agreed.

Councilmember Rudd made a motion to approve the right-of-way permit for Plan B. Councilmember Hofstetter commented that the letter they received also talked about trash and vandalism in this area and wondered how they could address these problems. Administration Manager Carr advised they had security at past events, and she can make sure they have security and extra trash pickup at this event. She noted that Big Woods notified the neighbors by mail of the intended event. Discussion. Councilmember Crocker seconded the motion. All were unanimously in favor.

• **BROWN COUNTY HUMANE SOCIETY – CHOCOLATE WALK – NOVEMBER 9, 2019**

Jane Weatherford, Brown County Humane Society Board Member, advised that that she came before the Council last month to propose the closing of Main Street from Van Buren Street to Jefferson Street to bring in food trucks for the Chocolate Walk event. Ms. Weatherford advised they have decided to work with other non-profits for this event to see if they would be willing to provide lunch type items during the Chocolate Walk. They will ask the County if they can have the non-profits set up food booths at the courthouse square along with one or two food trucks. Therefore, they are no longer asking that the road be closed.

President Gore noted that there were restaurant owners in the audience and asked if they had any comments. There were none.

• **BURGETT WEDDING – OCTOBER 12, 2019**

Administration Manager Carr presented a right-of-way request to close the parking on Jefferson Street from Molly's Lane to Old Hickory Lane and West Main from Jefferson Street to Bittersweet Lane for a wedding at the Methodist Church. Administration Manager Carr advised the wedding will be held at 4:30pm so they will have to block the spaces all day until after the wedding. Administration Manager Carr read aloud a list of the other activities that are going on this same weekend in the Village Green area. Discussion.

Councilmember Rudd made a motion to deny the right-of-way request. Councilmember Hofstetter seconded the motion. All were unanimously in favor. Utility Manager Cassiday asked if the Council would approve the closing of the four parking spaces in front of the church. The Council agreed to allow blocking of the four parking spaces in front of the church.

• **WE CARE GANG – OUTHOUSE RACES – SEPTEMBER 13-14, 2019**

Administration Manager Carr presented a right-of-way request to close Main Street from Van Buren Street to Jefferson Street on Saturday, September 14, 2019, but they will have to block off the parking the day before for setup purposes. She advised they have approved this request every year.

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Vice-President Gredy moved to approve the right-of-way request for the We Care Gang. Councilmember Crocker seconded the motion. All were unanimously in favor.

• **COLOR WALK – BROWN COUNTY COMMUNITY FOUNDATION – SEPTEMBER 2019**

Administration Manager Carr advised she put in the Council packets information about a right-of-way request for a Color Walk in September to collect funds for Pre-K scholarships. A representative will be at next month's meeting to discuss the request. She advised that they have submitted two routes and they will be asking which route the Council prefers.

PRESENTATION

• **THE ADDICT WAKE**

Lisa Hall introduced herself to the Council and announced that she is part of a three-person documentary team. They will be making a documentary about the meth and opioid crisis and its effect on a small rural county. She advised there is some really good recovery work in this county and she wants this momentum to continue and be an example for other rural counties. Ms. Hall reported that they are working with many other professionals on this project and plan to tell some really important stories.

Ms. Hall advised that once the documentary is produced and out for a number of months, they will edit the documentary and will create a short with an educational bent and preventative message. They will air this in community settings and schools to help dissuade kids from making the choice to try these highly addicting drugs.

Ms. Hall reported they will be having a community friend and fundraiser on August 10, 2019 from 12-3pm at her barn on 1743 Helmsburg Road. The whole community is invited, and they will have musicians, miniature donkeys, free hot dogs and drinks and shuttle parking will be available. Those in the documentary will be on-hand to pass out information. She noted if the Town Council was willing to help fund this project, she will send them a working summary of the project. Ms. Hall explained they plan to send the documentary to PBS and Netflix. Ms. Hall advised that her goal is to have this documentary out before the 2020 election.

President Gore explained that the Town Council is getting ready to go into their budget cycle and if Ms. Hall would like to send the funding information to the Town Council they will review it. Ms. Hall will provide the information to Clerk-Treasurer Young.

BOARDS AND COMMISSIONS REPORTS

1) BROWN COUNTY VOLUNTEER FIRE DEPARTMENT REPORT

A representative was not present for the meeting.

2) DEVELOPMENT REVIEW COMMISSION

A. DRC GUIDELINES UPDATE

Councilmember Crocker advised that DRC President Scroggins was not able to attend the Council meeting and but sent a notice that the Commission is still going through the guidelines and they think by the end of September they will have worked on all the guidelines. The Commission hopes to have the updated guidelines recommendations to the Council by their October 2019 meeting.

B. HISTORIC PRESERVATION ORDINANCE

President Gore advised the Council had draft number eight of the Historic Preservation Ordinance in their packets. She would like to see if they could put this to a vote to approve it. Councilmember Crocker commented that they already put it to a vote and decided not to approve it. President Gore advised it has not been voted on, only tabled. President Gore would like to see a motion to approve the ordinance and have Indiana Landmarks help with the implementation of the ordinance. Discussion.

Municipal Operations Consultant Norton commented that they may be thinking more along the lines of demolition rather than rehabilitation. He suggested they look at expanding the demolition delay ordinance. Discussion.

Town Attorney Roberts advised in the proposed Historic Preservation ordinance; the DRC would also become the Historic Preservation Commission. Discussion. Councilmember Crocker commented that she is against this ordinance at this time but not against the idea of preserving our buildings. Municipal Operations Consultant Norton encouraged the Council to put something in place that preserves the historical integrity of Nashville. Discussion.

Town Attorney Roberts suggested that he work with Municipal Operations Consultant Norton to stretch and expand what they have on the books to make it more inclusive to cover the issues they are dealing with now. Discussion. Council asked they bring some remedies for the teeth in penalties as well.

Annie Hawk reported that she lived in Annapolis, Maryland for four years and where they had a strong historical society that saved that city. If they don't have that kind of commitment, they won't be able to save these buildings.

President Gore wants to keep this ordinance on the agenda to talk about it again next month.

3) TREE BOARD REPORT

Administration Manager Carr reported that the Tree Board met today, and she is going to be requesting bids for the removal of six bradford pear trees and two ash trees to include stump grinding. The pear trees are in the Village Green area and the dying ash trees are by the Subway restaurant.

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

Nothing further presented.

NEW BUSINESS

1) ORDINANCE 2019-05 AN ORDINANCE ESTABLISHING A SPEED LIMIT FOR PINE TREE HILLS

Town Attorney Roberts advised the Council had agreed to make the speed limit 20mph in this area but would have to complete a traffic study for this speed. The minimum speed limit without a traffic study is 25mph so this is the way he wrote the ordinance.

Councilmember Hofstetter made a motion to have the first reading of Ordinance 2019-05 by title only. Councilmember Crocker seconded the motion. All were unanimously in favor. Councilmember Hofstetter read aloud Ordinance 2019-05 by title only.

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Councilmember Hofstetter made a motion to suspend the rules and have the second reading of Ordinance 2019-05 by title only. Councilmember Crocker seconded the motion. All were unanimously in favor. Councilmember Hofstetter read aloud Ordinance 2019-05 by title only.

Councilmember Hofstetter made a motion to adopt Ordinance 2019-05 by title only. Councilmember Crocker seconded the motion. All were unanimously in favor.

2) ORDINANCE 2019-06 AN AMENDMENT TO THE DEFINITION OF "SIGN" IN THE TOWN OF NASHVILLE'S ZONING ORDINANCE

Town Attorney Roberts advised that the DRC came to the Council last month and asked to make a modification to the definition of a sign to include the business logo or name of the business. The proposed ordinance before the Council makes that change. Town Attorney Roberts explained that this would be a change to the Town's land use rules and will require a public hearing before the Area Plan Commission and can be scheduled for August 27, 2019. After the public hearing the Council can pass the ordinance if they so choose.

Town Attorney Roberts reported that Plan Commission Director Ritzman suggested this amendment to be unconstitutional restriction under the First Amendment Rights. They will get the recommendation from the Area Plan Commission as to this ordinance after the public hearing. He invited members of the DRC attend the public hearing.

3) ANY OTHER NEW BUSINESS TO COME BEFORE THE COUNCIL

Annie Hawk reported that she previously talked with the Town Council about installing a sidewalk on the southside of State Road 46. She explained that a pedestrian was killed along this area last year and at that time everyone was in favor of installing the sidewalks. However, no progress has been made and she sees people walking along this road every day and it is not safe. Ms. Hawk advised that the Salt Creek Trail is recreational and not helpful to those trying to get to work in the area. She commented that this is a very dangerous situation, and something needs to be done.

President Gore advised that State Road 46 is a state highway and would be very costly to put in a sidewalk. Ms. Hawk reported that she received an email from INDOT that said they would improve the crosswalks at McDonald's and CVS as well as reduce the speed limit from 40mph to 30mph, but the Town would have to provide the sidewalks.

Councilmember Hofstetter advised that she is a huge advocate for pedestrian infrastructure and safety in the Town. Earlier this year she suggested they apply for a grant for a feasibility study and she would still like to pursue this option. She also noted that there are Community Development Block Grants that may be available, but they can only have one of these grants at a time and they may be in the process of receiving one of these grants now. Ms. Hawk believes there are sidewalk grants out there for them to use. Discussion.

Municipal Operations Consultant Norton reported that there are limited grant opportunities to build these types of facilities. This sidewalk could potentially cost between 1.5 and 2 million dollars. The Salt Creek Trail group has future plans to have the trail to go under the highway beginning at the High School and hooking up with the trail on the other side of the road. Municipal Operations Consultant Norton advised that the Next Level trails grant is going to do one round of grants this year. The State has 90 million dollars set aside for this program and the first round of applicants asked for \$180 million and requires a 25% match. He noted that DNR also has a grant program with no more than \$200,000

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and requires a 20% match. Municipal Operations Consultant Norton would like to discuss a bicycle/pedestrian plan with the Town Council at next week's strategy session. Discussion.

Councilmember Crocker suggested they look at the intersection by CVS for safety issues, maybe rumble strips or something to slow people down. She would like to include the art community in this and make it artistic and perhaps get some art grant funds as well.

President Gore agreed that the lack of pedestrian walkways is very concerning but the Town doesn't have the funds to put in a sidewalk. Councilmember Hofstetter advised that the Town will apply for a grant to have a feasibility study done and then they will know how much it will cost to put in a sidewalk. Discussion.

OLD BUSINESS

1) YARD ORDINANCE TO INCLUDE HEIGHT OF GRASS

Town Attorney Roberts advised that he took the Indianapolis ordinance and tailored it to fit Nashville. This ordinance is very comprehensive and out there for the Council's consideration. He suggested the Council review the ordinance and take out those things they do not want to regulate. Councilmember Crocker reported that there was a huge conversation about this on Facebook and one person said if they are going to regulate residences, they should also regulate businesses that have trash and food on their sidewalks. Vice-President Gredy noted that several of those posts were made by county residents rather than town residents. Discussion.

2) CUSTODIAN POSITION – CONTRACTOR OR EMPLOYEE

Administration Manager Carr reported that she has two people interested in being a contractor and one may consider being an employee. President Gore advised that the restroom custodian for the Town is a contracted employee and she doesn't see a problem with the Town Hall custodian also being a contracted employee. Councilmembers Rudd, Crocker and Gredy all agreed. President Gore asked that the three applicants be interviewed. Administrator Manager Carr explained that she planned to type up the custodian contract, have it reviewed by Town Attorney Roberts and then have each of the applicants bid on the contract.

President Gore wants to get someone in this position soon as Administration Manager Carr had to deal with some cleaning issues in the building this week and this is not in her job description.

3) SALE OF POLICE DEPARTMENT BUILDING

President Gore reported that the sale of the Police Department building is dead. The buyer backed out of the deal on the police building and the seller of the bank building did not grant them an extension on the closing. She filed a release to get their earnest money back and Clerk-Treasurer Young reported they did receive the funds.

4) ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

President Gore reported that the Council received an email from Jane Ellis of the CVB asking that the no parking sign be relocated on East Washington Street as it is blocking the blank space on the wall of their building. Councilmember Crocker asked if they need the sign at all as the road is marked as a loading zone. Utility Manager Cassiday advised that he and the building owner spent a lot of time talking about where to install this sign as people were parking overnight in this area. He noted they have had success in the past painting no parking signs on the street. He offered to talk to the property owner about this option.

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RECESS A recess was called from 7:50pm-7:56pm

REPORTS

1) CLERK-TREASURER – BRENDA YOUNG

A. COUNTY'S USE OF TOWN HALL

Clerk-Treasurer Young reported that she received a call from County Commissioner Diana Biddle asking to use the Town Hall meeting room in April and October for their County Commissioner and County Council meetings as their meeting room will be used for absentee voting in 2020. Clerk-Treasurer Young has consulted the Town's meeting calendar and the Town Hall meeting room will be open those meeting dates and times. The Town Council agreed to share their meeting room for those dates.

B. 2020 BUDGET WORK SESSIONS

Clerk-Treasurer Young asked the Council if they could hold budget work sessions on August 8 and 22, 2019. The Council agreed to meet at 6:30pm on both nights. Clerk-Treasurer Young advised that October 11, 2019 is the last day to post the notice to taxpayers of their 2020 budgets and October 21, 2019 will be the last day to hold a public hearing on the budget. She noted that the budget will have to be adopted by November 1, 2019.

Clerk-Treasurer Young and Municipal Operations Consultant Norton will meet with Heather Witsman, their DLGF representative, on August 8, 2019 to review the Town's budget for the year.

2) UTILITY MANAGER – SEAN CASSIDAY

A. SPEED BUMPS

Utility Manager Cassiday advised that two sets of speed bumps have been installed on Jefferson Street with signs in both directions. He will wait for feedback from the Council and public on the speed bumps to see if they need to install another set along this road.

B. COUNCIL INQUIRIES

Councilmember Rudd asked for monthly department reports. President Gore and Councilmember Rudd noted they used to receive these monthly reports but haven't seen this information in a long time. Councilmember Rudd wants to receive a monthly report from the Police Department as well.

Councilmember Rudd advised he has heard from several people in the community that Town vehicles have been seen outside of town, and one pulling a boat. President Gore and Councilmember Rudd want to see an updated driving policy. Vice-President Gredy has a sample policy they can work from. The Council also wants to have un-tinted windows on the town vehicles for transparency sake. Town Attorney Roberts thought they had created a driving policy at the request of the Town's insurance company but could not locate the policy. Clerk-Treasurer Young advised in 2014 they created a policy regarding checking driver's licenses and use of electronic equipment while driving.

Councilmember Hofstetter asked about the Council's planned strategy session. President Gore announced the work session will be held on August 25, 2019 at 6:30pm with an Executive Session to held prior at 6pm.

C. PAVING AND STRIPING UPDATE

Utility Manager Cassiday reported there is less than one quarter of the paving to be completed. He and Councilmember Rudd discussed possibly white striping the edge of the road along Old State Road 46. The Council commented that the new paving looks really nice.

Councilmember Crocker asked what is going on with the Arts Village leaf stenciling of the crosswalks. Utility Manager Cassiday advised they are waiting for the vendor to be available and they will also have to schedule the water blasting to clean off the existing striping. He thinks this will be done by the middle of August. Councilmember Crocker asked that she be notified when the work is to be done so that she can take pictures.

3) ADMINISTRATION MANAGER – PHYLLIS CARR

A. BROWN COUNTY HUMANE SOCIETY POWERPOINT PRESENTATION

Administration Manager Carr advised the Council had in their packets a PowerPoint presentation from Brown County Humane Society Board President Sue Ann Werling regarding their building fundraiser. She would like for the Council to review the information prior to her presentation at next month's Town Council meeting.

B. BUSHES UNDER THE LEAF SCULPTURE – REQUEST FOR REMOVAL

Administration Manager Carr reported that one of the sculptors of the leaf sculpture has advised that the bushes underneath the sculpture are causing issues with the sculpture and he would like them removed. Councilmember Crocker commented that she too would like the bushes removed and as well as the three bushes around the Dancers sculpture at the Pat Reilly parking lot. President Gore advised that the bushes were put under the leaf sculpture to prevent people from climbing on it. Discussion. Councilmember Crocker offered to work with the sculptor and Administration Manager Carr to come up with a solution.

4) TOWN ATTORNEY – JIM ROBERTS

A. THOMPSON & WARD COMPLAINT

Town Attorney Roberts reported that the Town's insurance company has employed an attorney that is also representing the County in this proceeding. This attorney does not see a conflict of interest representing both the Town and County. Town Attorney Roberts advised at this time they can safely consent to the dual representation.

B. TRAFFIC VIOLATIONS ORDINANCE

Town Attorney Roberts advised that he has drafted a traffic violations ordinance that he believes meets all the requirements. It sets out a procedure for pursuing our traffic violations in the Circuit Court and sets up a pre-trial diversion schedule. He has presented the schedule to Municipal Operations Consultant Norton, Clerk-Treasurer Young and President Gore for their review along with Police Chief Seastrom.

5) ANY OTHER BUSINESS THAT MAY COME BEFORE THE COUNCIL

Utility Manager Cassiday reported that the lawsuit against the Town regarding the person falling at the BMV has been dropped since this happened on private property. Regarding the lawsuit against the Town for the fall on a sidewalk on E. Main Street and Buck Stogsdill Way, Utility Manager Cassiday advised that he has to give a deposition but noted this fall happened on private property.

Councilmember Crocker asked that the procedures to pass an ordinance sheet be laminated and left on the Council table for future meetings. Administration Manager Carr will do this.

Andy Tilton asked who is responsible for the Salt Creek Trail. Council advised that Parks and Rec is responsible for the trail.

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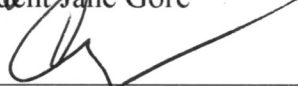
6) ADJOURNMENT

Councilmember Rudd made a motion to adjourn the meeting. Vice-President Gredy seconded the motion. President Gore adjourned the meeting at 8:25pm.

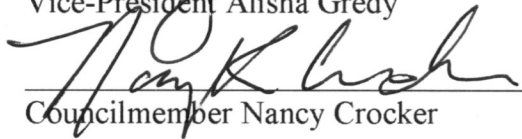
The audio recording made at the Town Council meeting on 7-18-19 is retained in the office of the Town Clerk-Treasurer.



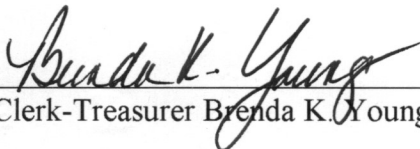
President Jane Gore



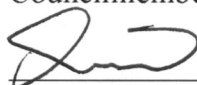
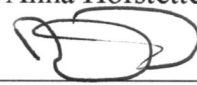
Vice-President Alisha Gredy



Councilmember Nancy Crocker



Clerk-Treasurer Brenda K. Young

Councilmember Anna Hofstetter
 

Councilmember Dave Rudd