

NASHVILLE TOWN COUNCIL MEETING THURSDAY, DECEMBER 15, 2016

ATTENDANCE: Council members present – President Charles B. King, Vice-President Jane Gore, Councilmember Alisha Gredy, 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 Andy Szakaly, 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

No changes to the agenda.

5) NOTES TO NOTE

President King advised there is a new program in the water department where you can have your payment automatically deducted from your banking account. He noted there is not a fee for this service and they can sign up in the office.

President King reminded everyone that yellow curbs mean no parking.

President King expressed his thanks to the Town Council, the staff at Town Hall, the work crews and all the volunteers that are on their committee for their work this past year.

6) APPROVAL OF THE MINUTES – 11-17-16 EXECUTIVE SESSION, 11-17-16 MEETING AND 12-01-16 MEETING

Councilmember Omberg moved to approve the minutes of 11-17-16 Executive Session, 11-17-16 Meeting and 12-01-16 Meeting. Councilmember Rudd seconded the motion. All were unanimously in favor.

7) CLAIMS

Vice-President Gore advised that she reviewed the claims that are before the Council. Councilmember Omberg made a motion to approve the claims for the period of 11-11-16 through 11-30-16 and for the period of 12-01-16 through 12-08-16. Councilmember Gredy seconded the motion. All were unanimously in favor.

Councilmember Omberg made a motion to approve the claim for Office Depot in the amount \$178.58 for several items. Councilmember Rudd seconded the motion. All were unanimously in favor.

Councilmember Omberg made a motion to approve the claim for Speedway Gas Station, LLC in the amount \$2,925.43 for gas for the vehicles. Clerk-Treasurer Young explained this invoice has been coming past the five day deadline. Vice-President Gore seconded the motion. All were unanimously in favor.

8) COMMUNICATIONS

A. Written

• DON STEPHENSON – WATER BILL ADJUSTMENT REQUEST

Don Stephenson came before the Council to discuss his high water bill. He advised there was no reason for the spike in his usage as he did not have a water leak. Mr. Stephenson noted this is the second time this has happened, this October and in May of this year. He explained that he has talked with Billing Clerk Crabtree about this issue and they cannot find a reason for the spike in the usage. Mr. Stephenson remarked that he would like to be reimbursed the full extra amount charged on his bill but would be satisfied with half of the extra cost which will be about \$23. Discussion.

Councilmember Omberg voiced concern that if Mr. Stephenson did have a water leak in the next couple of months he wouldn't be able to apply for an adjustment. Billing Clerk Crabtree advised that customers are allowed two adjustments in two years and this would count as one. Discussion.

Councilmember Omberg made a motion to give Mr. Stephenson a \$25 adjustment to be credited to his account. Councilmember Gredy seconded the motion. All were unanimously in favor.

Mr. Stephenson told a story about the water leak on the Town's side of the meter in front of his house that went on for months. He used this water to water his flowers.

• UNBANNING BOARDING – CHRISTIAN HAYES

Chris Hayes addressed the Council and advised he uses his longboard skateboard as transportation to get to and from school. He explained that by using his long board it helps to relieve the pain in his back from carrying so many school books. Mr. Hayes presented the idea that skateboarders and longboarders should be issued permits to ride in town. He presented some ideas about preventing boarding accidents.

The Council thanked Mr. Hayes for a well done presentation. President King advised they will take this information under advisement and make appropriate adjustments if necessary. He noted that he personally has almost hit two skateboarders this summer.

An audience member asked where skateboarding is allowed in town. President King explained the area is from on Johnson Street from Franklin Street to Mound Street. Councilmember Omberg questioned if the Town gives too much leeway, then do they set themselves up for liability if someone gets hurt. Discussion. President King commented that they should discuss this topic further and maybe they can come up with something on it by spring.

Councilmember Omberg asked Town Manager Rudd to review the skateboarding ordinances in Bloomington and Columbus that they might be able to use to update and modify the Town's current ordinances. An audience member commented that the students have a Nashville map where they have color coded the streets of where safe boarding could occur. Discussion. Mr. Hayes thanked the Council for their time.

B. Audience

None.

BOARDS AND COMMISSIONS REPORTS

1) BROWN COUNTY VOLUNTEER FIRE DEPARTMENT REPORT

• 2017 FIRE PROTECTION CONTRACT

Clerk-Treasurer Young advised the proposed contract is the same contract as worded last year. The Town Attorney has reviewed the contract as well. She noted last year's contract paid the Fire Department \$12,000 for the year and this amount is budgeted in the 2017 budget.

Brown County Fire Department Chief Micah Fox reminded the Council when they were in the process of getting the ladder truck; they did tell the Council there would be an additional cost to maintain the equipment. He was hoping the Council would give them the additional \$10,000 to maintain the truck and get the required certifications. Clerk-Treasurer Young advised the Cumulative Capital Development Fund may be one of the areas they can draw some more funds from to pay the Fire Department. Already 50% of the money that is collected for this fund goes towards the Fire Department. Discussion. Councilmember Omberg will meet with BCVFD Chief Fox in the next couple of weeks and look at some numbers.

President King suggested they approve the Fire Department contract at \$12,000 and then look at providing more funds later in the year. Councilmember Rudd agreed to make this motion. Councilmember Omberg seconded the motion. All were unanimously in favor.

Town Attorney Szakaly advised he read that the State is sending money to the volunteer fire departments from the sale of the timber. BCVFD Chief Fox advised this is through the County and they receive different amounts every year.

BCVFD Chief Fox announced the Fire Department is down to 10 members, however one is an active military member and one is eight months pregnant. He said the staffing situation is not getting any better. Councilmember Omberg advised they need to meet next week and see what can be done.

BCVFD Chief Fox reported they are at 300 runs as of this morning. This is about half of the runs they did last year since they have stopped doing medical runs. He noted the other fire departments have started making the medical runs and they are being taxed more. Discussion. BCVFD Chief Fox commented that the staffing issues are at a crisis level.

2) DEVELOPMENT REVIEW COMMISSION REPORT

DRC President Penny Scroggins reported last month she asked the Council if they would consider approving some of the signage in-house. She advised she met with Town Manager Rudd and Administration Manager Carr regarding the Staff Approval Guidelines. They only had to change one number in the guidelines to allow Administration Manager Carr to approve several signs in-house which will save the Town money, save the business owner and the Commission members time. DRC President Scroggins explained the current guidelines allow in-house approval for signs up to four square feet per side, the proposed change would allow for in-house approval up to twelve square feet per side.

Councilmember Omberg moved to allow Administration Manager Carr and staff to approve signage up to twelve square feet per side. Councilmember Gredy seconded the motion. All were unanimously in favor.

DRC President Scroggins spoke about the Indiana Landmarks contract and asked what are the duties of the contractor beyond coming to the meetings. President King advised Indiana Landmarks provides a

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resource for questions and issues. DRC President Scroggins wondered if this could be utilized by on-call status and thereby reduce the fee paid in the contract. Those funds then could go to the water issues or fire protection and other places.

Clerk-Treasurer Young reported she served on the DRC for eight years and during this time the guidelines were created. Indiana Landmarks helped them with the guidelines process and also worked with them on large projects. She suggested if they currently do not have any large projects, then it would be possible to look at what the cost would be to do some type of contractual services. Town Manager Rudd explained the DRC is hoping to meet less, and if there are six fewer meetings a year maybe there is an adjustment they can make. Discussion.

President King suggested they look into this further and talk with Indiana Landmarks if there is a different way of providing services they would recommend. Clerk-Treasurer Young advised the contract will be up for renewal in June 2017.

3) PARKING AND PUBLIC FACILITIES REPORT

Administration Manager Carr advised they didn't have a meeting this month as they didn't have a quorum.

President King asked about the status of the restroom attendant contract. Administration Manager Carr explained the contract is up for renewal but they do not have a recommendation from the Commission yet.

Town Manager Rudd announced in the months of January and February the Mound Street restrooms have very little use. The restroom attendant has requested closing these restrooms during these months. Town Manager Rudd suggested they close the restrooms from January 2nd to March 1st each year. Councilmember Omberg asked if this would lower the restroom attendant contract. Town Manager Rudd advised they have added 60% from Antique Alley to the new Village Green restrooms. The closing of the Mound Street restrooms for those months might balance out the increased work. Discussion.

Councilmember Omberg suggested they close the Mound Street restrooms for two months, but have the Parking and Public Facilities Commission decide if they want the restrooms open on the weekends only.

President King would like to see someone switching the big Main Street lights to LED lights in order to save some money. Utility Manager Cassiday reported he has talked with Wheeler Electric and they said it switching out the lights can be done but he does not have a price on this yet.

4) TREE BOARD

Administration Manager Carr advised the trees have been planted. She had Customer Care Specialist Fisher contact Stinson Tree Service about the tree removals. Stinson Tree Service advised they would do the work this week or next week.

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

Nothing further presented.

NEW BUSINESS

1) APPOINTMENTS

A. REDEVELOPMENT COMMISSION

President King reported he has two people that are willing to serve on this Commission and these are his appointments; Danny Key and Roger Kelso.

B. TOWN ATTORNEY

President King reported they have two applicants and have solicited others but have not had any other applicants. He invited the applicants to address the Council.

Attorney Jacob Moore introduced himself to the Council and explained why he would like to serve as Town Attorney.

Councilmember Omberg asked if current Town Attorney Szakaly is retiring. Town Attorney Szakaly responded that beginning January 1, 2017 he will become the Chief Deputy Prosecutor. Councilmember Omberg asked if they advertised for the Town Attorney position or contacted previous applicants. Town Manager Rudd advised it is up to the Council how they would like to handle the opening. Discussion.

The Council agreed to put an advertisement in the local paper and notify those that had previously applied for the position. The Council will make an appointment for the Town Attorney position at the December 29, 2106 Town Council meeting.

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

Nothing presented.

RECESS A recess was called from 7:44 pm to 7:51 pm

REPORTS

1) CLERK-TREASURER – BRENDA YOUNG

A. INTERNAL CONTROLS – MATERIALITY THRESHOLD AND TRAINING

Clerk-Treasurer Young advised all the Town employees and elected officials needed to view the training on-line. Everyone but the two new appointments to the Redevelopment Commission have viewed the video and she will get the information to them to complete this requirement. There is also one reserve officer that must complete the training as well.

B. CERTIFICATION OF ELECTED OFFICIALS AND CONTRACTING NEPOTISM POLICY

Clerk-Treasurer Young reported that every year they need to sign the annual certification of elected officials of compliance with the municipal contracting policy and submit the form to the DLGF in order to get their budget approved. Clerk-Treasurer Young also presented the certification of elected officials of compliance with the municipal nepotism policy. The Council members signed and submitted the forms to Clerk-Treasurer Young.

Clerk-Treasurer Young announced they have created an ordinance for the materiality threshold and presented Ordinance 2016-16 for the Council's approval. She explained this ordinance develops a threshold for when they will have to contact the State Board of Accounts to submit a report.

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Councilmember Omberg made a motion to have the first reading of Ordinance 2016-16 by title only. Councilmember Rudd seconded the motion. All were unanimously in favor. Councilmember Omberg read aloud Ordinance 2016-16 by title only.

Councilmember Rudd made a motion to suspend the rules and have a second reading of Ordinance 2016-16 by title only. Councilmember Omberg seconded the motion. All were unanimously in favor. Councilmember Omberg read aloud Ordinance 2016-16 by title only.

Councilmember Rudd made a motion to adopt Ordinance 2016-16 by title only. Councilmember Gredy seconded the motion. All were unanimously in favor.

C. FIXED ASSET ORDINANCE

Clerk-Treasurer Young presented Ordinance 2016-15 concerning fixed assets. She explained the current fixed asset lists those items that are \$1,000 or more. The new ordinance will change the threshold to \$5,000 as suggested by the State Board of Accounts and the Town's financial consultants Umbaugh.

Councilmember Omberg made a motion to have the first reading of Ordinance 2016-15 by title only. Councilmember Rudd seconded the motion. All were unanimously in favor. Councilmember Omberg read aloud Ordinance 2016-15 by title only.

Councilmember Rudd made a motion to suspend the rules and have the second reading of Ordinance 2016-15 by title only. Councilmember Gredy seconded the motion. All were unanimously in favor. Councilmember Omberg read aloud Ordinance 2016-15 by title only.

All were unanimously in favor of adopting Ordinance 2016-15.

D. 2017 SALARY ORDINANCE

Clerk-Treasurer Young presented Ordinance 2016-17 concerning the salary and wages for 2017 as discussed at their prior meetings. She explained they have ranges on most of the categories and some have an actual annual salary. Clerk-Treasurer Young advised she made the three percent increase on those positions the Council had previously discussed. She also increased the three department heads at the \$50,000 even as also previously discussed.

Councilmember Omberg made a motion to have the first reading of Ordinance 2016-17 by title only. Vice-President Gore seconded the motion. Councilmember Rudd questioned the salary increase and said everyone should get a three percent raise, period. President King noted the Council previously discussed salaries and Councilmember Rudd was the only one that voiced displeasure with the salary increase as described in Ordinance 2016-17.

Councilmember Rudd made a motion to have a three percent salary raise across the board for everybody. Councilmember Gredy asked would everything have to be rewritten if they changed it to a three percent raise across the board. Clerk-Treasurer Young explained she would just change the ranges in the document. Discussion. Councilmember Omberg seconded the motion. Discussion. Councilmember Rudd voted in favor of the motion. President King, Vice-President Gore, Councilmember Gredy and Councilmember Omberg voted against the motion. The motion did not pass by a vote of 4 to 1.

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Councilmember Omberg made a motion to have the first reading of Ordinance 2016-17 by title only. Vice-President Gore seconded the motion. President King, Vice-President Gore, Councilmember Gredy and Councilmember Omberg voted in favor of the motion. Councilmember Rudd voted against the motion. The motion passed. Councilmember Omberg read aloud Ordinance 2016-17 by title only. Vice-President Gore made a motion to suspend the rules and have the second reading of Ordinance 2016-17 by title only. Councilmember Omberg seconded the motion. President King, Vice-President Gore, Councilmember Gredy and Councilmember Omberg voted in favor of the motion. Councilmember Rudd voted against the motion. The motion passed. Councilmember Omberg read aloud Ordinance 2016-17 by title only.

Councilmember Omberg made a motion to adopt Ordinance 2016-17. Vice-President Gore seconded the motion. President King, Vice-President Gore, Councilmember Gredy and Councilmember Omberg voted in favor of the motion. Councilmember Rudd voted against the motion. The motion passed.

Clerk-Treasurer Young advised in going through the 2016 salary ordinance they have noticed some changes and therefore they need to amend it. She presented Ordinance 2016-18 and on page three the Council will see the necessary changes.

Councilmember Omberg made a motion to have the first reading of Ordinance 2016-18 by title only. Councilmember Gredy seconded the motion. All were unanimously in favor. Councilmember Omberg read aloud Ordinance 2016-18 by title only.

Vice-President Gore made a motion to suspend the rules and have the second reading of Ordinance 2016-18 by title only. Councilmember Gredy seconded the motion. All were unanimously in favor. Councilmember Omberg read aloud Ordinance 2016-18 by title only.

Councilmember Gredy made a motion to adopt Ordinance 2016-18 by title only. Councilmember Rudd seconded the motion. All were unanimously in favor.

E. 2017 MEETING SCHEDULE

Clerk-Treasurer Young presented the Town Council with a proposed 2017 meeting schedule of the third Thursday of each month at 6:30pm. She noted they did not post a meeting schedule for the first Thursday of each month but they will keep their calendar open in case they decide to have meetings. The Council agreed with the proposed meeting schedule and will post additional meetings as needed.

F. YEAR END CLOSE OUT MEETING – 12/29/16 AT 3PM

Clerk-Treasurer Young reminded the Council they will have the year end close-out meeting on December 29, 2016 at 3pm.

G. COUNCIL INQUIRIES

Clerk-Treasurer Young advised they have received two documents from ARA regarding their water project and the grant funds they have received from OCRA. She asked for a motion to allow the Town Council President to sign the documents as submitted.

Councilmember Omberg moved to give permission to have the Town Council President sign the letters for ARA in favor of Ms. Riley and Mr. Frey. Councilmember Gredy seconded the motion. All were unanimously in favor.

2) TOWN MANAGER/ECONOMIC DEVELOPMENT DIRECTOR – SCOTT RUDD

A. BROADBRAND TASK FORCE GRANT

Town Manager Rudd announced that Duke Energy gave the Town a \$500 grant to host a utility forum to increase communication among the utilities in the County.

B. FLOOD RESPONSE PLAN GRANT

Town Manager Rudd reported they had their first meeting concerning the \$20,000 flood response grant they received. This grant is to help them to avoid water evacuations in flood situations if at all possible. New technology has been installed on the bridge on State Road 46 West that will help them to anticipate things that can happen regarding flooding.

C. RAINY DAY FUND TRANSFER

Town Manager Rudd advised this is something they discussed last year and he will ask Umbaugh to tell them how much they would recommend they transfer into the Rainy Day Fund.

D. INTERN

Town Manager Rudd reported he had a meeting a couple days ago with an interested Master's degree student from IU School of Public Environmental Affairs who would like to intern for the Town. He is proposing to work two days a week for a couple of months. Town Manager Rudd has agreed to bring him on and assign him to some special projects.

E. COUNCIL INQUIRIES

Clerk-Treasurer Young asked about the insurance renewal. Town Manager Rudd advised they are still waiting on information regarding insurance renewal. Clerk-Treasurer Young advised they will need to get the Council's approval at the December 29th meeting in order to write the check for renewal on January 1, 2017.

3) UTILITY MANAGER – SEAN CASSIDAY

A. UPDATE ON OCRA GRANT

Utility Manager Cassiday reported that things are moving into place to get the account set up to receive the awarded grant funds.

B. WATER AND SEWER BUDGETS

Utility Manager Cassiday advised the Council has before them the Water and Sewer budgets. He explained that he submitted this information to Christine at Umbaugh for her review. She changed very little on the budgets from what was submitted. Utility Manager Cassiday reported they put in about a \$1,000 increase to the water budget from last year and less in the sewer department budget. He explained they have looked at purchased items and how they are purchasing things and moved line items around accordingly.

Councilmember Omberg made a motion to approve the water and sewer budgets. Councilmember Gredy seconded the motion. All were unanimously in favor.

Town Manager Rudd noted the line item regarding health insurance in both the water and sewer budgets they are saving \$99,452 from previous budgets and have added family health coverage as well.

C. SNOW REMOVAL

Utility Manager Cassiday reported they were able to get the sand trucks loaded very quickly and able to address the ice on the roads. Vice-President Gore and President King commented that they did an excellent job.

D. COUNCIL INQUIRIES

Councilmember Omberg asked why it took about six months to fix the water leak on Town Hill Road. Utility Manager Cassiday advised that leak happened about six years ago.

4) ADMINISTRATION MANAGER – PHYLLIS CARR

A. VILLAGE GREEN REVITALIZATION PROJECT UPDATE

Administration Manager Carr reported they have a quarterly report due at the end of the month.

B. COUNCIL INQUIRIES

Administration Manager Carr advised she has the Milestone contracts for the paving project and will need the Town Council President to sign them.

Councilmember Omberg made a motion to allow the Town Council President to sign off on the Milestone contracts for paving. Councilmember Rudd seconded the motion. All were unanimously in favor. Town Council President King signed the contracts.

Town Manager Rudd spoke about the CVB moving to a different location. Administration Manager Carr advised she has work orders in place to block the parking spaces in front of the current CVB to assist in their moving next week. President King asked that the police tow any vehicle that removes the cones and parks in these blocked spaces.

5) POLICE CHIEF – BEN SEASTROM

A. COUNCIL INQUIRIES

Police Chief Seastrom announced it has been a good year for the department. President King thanked the department for their work this year.

6) TOWN ATTORNEY – ANDY SZAKALY

Town Attorney Szakaly advised the Town has been given a request from the current eleven owners of 90 acres in the area known as “Firecracker” Hill for a voluntary annexation. He gave a suggested time table to Town Manager Rudd of things that need to be done. Town Attorney Szakaly suggested they schedule a public hearing addressing this request at the January 19, 2017 Town Council meeting. He also advised they will need to run an ad in the Democrat with a notice of this hearing in the December 27, 2016 edition. Town Attorney Szakaly went on to say that in February the Council would then decide if they want to pass the ordinance making the annexation. Discussion. Town Attorney Szakaly will provide a template for the public hearing notice.

Town Attorney Szakaly commented that it is important they respond appropriately to the request from the Bean Blossom Sewer District. President King commented that they are open at any time for further discussion if they so wish.

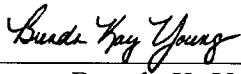
Town Attorney Szakaly thanked the Council for the opportunity to serve. President King thanked Town Attorney Szakaly for serving and they really appreciated his work.

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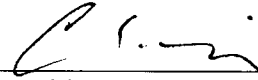
ADJOURNMENT

Councilmember Omberg moved to adjourn the meeting. Councilmember Rudd seconded the motion. All were unanimously in favor. President King adjourned the meeting at 8:37pm.

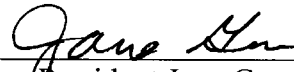
The audio recording made at the Town Council meeting on 12-15-16 is retained in the office of the Town Clerk-Treasurer.



Clerk-Treasurer Brenda K. Young



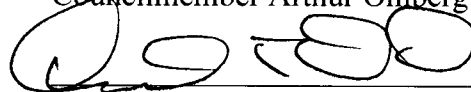
President Charles B. King



Vice President Jane Gore

Councilmember Alisha Gredy

Councilmember Arthur Omberg



Councilmember Dave Rudd