

# **NASHVILLE TOWN COUNCIL MEETING**

## **THURSDAY, APRIL 20, 2017**

**ATTENDANCE:** Council members present – President Charles B. King, Vice-President Jane Gore, Councilmember Alisha Jacoba, Councilmember Arthur Omberg and Councilmember Dave Rudd. Also in attendance – Town Manager Scott Rudd, Town Utility Manager Sean Cassiday, Administration Manager Phyllis Carr, Town Attorney Jim Roberts, Police Chief Ben Seastrom, Clerk-Treasurer Brenda Young and Deputy Clerk-Treasurer Debbie Ferry.

### **COUNCIL BUSINESS – 6:30pm**

**1) CALL TO ORDER** by Councilmember King at 6:30pm.

**2) PLEDGE OF ALLEGIANCE**

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

**3) ROLL CALL** by Clerk-Treasurer Young.

**4) APPROVAL OF THE AGENDA**

President King announced in case of stormy weather tonight they may shorten the agenda just a bit if needed.

**5) NOTES TO NOTE**

President King reminded people to not post signs on the street sign posts but rather get some stakes and post their sales signs on those.

President King asked if people are planning to do work on their property to first make sure they know where their property lines are located.

**6) APPROVAL OF THE MINUTES – 3-16-17, 3-27-17, 4-06-17 MEETINGS AND 4-06-17 EXECUTIVE SESSION**

Councilmember Omberg moved to approve the minutes of the 3-16-17, 3-27-17, 4-06-17 meetings and 4-06-17 Executive Session. Vice-President Gore seconded the motion. All were unanimously in favor; however Councilmember Rudd abstained from the 4-06-17 Executive Session and meeting minutes.

**7) CLAIMS**

Councilmember Omberg advised he reviewed the claims this month and made a motion to approve the claims. Vice-President Gore seconded the motion. All were unanimously in favor.

Councilmember Omberg made a motion to approve the separate claim for Operation Pull Over in the amount \$1,104.61 to be paid to the Brown County Auditor once the funds have been received.

Councilmember Jacoba seconded the motion. All were unanimously in favor.

**8) COMMUNICATIONS**

President King reported there has been some controversy regarding a sidewalk that was put in on Town property. They will not be discussing this topic tonight but will have an Executive Session in the future and then have a Council meeting after that.

**Written**

• **Scott Weinke Water/Sewer Adjustment Request**

Scott Weinke came before the Council with a request for an adjustment to his water/sewer bill. He explained since last August there have been five leaks, one on his side and four on the Town's side. The remaining balance after receiving an adjustment is \$1,112.01. He understands that he does owe some of this bill and is requesting an additional adjustment of \$700 and he will then pay the remaining balance.

President King asked Billing Clerk Sharon Crabtree if this bill qualified for the Town's automatic adjustment. She advised it did qualify and Mr. Weinke already received five different adjustments totaling approximately \$3,800. Discussion.

Councilmember Rudd made a motion that Mr. Weinke pay \$400 and the Town forgive the rest. Vice-President Gore seconded the motion. Councilmember Rudd, Vice-President Gore, Councilmember Jacoba and President King voted in the favor of the motion. Councilmember Omberg abstained from the vote and the motion passed.

**B. Audience**

None.

**BOARDS AND COMMISSIONS REPORTS**

**1) BROWN COUNTY VOLUNTEER FIRE DEPARTMENT REPORT**

Administration Manager Carr advised the March 2017 run reports are in the Council packets for their review.

**2) DEVELOPMENT REVIEW COMMISSION REPORT**

Administration Manager Carr advised the Commission met on Tuesday and they approved a portion of a new awning for Big Woods Pizza to not obstruct the shake shingle part of the roof. Administration Manager Carr also approved two COA's in house this past month.

**3) TREE BOARD**

Administration Manager Carr reported the Tree Board met this morning and they will be planting a tree on Saturday in celebration of Arbor Day, Earth Day and Keep Brown County Beautiful. The tree will be planted by Hawthorne Hills.

Administration Manager Carr advised she was given a list of companies that do stump grinding and she is going to call around for pricing.

**4) MAIN STREET COMMITTEE REPORT**

Clerk-Treasurer Young reported that Nashville Main Street is the highlight of the Indiana Main Street Community Newsletter Community Spotlight for March 2017. She passed out the article for the Council's review.

Clerk-Treasurer Young advised three members of the Main Street Committee will be attending some free training and workshops in the next month.

**5) PARKING AND PUBLIC FACILITIES REPORT**

Parking and Public Facilities President Lamond Martin advised the Commission met this last week and still waiting on the cost estimates for security cameras and lighting. They did discuss the restroom attendant's contractor wages and resolved some questions. They agreed to keep the \$200 wage difference on the contract primarily based on the size of the Village Green restrooms and the work it entails.

PPFC President Martin reported the Commission is working on new signage for the free parking lot areas as these lots are currently underutilized. The Commission believes additional lighting for the outlying lots and alleys will encourage more parking in these lots. PPFC President Martin is looking to Town Manager Rudd to get some new LED lighting and more efficient lighting in Town.

**6) ARTS AND ENTERTAINMENT REPORT**

**• GRANT SUBMITTAL REQUEST**

Arts and Entertainment Commission President Nancy Crocker advised the Commission has a grant proposal that needs to be approved by the Council prior to submitting. She explained this is a Quick Impact Place Based Grant and they have been working on it for the past week. The grant amount they are requesting is \$5,000 and they have to match it with \$2,000 and 500 hours of in kind services and the \$2,000 will come from the NAEC Public Art fund. NAEC President Crocker said the grant would be used to paint an Arts Village design with leaves in the crosswalks at the Village Green area. Depending on funds, they may ask to do other crosswalks as well. Town Manager Rudd passed out a conceptual drawing of the proposed crosswalks. Discussion.

Councilmember Rudd made a motion to approve the submittal. Councilmember Jacoba seconded the motion. All were unanimously in favor.

NAEC President Crocker advised the Commission is working on moving the Dancer's sculpture.

NAEC President Crocker reported that Brown County Foundation CEO Larry Peaju told her there are some accounts at the Foundation that need to be rolled over to the Town. Some of the funds are from the Hoffman Endowment that are to go to the NAEC in the amount of \$5,117. There is also another Arts and Entertainment Fund that is at the Foundation that is to go to the NAEC. Finally, there are donations that went toward the Stellar project that are to be turned over to the Town from the Foundation. Clerk-Treasurer Young is to request the funds from the BC Foundation Stellar Fund be transferred to the Nashville Arts and Entertainment Commission fund.

Councilmember Rudd made a motion to accept all three sets of funds from the Brown County Community Foundation. Councilmember Omberg seconded the motion. All were unanimously in favor.

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

Nothing further presented.

**BUSINESS**

**1) FISCAL PLAN FINDINGS REGARDING: PETITION FOR ANNEXATION INTO THE TOWN OF NASHVILLE THE PROPERTY COMMONLY KNOWN AS " FIRECRACKER HILL" ALONG MEMORIAL DRIVE AND OLD STATE ROAD 46, NASHVILLE,**

**INDIANA 47448: PARCEL #003-1297-00 CONTAINING 42.80 ACRES MORE OR LESS  
AND PARCEL #003-12970-01 CONTAINING 51.10 ACRES MORE OR LESS**

Town Attorney Roberts explained it is necessary that the Council reviews, approves and accepts by resolution a fiscal plan for the property. He noted this is a revised fiscal plan from the plan reviewed at the last meeting. Town Attorney Roberts explained the fiscal plan has been revised with the assumption that the property would be annexed no later than January 3, 2018 which makes a slight difference in the revenue figures. Discussion.

Councilmember Omberg read aloud Resolution 2017-02 by title only. Resident John Douglas asked to address the Council and asked them to shelf the annexation until they can disseminate more information to the public on the project. President King advised when they get to the point of talking about projects for the property there will be other meetings for public input. Discussion.

Vice-President Gore moved to adopt Resolution 2017-02. Councilmember Jacoba seconded the motion. All were unanimously in favor.

The Council agreed to have the meeting on Monday, March 27, 2017 at 6:30pm. Town Attorney Roberts advised if the Town approves the fiscal plan they will need to adopt a resolution approving the plan. He noted they have already held the public hearing for the annexation.

**2) HAWTHORNE DRIVE INTERSECTION IMPROVEMENT PROJECT**

President King reported this has been an idea for a long time concerning where Hawthorne Drive meets State Road 46. They would like make this into three lanes, two out (one going each direction) and one lane in should help to alleviate traffic congestion in the area.

Utility Manager Cassiday presented to the Town Council an engineering proposal to do the design work for this project. They are asking for \$2,500 to do the design work but they are not taking into account that 90% of the road will be redone by paving that is to be completed this summer. Discussion. Utility Manager Cassiday will be talking with Milestone soon about the repaving and looking at the proposed design.

Councilmember Omberg made a motion to approve the hiring of the engineers to design the area of Hawthorne and State Road 46 at a cost of \$2,500. Councilmember Jacoba seconded the motion. All were unanimously in favor.

**3) FARMER'S MARKET LICENSING**

Town Manager Rudd reported there is a new Farmer's Market opening up on the Brown County Inn's property on Sunday afternoons. They learned of a County Health Department rule that requires out of County vendors to only obtain a temporary permit for 14 consecutive days. He has a meeting scheduled for Monday with the County Health Department, a County Commissioner, a Town Councilmember and Clerk-Treasurer Young to try to find a way to allow these businesses to be a part of the market. Town Attorney Roberts spoke about the research he has done on this issue. Discussion.

Elizabeth Volland, Market Master for the Nashville Farmer's Market addressed the Council. She thought things were all going well until hearing from the Health Department that some vendors are required to obtain a temporary license since they are not Brown County businesses. She has researched how other counties handle their markets and the fees associated to be a vendor. Ms. Volland presented her research to the Council for their review. Discussion.

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Town Attorney Roberts referred to the Town's ordinance that controls food markets and it has a comprehensive list of items allowed and Section 113.15 requires a permit from the Health Officer. He believes the Town's ordinance mirrors the County's ordinance concerning food markets. Town Attorney Roberts advised that it is up to the County to make a change that will permit those out of County vendors. He will talk with the County Health Department attorney tomorrow regarding this issue.

### **4) ANY OTHER NEW BUSINESS THAT MAY COME BEFORE THE COUNCIL**

Nothing present.

### **REPORTS**

#### **1) TOWN MANAGER/ECONOMIC DEVELOPMENT DIRECTOR – SCOTT RUDD**

##### **A. FIVE YEAR CAPITAL IMPROVEMENT PLAN**

Town Manager Rudd reported they have been working on this plan for several months. Umbaugh has been crunching the numbers and would like to get together with the Council for a work session on May 9, 2017 during the day. Councilmember Omberg advised he cannot meet during the day unless it is on Saturday. The other Council members agreed to set the work session for 8:30am-10am.

President King asked that they have an Executive Session concerning the sidewalk. The Council agreed to have the Executive Session on May 4, 2017 at 6pm with a regular meeting to follow at 6:30pm.

President King announced that he is not leaving the Presidency chair and will serve out the rest of the year.

##### **B. DUKE ENERGY ASSESSMENT**

Town Manager Rudd advised that Duke Energy provided a free energy assessment at Town Hall and at the Police Station. He passed out their assessment and explained Duke can make high efficiency upgrades and provide 46% of the cost to do the upgrades. The Town would recoup their upgrade expenses in the form of energy savings over a few years. He would like to compare this plan with another company to make sure the price is good to do this type of upgrades.

Duke also looked at the Police Station and offered a 23% contribution to do the upgrades but this would be a \$7,000 investment from the Town. Discussion.

Councilmember Omberg asked Town Manager Rudd to contact a local electrician to see if he wants to give a bid on this project as well.

##### **C. METER READING COMMENDATION**

Town Manager Rudd reported that Billing Clerk Sharon Crabtree commended the Town Utility employees for their work on meter reading this month. They were able to get all the meters read within three days with a very low number of rereads. Utility Manager Cassiday noted one of their newest employees, Logan Axsom, was able to read in his route in only two days and with only nine re-reads.

**D. 2017 SIDEWALK PLANS**

Town Manager Rudd presented the 2017 sidewalk priority list and advised the list is longer than the funding available. He has rated the conditions of the sidewalks so that they have a better idea of where to focus their funding. President King reported that he and Town Manager Rudd discussed the sidewalks today and they must remember that a lot of sidewalks need work and they will spend \$20,000 each year to work on them. There are couple of areas where they can grind down the edge of the sidewalks this year and replace them in the future.

Town Manager Rudd reported they made huge progress last year in sidewalk safety and even some new sidewalks. This priority list is a continuation of the work they did last year and they would like to focus on safety issues.

Town Attorney Roberts asked to provide comments as a property owner on Jefferson Street and noted he has made a request for a 50-50 match almost about a year ago. He noted he is listed at number 11 on the priority list but believes he should be number one as the estimate for the work in his area is \$5,200 and he has cash to pay his half next week. Mr. Roberts explained this is an asphalt sidewalk with tree roots under it and it has breaks in it over an inch and a half high advised that there is a safety issue on W. Jefferson Street.

Councilmember Omberg asked how many sidewalks their budget can fix. Discussion. Councilmember Omberg asked they get bids on the priority sidewalks 1-13, removing number six the courthouse steps, and see what they can really do. Town Manager Rudd and Utility Manager Cassiday will get bids from both service contractors.

Administration Manager Carr advised when they receive a report that there is a limb hanging the Town is put on notice. If damage happens after the notice and they didn't take care of it they can be held liable. She asked if the same is true for sidewalks. Town Attorney Roberts advised the ordinance clearly makes it the abutting property owner's responsibility.

**2) UTILITY MANAGER – SEAN CASSIDAY**  
**A. UPDATE ON WATER CIP GRANT**

Utility Manager Cassiday reported that Steve Mollo is working on the title work for the title insurance. Rural Development is reviewing the agreements through BLN and he and Town Attorney Roberts are still working on easements for the Freeman Ridge area.

**B. COUNCIL INQUIRIES**

President King asked about the culvert for Heimburger Lane and was under the impression that the Town had the new culvert to install. Utility Manager Cassiday explained the supplier had to order the culvert and they are holding onto it as soon as they are ready to have it installed. He is waiting in line for Wagler's to have time to do the work. They should be able to get to it in the next few weeks.

**3) ADMINISTRATION MANAGER – PHYLLIS CARR**  
**A. RIGHT OF WAY REQUESTS**

**• 2017 ARTS VILLAGE CONCERT SERIES**

Administration Manager Carr presented the right of way request for the Nashville Arts and Entertainment Concert Series. They are requesting two parking spaces on N. Jefferson in front of the Pavilion for the events. All Council members voted in favor of the right of way request.

- **SHRINER'S PARADE**

Administration Manager Carr asked for approval for the Shriner's Parade to use the same parade route as the Spring Blossom parade route, except it is shorter only going to Gould Street. The expected date of the parade is Saturday, June 10, 2017.

Councilmember Jacoba moved to approve right of way requests for the Shriner's parade. Vice-President Gore seconded the motion. All were unanimously in favor.

**B. SERVICE AGREEMENT RECOMMENDATIONS**

Administration Manager Carr advised they are recommending the following service agreements:

- **Water Excavating and Installation** – Sub Surface of Indiana
- **Air Conditioning and Heating Repair** – Snyder's HVAC
- **Concrete Work** – Millbuild and Dynamic Concrete
- **Electric** – Wheeler Electric
- **Building Repair** – McCulley Improvements
- **Storm Drain Excavation** – Wagler Brothers
- **Material Hauling** – Jerry Fleetwood
- **Street and Curb Painting** – AAA
- **Automotive Repair** – Brown County Tire

Councilmember Omberg made a motion to accept the service agreement recommendations. Vice-President Gore seconded the motion. All were unanimously in favor.

**C. VILLAGE GREEN REVITALIZATION PROJECT**

- **RECOMMENDATIONS OF REQUESTS FOR PROPOSALS**

Administration Manager Carr reported that she met with Nancy Crocker, Lamond Martin and Cathy Martin met to review the RFQ's for the Village Green playspace project. They are recommending Themed Concepts for the play element, Rob Bessosa for the game tables and chairs and Brad Cox for the interactive boarder. They would like to meet with these people next week to work on the design.

Councilmember Omberg asked how these three designs are going to blend together. Nancy Crocker advised they will be overseeing the project and come up with a safe cohesive plan. They would like to have the work done by the fall.

Town Manager Rudd reported that the Rotary is working on the town pump structure at the Village Green. They will be replacing it with new beams and things. They need to move the existing structure and he asked the Historical Society if they wanted it, but they are not able to take it. Town Manager Rudd then spoke with Rob Bessosa to see if he can incorporate the pump into his table and chairs plans. But he has not heard back from him yet. The Council noted this is not an historical structure.

Councilmember Rudd moved to allow Town Manager Rudd to find a good home for the old town pump. Councilmember Jacoba seconded the motion. All were unanimously in favor.

Vice-President Gore noted the Rotary funds that were set aside to fix the old town pump will go through an escrow and not through the Town.

**5) POLICE CHIEF – BEN SEASTROM**

**A. COUNCIL INQUIRIES**

Police Chief Seastrom asked if any of the Council members wanted to ride in the parade this year. The Council will consider and get back to him.

**6) TOWN ATTORNEY – JIM ROBERTS**

**A. COUNCIL INQUIRIES**

Town Attorney Roberts advised that it is necessary that they move forward on the annexation. He has drafted an ordinance for the annexation of the property known as Firecracker Hill. They must determine what Town Council district this annexed property will go in. The Council decided this area would become a part of District 2.

Town Attorney Roberts advised they must also chose an effective date of the ordinance. The Council decided January 3, 2018.

Councilmember Rudd moved they have the first reading of Ordinance 2017-02 by title only. Vice-President Gore seconded the motion. Councilmember Omberg asked if this ordinance was on the agenda. President King advised he will now add Ordinance 2017-02 to the agenda. All were unanimously in favor of the motion. Councilmember Omberg read aloud 2017-02 by title only.

Councilmember Rudd moved to suspend the rules and have the second reading of Ordinance 2017-02 by title only. Councilmember Jacoba seconded the motion. All were unanimously in favor of the motion. Councilmember Omberg read aloud 2017-02 by title only.

Councilmember Rudd moved to approve Ordinance 2017-02 by title only. President Gore seconded the motion. All were unanimously in favor of the motion.

Town Attorney Roberts reported that he and Police Chief Seastrom have been discussing setting up a procedure to handle some of their ordinance violations through the circuit court. Police Chief Seastrom has provided him with a list of offenses that he wants included in this ordinance. Town Attorney Roberts will hope to have this ordinance written for next month's regular meeting.

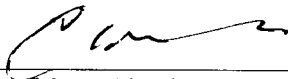
Town Attorney Roberts advised he will be in Florida the month of May but will communicate via video conferencing.

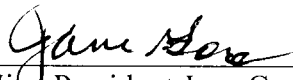
**ADJOURNMENT**

Councilmember Jacoba moved to adjourn the meeting. Vice-President Gore seconded the motion. President King adjourned the meeting at 8:44pm.

*The audio recording made at the Town Council meeting on 4-20-17 is retained in the office of the Town Clerk-Treasurer.*

  
Clerk-Treasurer Brenda K. Young

  
President Charles B. King

  
Vice-President Jane Gore



TOWN COUNCIL MEETING APRIL 20, 2017

Councilmember Alisha Jacoba

Councilmember Arthur Omberg

Councilmember Dave Rudd