

**NASHVILLE TOWN COUNCIL MEETING
THURSDAY, FEBRUARY 21, 2019**

ATTENDANCE: Council members present – President Jane Gore, Vice-President Alisha Gredy Councilmember Nancy Crocker, and Councilmember Anna Hofstetter. Council member not present – Councilmember Dave Rudd. Also in attendance – Utility Manager Sean Cassiday, Administration Manager Phyllis Carr, Police Chief Ben Seastrom, 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 6:30pm.

2) PLEDGE OF ALLEGIANCE

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

3) APPROVAL OF AGENDA

President Gore asked if there were any changes to the agenda and there were none. Vice-President Gredy made a motion to approve the agenda as presented. Councilmember Hofstetter seconded the motion. All were unanimously in favor.

4) APPROVAL OF THE MINUTES – 12-31-18 AND 1-03-19 MEETINGS

Vice-President Gredy made a motion to approve the minutes of the 12-13-18 and 1-03-19 meetings as presented. President Gore seconded the motion. All were unanimously in favor.

5) ACCOUNTS PAYABLE VOUCHERS

Vice-President Gredy made a motion to approve the accounts payable voucher register for the February 2019 Town Council meeting. Councilmember Hofstetter seconded the motion. All were unanimously in favor.

6) COMMUNICATIONS

A. WRITTEN

• DAN SNOW – PARKING PERMIT REQUEST FOR 433 WELLS DRIVE

Mr. Snow was not present for the discussion. Councilmember Crocker presented her findings of Wells Drive and, in her opinion, he should be allowed to continue to park on the road in front of his home. She also suggested that this road should be changed to a one-way road which may eliminate some issues. She noted that Mr. Snow currently has an abandoned vehicle on his property and he needs to address that issue.

Councilmember Hofstetter asked to see some statistics from the police and fire departments as to what width the road suffices to accommodate emergency vehicles. Town Attorney Roberts advised the area is platted thirty feet wide for vehicular traffic. Discussion. Town Attorney Roberts asked if they are doing an illegal vacation of the road if they continue to allow Mr. Snow to park in the road? Further discussion.

President Gore asked for a motion. Councilmember Hofstetter made a motion to table the discussion because she does not feel comfortable making a decision. There was not a second to the motion and the motion died.

Councilmember Crocker made a motion that they somehow figure out how to allow Mr. Snow to keep

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parking on the street as long as he is parked between the two driveway entrances across the street and only one car is to park there. There was not a second to the motion and the motion died.

The Council continued to discuss the parking situation and abandoned vehicle ordinances and also took audience comments on the situation.

President Gore asked if anyone would make a motion to not allow Mr. Snow to park on the street and to remove the abandoned vehicle on his property. Councilmember Crocker made a motion to tell Mr. Snow that he is not allowed to park on the street and he needs to move his abandoned vehicle. Vice-President Gredy seconded the motion. All were in favor of the motion with Councilmember Hofstetter abstaining from the vote. The motion passed.

• **SANDY BARNETT – WATER ADJUSTMENT REQUEST**

Sandy Barnett addressed the Council and explained that she received a \$200 plus water bill when their typical bills run around \$40 each month. She advised that they did not have any leaks and could not locate any problems with their water. Clerk-Treasurer Young advised that Mrs. Barnett's water usage is typically around 2,000 gallons of water per month. Utility Manager Cassiday referred to the data showing the water usage for the residence for the last 90 days and noted a four day spike in the water usage and then the water usage went back to regular usage. Discussion.

Councilmember Crocker asked if Mrs. Barnett could pay off the large bill over time without any additional penalties. Clerk-Treasurer Young advised her office can do a promissory note and allow for payments to be made each month on the large bill. Discussion.

Councilmember Hofstetter made a motion to have the meter serviced and if there are no anomalies, they move forward with a payment plan without penalties. Vice-President Gredy seconded the motion. All were unanimously in favor.

B. AUDIENCE

• **SUSANNE GAUDIN – ELECTION INFORMATION**

Susanne Gaudin, Election Board Chairman, introduced herself to the Town Council. She thanked them for allowing her to be on the agenda this evening but advised the Secretary of the Election Board did not do the required posting that the Election Board would be in attendance of this meeting. As there are two members of the Election Board in attendance this evening, they would be in violation of the Open Door Law and therefore she will not speak this evening.

Clerk-Treasurer Young explained the 2019 municipal election process and noted if they have any questions they can ask the County Election Board at a later date. Clerk-Treasurer Young presented the election calendar from the Indiana Election Division and explained they have three seats that are up for election in 2019, two councilmembers and the Clerk-Treasurer.

Clerk-Treasurer Young advised there is a Town election guidebook which states that Town's under 3,500 in population having a municipal election, the election is to be conducted by the County Election Board unless the Town Council adopts a resolution by August 8th, to establish a Town Election Board. The Town Election Board would then hold the town election. If the town holds its own election it would not cost them any more money than if the County were to run the town election. Clerk-Treasurer Young advised the Town would also need to lease a voting machine.

Councilmember Hofstetter asked that the County Election Board come back before the Council at a

later date to discuss the options. County Clerk Kathy Smith spoke and presented some information to the Clerk-Treasurer.

BOARDS AND COMMISSIONS REPORTS

1) BROWN COUNTY VOLUNTEER FIRE DEPARTMENT REPORT

A representative from the Fire Department was not present for the meeting. Clerk-Treasurer Young advised the 2019 Fire Contract has been submitted to the Council for their approval. She did note there was a typo in one of the councilmember's names and the contract amount was not filled in. Town Attorney Roberts reported that he has not reviewed the contract.

Councilmember Crocker made a motion to table the contract until next month. Councilmember Hofstetter seconded the motion. All were unanimously in favor.

2) PARKING AND PUBLIC FACILITIES REPORT

A. RESTROOM ATTENDANT CONTRACT

Administration Manager Carr reported they have to renew the restroom attendant contract every year and the Commission is recommending a two percent increase which matches the Town employee's pay increase. Councilmember Crocker made a motion to approve the increase. Vice-President Gredy seconded the motion. All were unanimously in favor.

3) ARTS AND ENTERTAINMENT COMMISSION REPORT

A. GRANT REQUESTS

Arts and Entertainment Commission President Michele Wedel introduced herself to the Council. She thanked Councilmember Crocker for her work on the Commission as President last year.

NAEC President Wedel explained that the Commission is looking into four grant opportunities this year. She asked the Council's permission to pursue the four grants as explained in her letter to the Council. Councilmember Crocker made a motion to allow the NAEC to pursue the four grants. Vice-President Gredy seconded the motion. All were unanimously in favor.

4) DEVELOPMENT REVIEW COMMISSION

A. HISTORIC PRESERVATION ORDINANCE

Development Review Commission President Penny Scroggins reported that in the past couple of months they have held work sessions, with some open for public discussion regarding the Historic Preservation Ordinance. At the DRC meeting this week she asked the members if they were for or against the ordinance; two members were in favor of the ordinance and the other seven members were against the ordinance. They have received negative feedback from the public regarding this current ordinance.

DRC President Scroggins noted the way the ordinance is written the DRC is to deem and classify historic buildings and therefore they could be held liable. She has reviewed the Town's current ordinances and a property can choose to have their building deemed historic. She would like to see the guidelines brought up to date rather than working on this ordinance. DRC President Scroggins noted they are an artist colony and they shouldn't all be uniform. She asked the Council to put the Historic Ordinance away and work on updating the DRC guidelines.

DRC President Scroggins advised she was just handed a list of towns that have a historic preservation ordinances. She suggested that the Town look at some time of maintenance type ordinances regarding

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properties. They should hold property owners accountable for the maintenance of their properties.
Discussion.

Town Attorney Roberts advised that the Historic Preservation Ordinance came from Indiana Landmarks and that he customized and simplified to work in the town. He explained several points of the ordinance as to how it would apply to properties in the Town. Town Attorney Roberts noted that this is his sixth draft of the ordinance and he doesn't want to do more work on it unless the Town Council is ready to move forward with something. He advised that the Town already has a historic building ordinance that applies to buildings in the business designated districts that were built before Pearl Harbor Day. Discussion.

President Gore asked where they need to go from here. DRC President Scroggins recommended that they work with Indiana Landmarks Representative Laura Renwick to update the current DRC guidelines. She noted they have heard from the public on numerous occasions and they are against the historic preservation ordinance as drafted. Discussion.

Town Attorney Roberts recommended that they ask Indiana Landmarks Representative Renwick if she has suggestions and thoughts on the Historic Preservation Ordinance and invite her to meet with the Council. DRC President Scroggins asked that the information be emailed to the Council to speed up the process. The Council agreed this would be a good next step. A question was raised as to how the public would know about the suggestions from Indiana Landmarks Representative Renwick. It was agreed that the suggestions could be read aloud in a public meeting.

Andrew Tilton commented that there should be more incentives to encourage property owners to apply for historic designation. He would also like to see more liberal and progressive thinking as far as the DRC guidelines are concerned. Mr. Tilton would also like to see more festivals in town to bring in more people to our community. He also asked that the Council table the Historic Preservation Ordinance and encourage people to maintain their properties and find ways to help them to do this. Councilmember Crocker encouraged Mr. Tilton to contact the Town's Redevelopment Commission about his festival idea and how they can work with the CVB and other groups. Councilmember Hofstetter suggested he talk also with the Chamber of Commerce. Clerk-Treasurer Young commented that this also falls into the Main Street Committee arena.

Town Attorney Roberts reported that Mr. and Mrs. Martin have submitted an email from Indiana Landmarks Representative Renwick listing 43 towns that have adopted an ordinance similar to the Historic Preservation Ordinance. The Council asked that the DRC start working on updating the guidelines.

5) TOWN PARK COMMISSION REPORT

Vice-President Gredy reported that they had a meeting today and have rescheduled the Town Hall meeting for March 7, 2019 at 5pm to invite the public to participate in conversation about what they want to do with the park. Administration Manager Carr advised that she will send letters to the surrounding neighbors of the park notifying them of this meeting.

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

No further presented

NEW BUSINESS

1) 2020 CENSUS

President Gore announced that they meet with a representative of the 2020 Census a couple of weeks ago. They will be focusing on public awareness that the census is coming up as the more participation they have the fewer home visits will be done. She advised they will be forming a 2020 Census Committee and asked for volunteers to be on this committee.

2) YOUTH COUNCIL

Clerk-Treasurer Young reported that on February 16, 2019, Vice-President Gredy, Councilmember Hofstetter and herself attended the AIM Youth Leadership Summit in Bloomington, Indiana. There were a lot of participants from all over the state and they came away with a lot of great ideas. Councilmember Hofstetter commented that the event was very inspiring and she is excited about students getting involved in their local community.

President Gore asked what the next step will be to create a youth council. Councilmember Hofstetter explained they will contact Brown County School Superintendent Laura Hammack and Jim Poyser, Executive Director of Earth Charter Indiana. She would like to hold an assembly at the school to get students interested and involved in their local government. They believe they can get the Youth Council up and running by the start of the next school year.

3) ANY OTHER NEW BUSINESS TO COME BEFORE THE COUNCIL

Nothing further presented.

RECESS

A recess was called from 8:08pm-8:15pm

REPORTS

1) CLERK-TREASURER – BRENDA YOUNG

A. INTERNAL CONTROLS POLICY

Clerk-Treasurer Young explained that according to the State Board of Accounts the Town Council must adopt an internal controls policy. She is asking the Council to adopt a policy that puts a lot of stringent controls on her office. Town Attorney Roberts advised he has reviewed the policy and it is appropriate to adopt.

Vice-President Gredy made a motion to adopt the internal controls policy as presented. Councilmember Hofstetter seconded the motion. All were unanimously in favor.

B. APPROVAL OF STATE BOARD OF ACCOUNTS ANNUAL FINANCIAL REPORT

Clerk-Treasurer Young reported that every year cities and towns are required to file an annual financial report with the Indiana State Board of Accounts. These reports are available for review on the Gateway website. This allows citizens to see the Town's annual report, budgets and debt. Part of the internal controls policy states that the Town Council will review and approve of the reports to be submitted.

Clerk-Treasurer Young asked that the Town Council sign paperwork stating they have reviewed and approved the annual financial report. Each Councilmember signed the form.

C. REPORT OF OLD OUTSTANDING CHECKS

Clerk-Treasurer Young reported that according to state code they have to void checks that have been outstanding for two years. Her office has voided checks totaling \$177.33 and those funds go back into the fund account they were originally written on.

2) UTILITY MANAGER – SEAN CASSIDAY

A. EQUIPMENT DISPOSAL

Utility Manager Cassiday advised the Council had before them a list of items to be disposed of along with the values of each item. The three military AC units still function so he may be able to list them for sale on governmentdeals.com for about \$300 each. Utility Manager Cassiday explained to save them from having to haul some items to scrap, he will list the items available in the newspaper for sealed bids. Town Attorney Roberts noted that the Town's Code 31.02(c) sets out the procedure for getting rid of the items and must be advertised one time at least ten days prior to the sale. Discussion.

Councilmember Crocker made a motion to allow Utility Manager Cassiday to advertise for closed bids for these items with minimums of what their value will be if they scrapped by weight and only suitable forms of payment will be accepted with the opportunity to scrap at the end. Vice-President Gredy seconded the motion. All were unanimously in favor.

B. COUNTY/TOWN FUEL AGREEMENT

Utility Manager Cassiday reported his department and the Police Department has met BC Highway Garage Manager Mike Wagner for training on fuel system with the County. They will begin buying fuel from the County beginning March 1, 2019. Utility Manager Cassiday noted they will have to hold onto a couple of gas cards to use when drivers are out of town or if the gas pumps fail for some reason.

Councilmember Crocker asked if she can use the Town car for Town business. Utility Manager Cassiday advised that only insured employees are allowed to drive the town vehicles.

3) ADMINISTRATION MANAGER – PHYLLIS CARR

A. SERVICE AGREEMENTS – 2ND ROUND BID OPENING

Administration Manager Carr opened the following service agreement bids and Police Chief Seastrom read aloud the proposals:

Material Hauling/Trucking

- Wagler Brothers Excavating – various equipment types and prices
- Jerry Fleetwood Excavation – equipment charge \$80 per triaxle per hour, labor charge \$35 per hour, \$35 per hour for additional operator, time a half for afterhours, various equipment types and prices.

Building Repair

- Josh McCulley – equipment charge \$40 per hour, service call charge \$40, labor charge per hour \$40, after hour charge \$60.
- Waltman Construction – equipment charge \$150 per hour, service call \$100, labor charge \$50 per man, after hour charge \$125 per man hour.

Electric

- Wheeler Electric – labor charge \$52.50 per hour, after hour charge \$78.75.

Striping

- AAA Striping – cost per linear foot for curb \$0.70, cost per linear foot for six inch wide line \$0.40, service call charge \$150 per trip, \$375 minimum charge per mobilization.

Pest Control

- Environmental Pest Control – service call charge \$90 with a one hour minimum, labor charge \$90 per hour, after hour charge \$125 per hour.

Storm Drain Evacuation and Repair

- Wagler Brothers Excavation – equipment charge \$92.50 per hour, service call charge two hour minimum, labor charge per hour in addition to operator \$40, various equipment types and prices.
- Roto-Rooter – equipment charge \$305 per job, service call \$65, labor charge per hour with additional operator \$95, various equipment types and prices.

Automotive Repair

- Whitaker Auto – labor charge per hour \$68.
- Brown County Tire – labor charge per hour \$65, service call \$45, towing \$75, after hours charge \$65, various equipment types and prices.

Sidewalk Repair and Construction

- Precision Concrete – cut and grinding minimum charge \$500 per project.
- Dynamic Concrete – equipment charge \$80 per hour, jobs individually bid by scope of work.
- Waltman Construction – equipment charge \$150 per hour, service call charge \$100, labor charge per hour \$50 per man, after hour charge \$125, various equipment types and prices.

Councilmember Crocker made a motion to take the bids under advisement and have the administration make the recommendations. Vice-President Gredy seconded the motion. All were unanimously in favor.

B. SERVICE AGREEMENTS – 1ST ROUND RECOMMENDATIONS

Administration Manager Carr made the following recommendations from the first round bid opening:

- **Water Pump Booster Station Repair** – Quality Repair first and BBC Pump second.
- **Wastewater Pump Lift Station Repair** – BBC Pump first and Moddix Industrial Group second.
- **Tree Maintenance** – Stinson Tree Service first and Williams Tree Company second.
- **Heavy Equipment Repair** – Best Equipment.
- **Plumbing** – Dunham Plumbing.
- **Wastewater Excavation, Install and Repair** – Patton Plumbing first and Christman Enterprises second.
- **HVAC** – Snyder first and Dunlap second.
- **Septic Wastewater Hauling** – Reed Excavating first and Sester second.
- **Water Excavation, Install and Repair** – Sub-Surface of Indiana

Councilmember Crocker made a motion accept the recommendations. Vice-President Gredy seconded the motion. All were unanimously in favor.

C. RIGHT OF WAY REQUESTS

- **SPRING BLOSSOM PARADE AND ROTARY – MAY 3-4, 2019**
- **BOY SCOUTS – MAY 3-4, 2019**

Administration Manager Carr presented the three right of way permits for the events to be held May 3-4, 2019 during the Spring Blossom Parade weekend. She explained they will begin blocking parking spaces the evening of May 3rd and block off the street early morning on May 4th.

Vice-President Gredy made a motion to approve the three right of way requests. Councilmember Crocker seconded the motion. Police Chief Seastrom asked what action they want him to take with vehicles in the parade route. Councilmember Hofstetter would like to see signage put up in advance of the event. Utility Manager Cassiday and Administration Manager Carr advised they have new signs to notify of No Parking for events. Discussion. All were unanimously in favor of the motion.

4) TOWN ATTORNEY – JIM ROBERTS

A. DISCUSS REVISION OF LAND USE ORDINANCE

Town Attorney Roberts reported there is a draft of the land use ordinance in the Council packets. He will be on the Area Plan Commission agenda for March to have the public hearing concerning this ordinance. He reminded the Council the ordinance changes the lot size and ground floor requirements for R1 properties.

Town Attorney Roberts advised that he has signed up for a seminar on short-term rentals and Airbnb laws next week. He will report back to the Council what he learns.

5) POLICE CHIEF – BEN SEASTROM

A. COUNCIL INQUIRIES

Police Chief Seastrom asked who is supposed to send a letter to Mr. Snow about no longer parking on the street in front of his home and when is the enforcement date to begin. The Council asked Police Chief Seastrom to write the letter and the enforcement date is to be March 1, 2019. He will meet with Mr. Snow regarding the abandoned vehicle on the property.

6) ANY OTHER BUSINESS THAT MAY COME BEFORE THE COUNCIL

Clerk-Treasurer Young advised that next month she will have the opportunity to represent AIM at the National League of Cities Conference in Washington D.C.. She will be able to meet with their Senators and Congressmen to talk about issues that impact Indiana and our community.

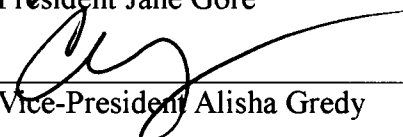
7) ADJOURNMENT

Vice-President Gredy made a motion to adjourn the meeting. Councilmember Crocker seconded the motion. President Gore adjourned the meeting at 9:06pm.

The audio recording made at the Town Council meeting on 2-21-19 is retained in the office of the Town Clerk-Treasurer.

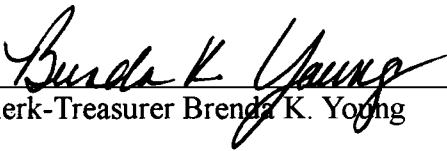


President Jane Gore

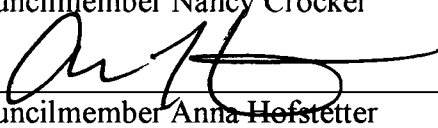


Vice-President Alisha Gredy

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Clerk-Treasurer Brenda K. Young

Councilmember Nancy Crocker


Councilmember Anna Hofstetter

Councilmember Dave Rudd