

**NASHVILLE TOWN COUNCIL MEETING
THURSDAY, SEPTEMBER 19, 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, Clerk-Treasurer Brenda Young and Deputy Clerk-Treasurer Debbie Ferry.

COUNCIL BUSINESS – 6:30pm

1) CALL TO ORDER by President Gore at 6:36pm.

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

Administration Manager Carr wants to give an update and request regarding the Art Alliance during her portion of the meeting. Vice-President Gredy made a motion to approve the agenda as amended. Councilmember Crocker seconded the motion. All were unanimously in favor.

5) REVIEW OF MEETING PROCEDURES

President Gore advised there are a lot of people in the audience this evening that may want to speak. She noted that everyone would have a chance to speak but they will be limited to three minutes each and be respectful of one another.

6) APPROVAL OF THE MINUTES – 8-15-19 MEETING, 8-15-19, 8-19-19, 8-22-19 & 8-27-19 EXECUTIVE SESSIONS, 9-11-19 BUDGET WORK SESSION

Vice-President Gredy made a motion to approve the minutes of the 8-15-19 meeting, 8-15-19, 8-19-19, 8-22-19 & 8-27-19 Executive Sessions, 9-11-19 Budget Work session. Councilmember Crocker seconded the motion. All were unanimously in favor.

7) ACCOUNTS PAYABLE VOUCHERS

Vice-President Gredy announced that she reviewed the accounts payable vouchers yesterday and made a motion to approve the September 2019 accounts payable voucher register. Vice-President Gredy also made a motion to approve the claim from Milestone for paving and for Hot Blown Glass for the Arts Commission. Councilmember Crocker seconded the motions. All were unanimously in favor.

8) COMMUNICATIONS

A. AUDIENCE

• HARD TRUTH HILLS – MUSIC SOUND LEVEL

President Gore asked if there were people from the audience that wanted to speak about the sound level coming from Hard Truth Hills.

Debby Rogers of 1189 Greasy Creek Road presented her concerns of loud music on the weekends from Hard Truth Hills. She advised she has called Hard Truth and they said they would work on the sound level, but nothing has changed. Ms. Rogers asked the Town Council to enforce the noise ordinance that was put in place in 2012. She passed out her letter to the Town Attorney to give to the Town Council. Keith Baker, President of the County Council and Member of the County Economic Development

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Commission, commented that he worked diligently to make Hard Truth Hills happen in the zoning process. He believes this is one of the best things to happen in the community for business. Mr. Baker advised during the permitting process Mr. Ryan of Hard Truth Hills advised there would not be outdoor music, but apparently something has changed. Mr. Baker advised on the weekends he can hear the thumping of music at his home and it is interfering with his quality of life. He is requesting that the Town Council consider a cut off time for the music and the type of music that is played.

Councilmember Hofstetter asked if they could see a map of the area in question.

Sally Baldwin stays at 725 Helmsburg Road and on the weekends the music is so loud. She commented that lots of people come to Brown County for the peace and quiet.

Brandon Harris lives on Greasy Creek and advised that Friday and Saturday nights are exceptionally loud.

President Gore advised that she contacted Ed Ryan to come and speak this evening, however he and the other owners were out of town. Clay Kinnett of Hard Truth Hills was present to speak on the owner's behalf. Mr. Kinnett advised that Hard Truth Hills has taken some steps to rectify the sound issue. They have measurements in place regarding the sound level and have a 10pm cut-off time for music. Mr. Kinnett reported they have a wide variety of bands and types of music and musical instruments. Discussion.

Hard Truth Hills Representative Chris Curtin advised that President Gore was present in the terrace area with music playing. He asked about her experience with the music. President Gore advised that that night there were two guitar players and there didn't seem to be a sound issue. Councilmember Hofstetter said she too attended an evening when music was playing and the sound level was appropriate to her, however, this is about those with complaints of the sound. Vice-President Gredy commented that she can hear the music at her home on the weekends, but it doesn't bother her like it may bother others. Discussion.

Town Attorney Roberts reminded the Town Council that in 2012 they had a citizens committee to work on the noise ordinance. He referred to Section G of the ordinance which applies to music or noise and complaints should be made to law enforcement officers. Town Attorney Roberts explained this ordinance creates a cause of action not just for the Town to enforce but the neighbors as well. Discussion. Ms. Rogers asked that the Town Council enforce the sound ordinance. Further discussion.

President Gore summarized that they will watch the complaints, have people provide their contact information that do have complaints, and if they continue to have complaints, she will contact the owners of Hard Truth Hills to come before the Council.

Mr. Kinnett asked for those that had any sound complaints to send him an email at clay@bwqoht.com. Councilmember Hofstetter suggested that any complaints received be forwarded to Police Chief Seastrom.

Police Chief Seastrom advised since May 4, 2019 the department has received seven calls about noise and three of those calls were ten or fifteen minutes after 10pm. He noted there are issues with the current noise ordinance, and he would like to work with the Council to revise the ordinance. Discussion. Police Chief Seastrom reported that he was advised by a prior Council to stop enforcing the ordinance until it was revised. President Gore asked Police Chief Seastrom to continue to track sound

complaints.

- **CVB HALLOWEEN EVENTS**

CVB Director Jane Ellis gave a shout out to the Parking & Public Facilities Commission and Administration Manager Carr for the newly updated signs throughout town. CVB Director Ellis then introduced the idea of Nashville Halloween Town to the Council. She explained that this year the CVB did some strategic planning and one of the areas they want to work on is stronger community partnerships. They have created a host of Halloween events to bring the community to the downtown area and talked about the planned events.

CVB Director Ellis advised they would like to hold a zombie parade on Saturday, October 26, 2019 at 5pm in Nashville. They are working with the Brown County Music Center to see if the band Here Come the Mummies would be willing to lead the parade. CVB Director Ellis would like to use the traditional parade route for the zombie parade and has secured the Brown County High School parking lot to begin and end the parade. She noted that they are not asking to close off parking along Jefferson Street for the parade. She anticipates that the parade will last thirty minutes and will include the High School band and choir.

Councilmember Crocker commented that the Council has recently reviewed the cost of manpower the Town must use for parades. She encouraged CVB Director Ellis to keep those costs down as much as possible. CVB Director Ellis advised they have discussed building a strong volunteer base and if it is approved, they can have volunteers at intersections stopping traffic while the parade goes through.

Vice-President Gredy made a motion to approve the parade request for the CVB. Councilmember Hofstetter seconded the motion. All were unanimously in favor.

BOARDS AND COMMISSIONS REPORTS

1) BROWN COUNTY VOLUNTEER FIRE DEPARTMENT REPORT

BCVFD Chief Nick Kelp reported that the department's Fish Fry starts this Saturday on the Courthouse lawn. This will run every Saturday and Sunday through the end of October. He asked for volunteers for the fish tent and they can contact him at nkelp129@gmail.com.

2) REDEVELOPMENT COMMISSION

A. RIVERFRONT LICENSE RENEWAL – BROZINNI PIZZERIA

President Gore advised the Redevelopment Commission has approved the renewal of the Riverfront License for Brozinni Pizzeria and are sending a favorable recommendation to the Council.

Councilmember Rudd made a motion to approve the Riverfront License renewal for Brozinni Pizzeria. Councilmember Crocker seconded the motion. All were unanimously in favor.

3) TOWN PARK COMMISSION REPORT

Vice-President Gredy advised that she has a Youth Council member, Allision Stogsdill, shadowing her today during the Town Park Commission and tonight's Town Council meeting. During the Town Park Commission meeting today, they discussed the naming of the new town park. The Town Park Commission voted unanimously to name the park Lincoln Pinch and would like to have a marker at some point giving the history of the park name.

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Councilmember Crocker made a motion to officially name the park Lincoln Pinch located at the corner of S. Johnson and W. Washington streets. Councilmember Rudd seconded the motion. All were unanimously in favor.

Vice-President Gredy reported that they are getting very close to collecting all the caps they need to make the park benches. They will possibly be able to order the seven benches in November. She noted they are short of fully funding the benches and need \$350 each for three more benches.

Vice-President Gredy advised that Administration Manager Carr will be ordering dog waste receptacles for the park and Village Green area. Administration Manager Carr advised the receptacles will come out of the Town Park Commission funds.

Councilmember Hofstetter reported that the Town Park Commission also discussed the possibility of an ice-skating rink at the Lincoln Pinch park. If not for this year, then possibly next year.

4) DEVELOPMENT REVIEW COMMISSION

Administration Manager Carr advised the DRC met on Tuesday and approved two signs and three COAs. They are almost done reviewing the guidelines and will submit the changes to the Town Council for their approval.

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

Councilmember Hofstetter reported that she and Vice-President Gredy have been working diligently on the Youth Council. She introduced Youth Council member Allison Stogsdill and asked her to say a few words. Ms. Stogsdill explained the purpose of the Youth Council is to get students more involved and have a better outlook of what government looks like in Brown County. She likes to see how government works. Ms. Stogsdill advised that the Youth Council meets the first Monday of every month at Town Hall from 3:30-5pm. They also meet the third Monday of every month at the High School during the advisory period. Ms. Stogsdill reported that the Youth Council has decided that seventh graders up to 20 years of age with a minimum of a 2.5GPA can be a member of the Youth Council. Currently they have 8 members that are very involved.

NEW BUSINESS

1) ORDINANCE 2019-07 AN ORDINANCE AMENDING THE DEMOLITION PERMITTING PROCESS

President Gore advised the Council had before them a demolition ordinance. If the Council approves, they can send this ordinance before a public hearing with the Area Plan Commission. After the public hearing, the Town Council will hold a special meeting to adopt the ordinance.

Town Attorney Roberts reported that he has a summary of the changes that he will put in the public hearing notice that is placed in the Brown County Democrat. He advised the notice will read that the public hearing is to accept public comment on a proposed amendment to the Town of Nashville zoning ordinance demolition permitting process. Town Attorney Roberts explained the substance of the amendment will be to: increase the demolition permit fee to \$100, to expand the definition of a historic building to include buildings fifty years old or older, to make the Town Council the reviewing entity for demolition permits and to extend the maximum reviewing period before a permit can be granted to 180 days. The proposed ordinance would impose a maximum fine of \$2,500 per day for violations and prohibit the issuance of a building permit where a demolition permit had not been issued.

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Town Attorney Roberts advised the public hearing before the Area Plan Commission is scheduled for October 22, 2019. He has placed the public hearing notice in the Brown County Democrat as well.

President Gore asked if there was any public comment at this time. David Martin believes the ordinance could be strengthened but he believes it is a very important ordinance to have now.

Councilmember Rudd made a motion to send the demolition ordinance before the Area Plan Commission. Councilmember Hofstetter seconded the motion. All were unanimously in favor.

Administration Manager Carr asked upon adoption how often must it be published in the newspaper. Town Attorney Roberts advised it must be published one time. He noted that he will not be in attendance for the October 22, 2019 Area Plan Commission public hearing and asked that the Town Council designate someone to represent the Town. Councilmember Crocker offered to be the Town's representative.

Brown County Democrat Editor Sarah Clifford asked if the demolition ordinance includes both residential and commercial structures. Town Attorney Roberts advised that the ordinance includes all buildings in the Town as does their existing ordinance. Discussion. President Gore commented that the Town is still working on the Historic Preservation ordinance, but the demolition ordinance is something they can put in place for now.

2) ANY NEW BUSINESS TO COME BEFORE THE COUNCIL

Nothing was presented.

OLD BUSINESS

1) BROWN COUNTY PLAYHOUSE REQUEST FOR FUNDING

President Gore advised that at last month's meeting the Brown County Playhouse had requested a \$2,000 donation to help fund the Playhouse repairs. President Gore asked Clerk-Treasurer Young what fund they could use to make this donation. Clerk-Treasurer Young advised they have EDIT funds available if this is what the Council wants to use.

Councilmember Rudd made a motion to give \$2,000 to the Brown County Playhouse. Vice-President Gredy seconded the motion. Councilmember Crocker commented that she loves the Playhouse and has volunteered there but there are a lot of other groups that also need funding. Councilmember Hofstetter commented that she too loves the Playhouse, but she has concerns about funding nonprofit organizations and would like to see them put limits on how much taxpayer money they give out. Discussion. President Gore asked for a vote on the motion. All but Councilmember Hofstetter voted in favor of the motion, the motion passed 4-1.

2) RISK MANAGEMENT DISCUSSION

President Gore asked that Council not put notifications on Facebook regarding any business going on with the Town Council. She explained that it puts them at risk and it can cause issues for them. Discussion. Police Chief Seastrom asked if the Council wanted the Police Department to stop using Facebook for notifications. President Gore advised that the Police Department could continue to use Facebook for notifications.

3) VEHICLE DRIVING POLICY

Town Attorney Roberts reported they have a vehicle policy that has been worked on and he thinks they should be able to put in place. This is the policy that was recommended by the Town's insurance

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company. Vice-President Gredy advised the Town's insurance company is coming tomorrow to help them work on the Town's policy handbook and the Vehicle Driving Policy will be addressed as well. Town Attorney Roberts asked that once the revisions are completed to send it to him for his feedback and/or approval.

4) ANY OTHER OLD BUSINESS TO COME BEFORE THE COUNCIL

Councilmember Rudd asked about scooter businesses coming to Town and how they will regulate this. President Gore reported that she sent some information to Town Attorney Roberts regarding how Bloomington, Indiana is handling this issue.

Town Attorney Roberts advised that the Council will have to decide how they want to treat scooters. At this time, they don't permit people to roller skate on the sidewalks. Maybe they would like to keep the scooters off the sidewalks. Discussion. President Gore explained they are trying to avoid companies that drop off many scooters in a town or city.

Town Attorney Roberts noted that the Bloomington ordinance has a very specific definition of shared ride rental scooters and the Town Council may want to put this definition on their books. The Town currently has code 93.001 which says no person should drive any vehicle within a sidewalk area except in a permanent or temporary driveway. Discussion. President Gore would like Town Attorney Roberts to continue working on this ordinance.

DRC Vice-President Brandon Harris reported that the Commission is going through all their guidelines and making changes and will bring them before the Council soon. He looked at the fees for COA's and sign applications which were put in place twenty years ago. DRC Vice-President Harris encouraged the Council to look at all Town fees and perhaps increase fees by standard inflation. The Council thanked DRC Vice-President Harris for this information and will take his suggestion under advisement.

RECESS A recess was called from 8:12pm – 8:21pm

REPORTS

1) CLERK-TREASURER – BRENDA YOUNG

A. HEALTH INSURANCE

Clerk-Treasurer Young reported that the Town's health insurance is raising 2.9% for 2020. She noted the average increase in the field is up to 10% and they had budgeted for a 5% increase.

B. COUNCIL INQUIRIES

Clerk-Treasurer Young advised the Town Election Board has been meeting and they are getting ready for the upcoming municipal election. Clerk-Treasurer Young advised they have six days for early voting. It is up to the Town Council to set the pay rates and the Town Election Board proposed the following pay rates: \$500 for two Election Board Members, \$125 for the Inspector, \$90 a day for the absentee voter board and traveling board, \$90 a day for poll workers and all workers receive mileage reimbursement.

Councilmember Rudd made a motion to adopt the pay rates for the election workers as described by Clerk-Treasurer Young. Councilmember Crocker seconded the motion. All were unanimously in favor.

Councilmember Crocker asked who people should contact if they can't get out to vote. Clerk-Treasurer Young explained they should call her office and she can give them information on how they could vote.

2) UTILITY MANAGER – SEAN CASSIDAY

A. COUNCIL INQUIRIES

Utility Manager Cassiday advised he has passed out his monthly report to the Town Council and asked if they had any questions. Councilmember Rudd asked about the fencing for the wastewater treatment plant. Utility Manager Cassiday reported that he called half a dozen companies and only had one that is supposed to be getting a quote tomorrow. Councilmember Crocker asked if they are going to get the treatment plant cleaned up. Discussion.

President Gore asked about the two sets of speed bumps that are to be installed. Utility Manager Cassiday reported that the speed bumps are to be installed on the north end of Jefferson Street.

Councilmember Crocker reported that she went to an INDOT meeting this week because there was talk of a bike trail going from Bloomington to Columbus. She talked with INDOT about safety issues in Nashville and they don't seem to help them. Councilmember Crocker advised that she seemed to be heard and hopefully they will help to make things safer. Discussion.

Vice-President Gredy spoke about the State Park entrance on State Road 46 East and asked why they don't have traffic signals in this area. Councilmember Crocker advised that INDOT did a traffic study in this area a couple years ago. Utility Manager Cassiday commented that the traffic studies were done in March when there is not much traffic this time of year. Clerk-Treasurer Young commented that many years ago the Town had a traffic committee that went to the State asking for help with this intersection and nothing has changed.

Councilmember Hofstetter asked for a list of employees that work under Utility Manager Cassiday along with their job descriptions. She would like to have this information for their budget sessions.

President Gore reported that Bruce Gould of the Brown County Music Center spoke at Rotary this morning. A question was asked if they are putting another fence on the west side of the driveway. Mr. Gould advised they are not putting up a fence but talking about putting in a sidewalk instead. Utility Manager Cassiday commented that he has talked with someone else from the music center and they advised the sidewalk would only go as far as the Family Dollar complex. Discussion.

3) ADMINISTRATION MANAGER – PHYLLIS CARR

A. YARD ORDINANCE TO INCLUDE HEIGHT OF GRASS

Administration Manager Carr asked Town Attorney Roberts on the status of the yard ordinance. Town Attorney Roberts reported that he presented this ordinance to the Town Council for their review and it is still under review.

B. CUSTODIAN POSITION – CONTRACTOR OR EMPLOYEE

Administration Manager Carr reported that Town Attorney Roberts revised the contract today and the Council has the contract in their packet. Upon approval of the Council she will send the contract out for bids. Town Attorney Roberts noted that he added a paragraph concerning confidentiality and privacy regarding the Town's records with a penalty clause as well.

Vice-President Gredy made a motion to accept the contract as presented. Councilmember Rudd seconded the motion. Discussion. All were unanimously in favor.

C. BUSHES UNDER THE LEAF SCULPTURE – REQUEST FOR REMOVAL

Councilmember Crocker will ask Mr. Conner what will work for the sculpture.

D. RIGHT-OF-WAY PERMITS

• UNITED METHODIST CHURCH - FALL FARE- OCTOBER 4-5, 2019

Administration Manager Carr presented a right-of-way request from the Nashville United Methodist Church for their annual fall fare. The set-up will be done on October 4th and the event held on October 5th. Administration Manager Carr explained that parking spaces will be blocked from Molly's Lane to Old Hickory Lane and from Honeysuckle to Bittersweet.

Vice-President Gredy made a motion to approve the right-of-way request. Councilmember Crocker seconded the motion. All were unanimously in favor.

E. ART ALLIANCE PAINT TOGETHER

Administration Manager Carr reported that the Art Alliance had a paint together on Sunday and over 80 people participated in painting a 6'x 5' canvas. The Art Alliance would like to display the artwork at Town Hall for a period of time and then it will be displayed at the Brown County Playhouse. Discussion. The Town Council agreed to have the artwork displayed at Town Hall.

4) TOWN ATTORNEY – JIM ROBERTS

A. TRAFFIC VIOLATIONS ORDINANCE

Town Attorney Roberts advised the ordinance is now with Clerk-Treasurer Young to review with State Board of Accounts. Clerk-Treasurer Young reported that the State Board of Accounts attorney is to review the ordinance and get back to the Town with their findings. Town Attorney Roberts offered to meet with the State Board of Accounts and the Council agreed to get this moving along.

B. AMENDED SIGN ORDINANCE

Town Attorney Roberts reported on September 23, 2019 the amendment of the sign ordinance goes before the Area Plan Commission for a public hearing. He will be in attendance to present the ordinance for their review.

5) POLICE CHIEF – BEN SEASTROM

A. COUNCIL INQUIRIES

Police Chief Seastrom advised he passed along to the Council a letter he received about the good work that the Police Department is doing. He explained the letter is from Turning Point thanking the department for all the help they have given them this last year.

Police Chief Seastrom reported that they will hold training simulations at the fairgrounds on November 9, 2019. He wanted the Council to be aware in case they receive phone calls.

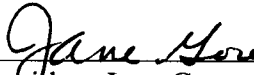
6) ANY OTHER BUSINESS THAT MAY COME BEFORE THE COUNCIL

Nothing further presented.

7) ADJOURNMENT

Councilmember Rudd made a motion to adjourn the meeting. Councilmember Crocker seconded the motion. President Gore adjourned the meeting at 8:59pm.

The audio recording made at the Town Council meeting on 9-19-19 is retained in the office of the Town Clerk-Treasurer.



President Jane Gore

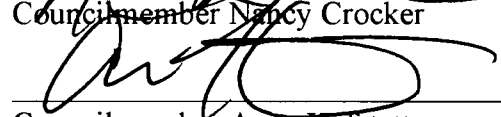
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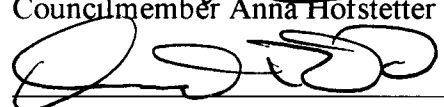
Vice-President Alisha Gredy



Councilmember Nancy Crocker



Councilmember Anna Hofstetter



Councilmember Dave Rudd



Clerk-Treasurer Brenda K. Young