

**NASHVILLE TOWN COUNCIL MEETING
THURSDAY, SEPTEMBER 20, 2018**

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 – 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 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

Administration Manager Carr asked to add the PRV bid opening. Councilmember Omberg made a motion to approve the agenda with the addition. Councilmember Gredy seconded the motion. All were unanimously in favor.

5) NOTES TO NOTE

President King reported he has noticed an upsurge of drivers running stop signs and asked people to make sure to stop as required.

President King advised they have the new Town park and they welcome any donations toward the park. They must also coordinate with other people on plans for the park. He explained that trees are about to be planted but they don't know where other items may be added in the future such as a shelter house or sidewalks or other potential improvements. President King explained that other committees are also making plans for the park and they all need to work together. He noted they have a Park Committee with Councilmember Gredy as the chairperson.

6) APPROVAL OF THE MINUTES – 8-16-18, 8-23-18 AND 9-06-18 MEETINGS

Councilmember Gredy made a motion to approve the minutes of the 8-16-18, 8-23-18 and 9-06-18 meetings as presented. Councilmember Rudd seconded the motion. All were unanimously in favor.

7) ACCOUNTS PAYABLE VOUCHERS

Vice-President Gore advised that she reviewed the claims this month. Councilmember Omberg asked if there are policies on how to spend grant funds. President King commented that all payments must be approved by the Town Council. Clerk-Treasurer Young explained the process of budgeting, payment process and approvals. Discussion.

President King advised he would like to see a couple things tonight; make the park committee an official park board which will allow them to follow all the budget rules. Vice-President Gore advised that the committee saw the bid for the planters at the park but it looked taller and much more elaborate than what is currently installed. Discussion. Clerk-Treasurer Young commented that they should be transparent and have a committee appointed by the Council, have all meetings posted so that the public can come and comment on things that the Town is working on. Discussion.

Councilmember Omberg made a motion to approve the accounts payable voucher registers for the period of 8-10-18 to 8-31-18 and for the period of 9-01-18 to 9-13-18. Councilmember Rudd advised that he did not want to second the motion because he did not want the Designscape bill paid until they have an itemized bill. Councilmember Omberg then amended his motion to exclude the \$5,000 claim from Designscape. Discussion. Councilmember Gredy seconded the motion. All were unanimously in favor.

Councilmember Omberg made a motion to pay the following invoices for the water CIP project pending receipt of funds: Utility Supply Company, Inc. in the amount of \$424.68, Utility Supply Company, Inc. in the amount of \$3,992.27, Reed and Sons Construction, Inc. in the amount of \$184,181.81, Office Depot in the amount of \$1,528.99, Ice Miller in the amount of \$30,000.00, Beam Longest and Neff in the amount of \$30,468.58, Administration Resources association in the amount of \$9,000.00. Councilmember Rudd seconded the motion. All were unanimously in favor.

8) COMMUNICATIONS

A. WRITTEN

• VICKIE REYNOLDS – WATER & SEWER ADJUSTMENT REQUEST

Vickie Reynolds, owner of Reynolds Leather and Gifts, explained that she has an extremely high water bill of almost \$1,000 and asked that the bill be adjusted. She advised there was a leaking toilet in the building and her employees did not realize it was leaking. A sinkhole had also opened up in the back parking lot and she thought maybe the water had something to do with this. Ms. Reynolds was notified of her high water usage and had a plumber come out and fix the leaking toilet. This high water usage did go on for two billing cycles. Ms. Reynolds reported that she did receive an adjustment on her water bill for the leak but is now asking for a sewer adjustment as well.

President King reported they can do a water adjustment for this leak but not the sewer portion of the bill as the water went through the sewer. Discussion.

Councilmember Rudd made a motion to deny the sewer adjustment. Vice-President Gore seconded the motion. All were unanimously in favor.

• BRIAN HOWEY – WATER ADJUSTMENT REQUEST

Administration Manager Carr advised that Brian Howey is asking for a water adjustment but he was not present for the meeting. The Council did not address this request.

B. AUDIENCE

David Martin, resident and business owner, reported that he too had a leaking toilet at one of his properties. He asked if he could also get a water adjustment for the leak that happened from May through July 17, 2018 when he was notified of the leak and fixed it immediately. Vice-President Gore asked if it is the policy to present a repair bill and allow for an adjustment. Utility Manager Cassiday and Clerk-Treasurer Young advised that customers are allowed two adjustments every two years. Clerk-Treasurer Young noted that a customer must request an adjustment within thirty days of a leak. Councilmember Rudd asked Mr. Martin to bring in his request for an adjustment to the Utility Billing office.

BOARDS AND COMMISSIONS REPORTS

1) BROWN COUNTY VOLUNTEER FIRE DEPARTMENT REPORT

A representative from the Fire Department was not present. Administration Manager Carr advised the Council had copies of the departments run reports in their packets.

2) DEVELOPMENT REVIEW COMMISSION REPORT

A. HISTORIC PRESERVATION ORDINANCE

Administration Manager Carr reported that the DRC met on Tuesday, September 18, 2018 and approved four Certificate of Appropriateness applications including the Calvin House application. She also approved five sign applications and one COA in-house this month.

The DRC has met once for a work session to discuss the proposed Historic Preservation Ordinance. They have also held two public input meetings on the ordinance and will hold another work session on October 16, 2018 at 5pm. Administration Manager Carr advised they will compile all the public input and include the information into the ordinance. Vice-President Gore asked when the ordinance would be ready to come before the Council. Administration Manager Carr reported that they will be holding another public input meeting after the work session so it may be November or December before they will have it ready to come before the Town Council. Town Attorney Roberts asked that he be kept in the loop of the changes to the document.

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

Nothing further presented.

PUBLIC HEARINGS

1) ORDINANCE 2018-11 AN ORDINANCE TO AMEND THE SIGN PROVISIONS OF THE TOWN OF NASHVILLE ZONING ORDINANCE

President King advised that the Federal Government has made rules regarding signage and all towns and cities must comply with these new regulations. Planning and Zoning Director Chris Ritzman reported the Town hired a consultant to help create the ordinance to be compliant with the federal regulations. The Area Plan Commission then made a couple of changes to the ordinance and Planning and Zoning Director Ritzman went over the changes with the Council. Discussion.

Planning and Zoning Director Ritzman reported that the amended sign ordinance before the Council has been recommended for approval of adoption by the Area Plan Commission by a vote of 6-0. Councilmember Omberg noted that internally lit signs are still prohibited in this ordinance.

Councilmember Omberg made a motion to have the first reading of Ordinance 2018-11 by title only. Councilmember Gredy seconded the motion. All were unanimously in favor. Councilmember Omberg read aloud Ordinance 2018-11 by title only.

Councilmember Rudd made a motion to suspend the rules and have the second reading of Ordinance 2018-11 by title only. Vice-President Gore seconded the motion. All were unanimously in favor. Councilmember Omberg read aloud Ordinance 2018-11 by title only.

Vice-President Gore made a motion to adopt Ordinance 2018-11 by title only. Councilmember Rudd seconded the motion. All were unanimously in favor.

2) 2019 BUDGET

President King opened the public hearing for the 2019 budget. Clerk-Treasurer Young reported the budget has been advertised for the Town of Nashville. She advised the budget that is advertised is exactly the same current tax levy that the Town has for 2018. Clerk-Treasurer Young noted she does not anticipate any type of tax increase and all of their budgets do balance.

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Clerk-Treasurer Young advised they will have an adoption of the budget on October 11, 2018 at 6:30pm and the budget is available for anyone to review prior to the adoption. President King asked if there were any questions from the public or Council. President King thanked Clerk-Treasurer Young for all the extra time it takes for her and her staff to do the work on this budget. Councilmember Omberg noted the Department Heads also put a lot of time into the budget as well.

With no questions or comments from the public, President King closed the public hearing.

REPORTS

1) CLERK-TREASURER – BRENDA YOUNG

A. 2019 BUDGET CALENDAR

Clerk-Treasurer Young advised they will have an adoption of the budget on October 11, 2018 at 6:30pm. They should have the approved budget returned to them from the State by the end of the year.

B. 5 YEAR CAPITAL PLAN

Clerk-Treasurer Young reported they have received an email from Umbaugh who has been working on the Town's 5 year capital plan. Umbaugh needed updated financial information from the Town. Clerk-Treasurer Young and Utility Manager Cassiday also provided some changes to the plan to include the software upgrades and ADA updates. Clerk-Treasurer Young asked that they have a conference call with Umbaugh to work on the water and sewer capital plans. Utility Manager Cassiday explained he is working on a draft of the 5 year plan by readjusting some items to make the plan work better as a working tool for their budget. Clerk-Treasurer Young would like a couple of Council members to be a part of the conversation with Umbaugh regarding the 5 year plan to make sure that it is up to date and correct as well as a good working fiscal tool for the Town.

Vice-President Gore and Councilmember Gredy agreed to be a part of the conference call with Umbaugh, Utility Manager Cassiday and Clerk-Treasurer Young

C. COUNCIL INQUIRIES

President King announced that he received an invitation from the Indiana Bond Bank to speak on October 10, 2018 but had to turn down this honor. He did send a letter to them with what he would have said had he been there.

2) UTILITY MANAGER – SEAN CASSIDAY

A. WATER CIP UPDATE

Utility Manager Cassiday reported they are working on closing out this project. They still have a couple of meters that need to be changed out. One is at the Junior High and they will have to shut the water off for a period of time to do the change out, therefore the Town will change out this meter maybe during spring break or over a weekend. Utility Manager Cassiday advised the other meter needing a change out has a deck over the top of it and the Town will replace that meter as well.

B. PAVING UPDATE

Utility Manager Cassiday advised that Freeman Ridge has been paved and it is a beautiful black topped road where the water line replacement work was done. He noted the neighbors are very happy with all the work that was done in their area.

Utility Manager Cassiday advised that the Community Crossing paving on Hawthorne Drive will be delayed as Duke Energy doesn't have the manpower to move the utilities in this area due to the hurricane in North Carolina. He has now heard from Gerhing Underground and they will bore and do

the work for Duke. Utility Manager Cassiday reported that they will now move forward with the paving the end of September or the first part of October. The majority of the work will be done from Chestnut to Willow Street. The pavers will leave one lane open during the work and both lanes will be open in the evenings. Councilmember Omberg asked if the Police Department will get a new parking lot during this project. Utility Manager Cassiday advised he is looking into this, it will depend on how much money he has left over.

Utility Manager Cassiday reported that he met with Charlie Day of DLZ today and they worked on the Community Crossing grant application. They worked on the roads to be a part of the grant funds in 2019 and their main focus is Old State Road 46. Utility Manager Cassiday confirmed that he spoke with Brown County Highway Director Mike Wagner about the work on this road and they have agreed to do some ditching after the paving. They talked about how to pave the road so that the County trucks will not break down the new pavement. Utility Manager Cassiday advised the plan is to do this work next summer and depending on funds they may add on other small roads that need resurfacing.

Councilmember Rudd asked if the pavers doing the work this fall could lay a fine patch around the corner of the hill by the fairgrounds. Utility Manager Cassiday reported that he has already talked with the pavers about this and they can do it if the Town has the funds to do the work.

Vice-President Gore thanked Utility Manager Cassiday for getting the curb cut done on Gould Street.

C. COUNCIL INQUIRIES

President King announced that Duke Energy released a statement about a scheduled outage on November 18-19 from 11pm to 6am. Those customers served by Duke Energy in the Town of Nashville and surrounding area will be without power during that time. President King reported that Duke Energy will be replacing the high voltage lines and have to shut down the electricity to do the work. Police Chief Seastrom noted there will be lane closures on Clay Lick Road while the work is being done. Discussion.

D. PRV BID OPENING

Administration Manager Carr opened the PRV bids in the following order:

- Subsurface of Indiana - \$110,500.00
- Reed and Sons - \$102,800.00
- Infrastructure Systems - \$132,00.00

Councilmember Omberg moved to take the bids under advisement. Vice-President Gore seconded the motion. All were unanimously in favor of the motion.

3) ADMINISTRATION MANAGER – PHYLLIS CARR

A. RIGHT-OF-WAY REQUEST

- **NASHVILLE UNITED METHODIST CHURCH – FALL FARE – OCTOBER 5-6, 2018**

Administration Manager Carr advised she has a right-of-way request from the Nashville United Methodist Church Fall Fare on October 5-6, 2018. The parking spaces would be blocked on Friday, October 5th and the streets would be blocked Saturday, October 6th. Administration Manager Carr noted the streets to be blocked are Jefferson Street from Old Hickory Lane to Molly's Lane and West Main from Bittersweet Lane to Honeysuckle Lane, these are the same streets that are blocked each year.

Councilmember Rudd moved to approve the right-of-way request. Councilmember Gredy seconded the motion. All were unanimously in favor.

4) POLICE CHIEF – BEN SEASTROM

A. COUNCIL INQUIRIES

Police Chief Seastrom advised that since the Town is building a park and have play spaces they need to revisit their ordinances on how those areas are used and what hours. He asked the Council's permission to utilize the Town's attorney for up to an hour to do this research. Police Chief Seastrom noted there are state statutes that determine what kind of conduct can take place in these places. The Council agreed and Town Attorney Roberts asked that he and Police Chief Seastrom meet next Monday.

5) NASHVILLE PARK COMMISSION

President King announced at this time he would entertain a motion to make the Nashville Town Park Committee a Commission. Councilmember Rudd made this motion. Vice-President Gore seconded the motion. Councilmember Gredy asked if the Village Green could be included in the Commission's jurisdiction. Clerk-Treasurer Young thought this would be a good idea as one commission could report back to Council for all the park areas. Councilmember Rudd amended his motion to include the Village Green area. Vice-President Gore seconded the amendment. All were unanimously in favor of the motion.

Vice-President Gore advised that Rotary is to install trees at the new town park on Saturday but she can put a hold on installing the trees or redirect where they will be planted. Discussion. Councilmember Omberg suggested that the new park commission make this decision. Councilmember Gredy, current chairperson of the commission, would like to advertise for potential commission members. Clerk-Treasurer Young noted they have an interest form that people can complete if they want to be appointed to any of the Town's commissions.

6) DLZ AGREEMENT FOR ENGINEERING SERVICES

Utility Manager Cassiday presented an agreement with DLZ for consulting services for the year. He explained that DLZ is helping the Town with the ADA project as well as helping to submit the information for the Community Crossing grant applications. Councilmember Rudd made a motion to allow Utility Manager Cassiday to sign the agreement with DLZ. Councilmember Omberg seconded the motion. All were unanimously in agreement.

7) TOWN ATTORNEY – JIM ROBERTS

A. UPDATE ON WATER SUIT

Town Attorney Roberts reported that they are currently in the summary judgement phase of the suit. At this time both the plaintiff, Brown County Water Utility, and the defense, the Town's water utility, have both filed motions saying they should win. Town Attorney Roberts advised that the briefs have been filed by the Town's attorneys about 20 days ago. Two days ago the filing from Brown County Water Utility was filed. The Town's attorneys have an opportunity to file a reply to their brief by October 17, 2018. Town Attorney Roberts explained at that time the matter will be fully briefed and it will be on the judge's desk to make a determination on the case. Town Attorney Roberts believes they will be getting a ruling before the end of the year. Discussion.

B. DISCUSS REVISION OF LAND USE ORDINANCE

Town Attorney Roberts reported that at last month's meeting Councilmember Rudd made a request that they review and update the residential zoning code. Town Attorney Roberts has looked at what the Town currently has on the books and explained the procedure to change land use is that a public hearing

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is held by the Area Plan Commission, they then give a recommendation to the Town Council, the Council can then follow the recommendations or not. Town Attorney Roberts asked what direction the Town Council wants to go in this area and reviewed some points of interest with the Council.

Town Attorney Roberts advised the town currently has three residential districts; R1, R2 and RB and he explained the description of each of these districts. Discussion.

Councilmember Rudd asked what Planning and Zoning Director Ritzman's suggestions would be to clean up the town's zoning issues. He also asked how the County is able to decrease the lot sizes and why does it seem harder for the Town to do the same thing. Planning and Zoning Director Ritzman explained that most of the Town's land is already developed. Discussion.

Planning and Zoning Director Ritzman commented that with the advent of the proposed Historic Preservation Ordinance, it seems that it will be a lot of moving parts to take on all at once. Town Attorney Roberts agreed there are a lot of moving parts, but noted they are at a point in the County and Town where they are sort of reinventing themselves and developing. Discussion.

Town Attorney Roberts asked if they can reach some sort of consensus if they want lot sizes to go up, to go down, single family restrictions to go out, floor plan size to be changed, he can put something together and then they can take it to a public hearing. Councilmember Omberg asked how long it would take Town Attorney Roberts to complete. Town Attorney Roberts advised all he has to do is change some numbers in appendix A, propose an ordinance to amend the appendix numbers.

Vice-President Gore asked that they keep this topic on the agenda. Town Attorney Roberts agreed and asked that the Council give him further instructions if they want him to proceed on making changes. Town Attorney Roberts will email the Council his notes on the current residential zoning in town.

8) ANY OTHER BUSINESS THAT MAY COME BEFORE THE COUNCIL

Nothing presented.

9) ADJOURNMENT


Councilmember Omberg made a motion to adjourn the meeting. Councilmember Gredy seconded the motion. President King adjourned the meeting at 7:58pm.

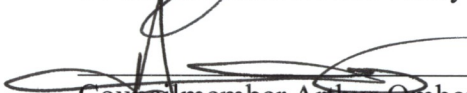
The audio recording made at the Town Council meeting on 9-20-18 is retained in the office of the Town Clerk-Treasurer.

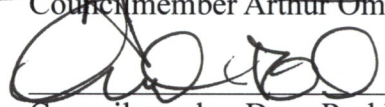

Clerk-Treasurer Brenda K. Young


President Charles B. King


Vice-President Jane Gore


Councilmember Alisha Gredy


Councilmember Arthur Omberg


Councilmember Dave Rudd