

NASHVILLE TOWN COUNCIL MEETING

THURSDAY, APRIL 6, 2017

ATTENDANCE: Council members present – President Charles B. King, Vice-President Jane Gore, Councilmember Alisha Jacoba and Councilmember Arthur Omberg. Council member not present – Councilmember Dave Rudd. Also in attendance – Town Manager Scott Rudd, Utility Manager Sean Cassiday, Administration Manager Phyllis Carr, Police Chief Ben Seastrom, Town Attorney Jim Roberts and Clerk-Treasurer Brenda Young.

COUNCIL BUSINESS – 6:30pm

1) **CALL TO ORDER** by Councilmember King at 6:35pm.

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

3) APPROVAL OF THE AGENDA

Town Manager Rudd asked that they add the National Lineman Recognition Day Proclamation and Hoosier Byway funding request. Administration Manager Carr noted Clenna Perkins is also present to discuss the new sidewalk she had installed near 108 E. Washington Street. President King advised they will add these items to the end of the agenda.

4) PRESENTATION OF PROPOSED 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 Manager Rudd advised that he sent out an email to the Council today with updated information from Umbaugh and Associates regarding the fiscal plan. They have clarified the effective dates of the annexation and how they would affect the assessments. The other consideration is that there may be new annexation laws that may come into effect.

Town Attorney Roberts reported that he spoke with the Brown County Assessor’s office and the time for the assessment is going to be dependent on when the building permits are issued as this will trigger an assessment of the property. If the building was 100% completed by the end of the year then it would be assessed for the following year. Or the property can be assessed at 50% of the completed value.

Town Manager Rudd discussed that if the property is not developed the estimated levy increase would cover the road maintenance cost but fall short of covering any additional costs. He believes it would be a good idea to have Umbaugh and Associates run this projection a year out to make sure they are covering their additional costs if they set the effective date later. He suggested the Council look at pushing back the effective date of annexation to January 2, 2018. Discussion.

Councilmember Omberg made a motion to direct Town Manager Rudd to have Umbaugh and Associates create a second fiscal plan with the January 3, 2018 annexation date to be addressed at the April 20, 2017 Council meeting. Councilmember Jacoba seconded the motion. All were unanimously in favor.

5) ANY OTHER NEW BUSINESS THAT MAY COME BEFORE THE COUNCIL

• Clenna Perkins – Sidewalk near 108 E. Washington Street

Mrs. Perkins passed out a letter to the Council explaining that she installed a sidewalk on Town property. Brian Yeatman of the General Store spoke on behalf of Mrs. Perkins and said that they now

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know that Mrs. Perkins did not own the property the sidewalk was built on. If she had come to the Town before having the sidewalk installed she would have known this was not her property to build on. Mr. Yeatman advised Mrs. Perkins spent a lot of money on this sidewalk and it does do a lot of good allowing people in wheelchairs to get access into her building and other businesses in the area. He asked what they can do to work together to keep the sidewalk.

President King advised no one came to the Town to get a permit to do the work and if they had they would have known this area was owned by the town. He doesn't believe anyone asked to have the utilities located and marked before installing the sidewalk. Mr. Yeatman advised the contractor should have done this work. Discussion.

An audience member commented that the sidewalk provides a nice pathway from the parking lot to the businesses in the area. Another audience member advised the sidewalk was built to accommodate a disabled employee. Mr. Yeatman asked once again if they can come up with an agreement to keep the sidewalk at Mrs. Perkins expense. He also asked if they can also move a parking spot to allow more room for wheelchairs to get access to the area. Discussion.

President King asked if the sidewalk was ADA compliant. Utility Manager Cassiday advised it was not compliant and will need several items to be compliant. Further discussion. Julie Perkins addressed the Council and explained that the reason the sidewalk was installed was to deal with the huge water problem. She noted that the water is running off from the parking lot and restroom into her buildings.

Councilmember Omberg advised if the sidewalk is not ADA compliant the Town cannot take it over. He noted there were other things that would also need to be addressed concerning the sidewalk in order for it to remain. Councilmember Omberg advised he would like to see a way to work out the problem. Councilmember Jacoba agreed that she would like to work it out. Discussion.

Parking and Public Facilities President Martin advised the curb has to go, be ADA compliant and figure out the liability on the sidewalk issue then he will not have a problem with the sidewalk remaining. Discussion. Councilmember Omberg asked for the following information: is the sidewalk ADA compliant, is the pad poured to meet their standards, parking behind the building needs to be usable, make sure that the gas line has been sleeved properly and none of these items are to be paid by the Town. Discussion.

Town Attorney Roberts explained that if the Town were to bring a suit, they would most likely be ordered to go to mediation. He noted working on a compromise now makes a great deal of sense.

Councilmember Omberg asked Utility Manager Cassiday to see if he can make the sidewalk work. Utility Manager Cassiday will look into the sidewalk to see if it is ADA compliant and what would be required if it is not as well as the utilities issues. He will have this information at the regular Town Council meeting in April.

- **National Lineman Appreciation Day Proclamation**

Town Manager Rudd presented the National Lineman Appreciation Day Proclamation and explained that utility lineman help to restore services in all kinds of weather conditions. This is a day to recognize them for their efforts and the work they do for our communities. The National Lineman Appreciation Day will be April 18, 2017.

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Councilmember Omberg read aloud the National Lineman Day Proclamation in its entirety. Councilmember Omberg then moved to accept the National Lineman Day Proclamation. Vice-President Gore seconded the motion. All were unanimously in favor.

- **Hoosier Hills Scenic Byway Funding Request**

Town Manager Rudd reported that there are a number of scenic byways that run through the state and Brown County does not currently have a scenic byway. He explained there is a group of people that are working to re-establish the gateway to Brown County from Morgantown. Town Manager Rudd advised that Morgantown is very interested in seeing this connection to Brown County. He reported that the Morgantown Town Council has agreed to put in \$1,000 and Peaceful Valley Heritage has agreed to put in \$1,000. The group is looking for additional funds to help establish this as a scenic byway and would like to raise \$5,000 for this project. Town Manager Rudd noted the route is essentially State Road 135 which runs through Brown County and Nashville.

Town Manager Rudd asked the Council to commit \$1,000 to the project but they will be willing to accept any funds. Councilmember Omberg asked the Brown County Government as well as Story to be approached for funding as well. Discussion.

Vice-President Gore made a motion to give a minimum of \$500 to the project and figure out where to take it from. Councilmember Jacoba seconded the motion. All were unanimously in favor.

- **Further Business**

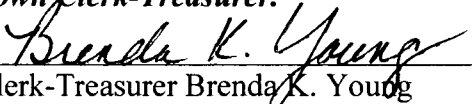
Councilmember Omberg addressed the young Boy Scout in the audience. The Boy Scout advised he was attending the meeting to earn a merit badge. The Council thanked him for attending the meeting.


President King announced that he is giving his 30 day notice that he will no longer be President for the Town Council anymore. Unless something else happens between now and thirty days from now they will have to elect a new president. President King noted he will continue on as a Councilmember for his term but doubts he will run again.

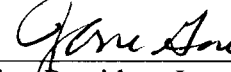
ADJOURNMENT

President King adjourned the meeting at 7:41pm.


The audio recording made at the Town Council meeting on 4-06-17 is retained in the office of the Town Clerk-Treasurer.


Clerk-Treasurer Brenda K. Young


President Charles B. King


Vice-President Jane Gore


Councilmember Alisha Jacoba


Councilmember Arthur Omberg

Councilmember Dave Rudd