



TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
December 4, 2012
At 7:00 PM

Call To Order: President Brett Foster called the meeting to order and gave the prayer. President Foster called for the roll call and the members of the Town Council were present or absent as follows:

Present:	Brett Foster	Absent:
	Jerry Cook	
	Kay Hartley	
	Eric Hayden	
	Dennis Schrumpf	

President Foster declared a quorum present.

Others Present: Jan Unger, Clerk Treasurer
Charlie Cambre, Park Superintendent
Pat Comer, Street & Utilities Director
Dave Hildebrand, Police Chief
Steve Peachey, Fire Chief
Paul Munoz, Cicero/Jackson Township Plan Commission Director
John Culp, Town Attorney
Keith Bryant, Town Engineer

Approval of Prior Minutes:

Town Council Meeting Minutes, November 20, 2012, 7:00 PM – Mr. Schrumpf made a motion to approve the Town Council Meeting minutes for November 7, 2012 Ms. Hartley seconded, motion passed.

Approval of Agenda:

Mr. Bryant asked to add under the Engineering Report a discussion on the ADA Transition Plan. Mr. Hayden made a motion to approve the agenda as presented. Mr. Cook seconded, motion passed.

Approval of Claims:

Ms. Hartley made a motion to approve the claims as presented. Mr. Cook seconded. Motion passed.

Petitions by Citizens:

There were none.

President's Report:

President Foster had nothing this evening.

Council Committee Reports:

Nothing

Legal Counsel Report-John Culp:

1. Mr. Culp stated that he had the Redistricting Ordinance ready and it would be discussed later in the meeting.

2. Mr. Culp reviewed the case regarding the Town of Crothersville where the District Judge Sarah Evans Barker found in favor of the water user's due process right when it failed to provide the delinquent utility customer with a meaningful opportunity to be heard before there was a disconnection with regard to shutting off water. Mr. Culp stated that he was preparing an ordinance to comply with the findings and appointing a hearing office. Mr. Culp asked the Council who they would like to appoint as the hearing office. There was a discussion. Ms. Unger stated that she did not think it should be the Clerk Treasurer as she would be presenting information regarding the customer's account for the Town. It was decided that each January the Council would appoint who they wanted as the hearing officer.

Cicero/Jackson Township Plan Commission Report-Mr. Munoz

Mr. Munoz informed the Council that his computer crashed and the Town's IT person would have to rebuild the entire computer. The cost of a new computer would be close to the same cost and he has it in his budget. Mr. Munoz informed the Council that he has order a new tower and it should be here in the next day or two.

Town Engineer Report-Mr. Keith Bryant-Mr. Bryant

1. Jackson Street Pedestrian Walkway – Mr. Bryant reiterated the fact that the Town received the additional funding from the MPO and TE for the Jackson Street Pedestrian Pathway. Mr. Bryant stated that United had contacted Duke about options to get the wires underground. Duke came back and said that it would cost \$250,000 to do any of the options and additionally the original cost quoted to the Town for the project would be 60% higher or an additional \$125,000. United is working with the Utility Coordinator from INDOT and there is a meeting scheduled for December 17th, 2012 at 10:00 AM. Mr. Bryant stated that he would like to have two Council members at the meeting. Mr. Foster said that he and Mr. Hayden would attend.
2. Stringtown Pike Walkway – Mr. Bryant have inspected the path and the grading, planting and straw have been completed. They will be doing a walkthrough next week with the contractor. The contractor will be billing soon for the construction portion and the Town will be holding a portion until spring. Mr. Foster inquired about an additional path between the two baseball parks and Mr. Bryant suggested that we finish this project and then next year look at that. There was a question about connecting the path to the Wareham's Pond addition and Mr. Cambre stated that has been done with the approval of Jennifer Shea which he has in writing.
3. ADA Transition Plan – Mr. Bryant informed the Council that Mr. Comer has the street and sidewalk inventory completed and Mr. Munoz is working on the buildings. Mr. Bryant stated with regard to the sidewalks they had considered if the were too narrow; if there was a ½ inch irregular service; ramps; and surface. If the Town corrected all of the issues the cost would be approximately \$630,000 to comply. This could be scheduled out over several years and within the limits of the Town Council funds available. Mr. Bryant stated that he did need some input from the Council.
 - a. On Pearl Street the east side is new and compliant. On the west side there is a long section that has no sidewalks and a section that has sidewalks but may need some attention. Mr. Bryant inquired if the Council was okay with sidewalks only on one side of a street. There was a discussion. Mr. Hayden made a motion to approve only having sidewalks on the east side of the Pearl Street and bringing the existing sidewalk on the west side in compliance and connecting it to the in some way to the east side. Where there has never been a sidewalk to leave as is. Mr. Cook seconded, motion passed.

- b. Mr. Bryant then discussed with the Council the Town Hall Building at 70 N. Byron. Mr. Bryant stated that there was no way to bring the building up to the accessible standards. In the Transition Plan Mr. Bryant suggested that the Town stated that in the next 10 years or so the Town plans to build a new fully accessible Town Hall. There was a discussion by the Council and it was decided that that in the Transition Plan it should state that the new Town Hall would be built in the next 15 years.
- c. There was a discussion on SR 19 sidewalks and Mr. Bryant stated that United position was that those sidewalks were the responsibility of the State.
- d. Mr. Bryant stated that the Council needed to have a budget for the Transition Plan. With the decisions above the estimated budget would be \$500,000 to \$550,000. Mr. Bryant stated that the accessible walkway on Jackson Street across the reservoir should be counted for 2013. There was a discussion by the Council and then Mr. Hayden made a motion to approve \$25,000 per year for improvements. Mr. Cook seconded, motion passed.

Old Business:

Council To Consider Non-exclusive Utility Easement For New Cingular Wireless PCS, LLC At The West Buckeye Cell Tower Location.

Mr. Culp explained some changes that were made to the original easement agreement and reviewed the content of the agreement. Ms. Hartley made a motion to approve the Non-exclusive Utility Easement For New Cingular Wireless PCS, LLC At The West Buckeye Cell Tower Location. Mr. Schrupf seconded, motion passed.

Council To Consider Ordinance 12-04-2012-1 Election Districts –Decennial Redistricting.

Mr. Foster introduced Ordinance 12-0412012-1. Ms. Hartley informed the Council that the committee had met and decided on the districts however there was some discussion on the written description of each district. Ms. Kathy Richardson at the voter office for the county has worked on the written description and the committee would like to review it and if agreed change the language in the ordinance. Ms. Hartley asked to table this item for this evening to December 18th. Mr. Schrupf made a motion to table Ordinance 12-04-2012-1 Election Districts –Decennial Redistricting. Mr. Hayden seconded, motion passed.

New Business:

Council To Discussion The Amount Of Salary Increases For Certifications For Water And Wastewater.

Ms. Unger explained to the Council that in the utilities department's salaries there was a provision to give employees a \$.20 per hour increase for certifications they received. Ms. Unger stated that this has not changed since 2000. Recently an employee received a couple of certifications and they were given the \$.20 per hour but Mr. Come and Ms. Unger would like to raise this to \$.40 per hour. Mr. Cook concurred that he put this program in place and that it has always been \$.20 per hour. There was a brief discussion and Mr. Schrupf made a motion to approve amending the salary ordinance retroactive to January 1, 2012 to \$.40 per hour for certifications and for the year 2013. Ms. Hartley seconded, motion passed.

Council To Consider Park Fees for 2013.

Mr. Cambre stated that the rates were that same as 2012. Mr. Cook made a motion to approve the fees for the Cicero Parks department as presented for 2013. Mr. Schrupf seconded, motion passed.

Council To Open Quotes For Town Hall Roof Repair.

There was a discussion when we should get proposals for a project. Mr. Cook stated that it should be over a certain amount. Ms. Unger explained that she did not know how much this project was going to cost therefore she asked for proposals. The proposals were opened.

Altherr Construction	\$200.00
Mayhew Construction	\$160.00
Elite Roofing	\$425.00
Gray Roofing	\$475.00

Mr. Hayden made a motion to approve the lowest proposal. Mr. Cook seconded, motion passed.

Miscellaneous

Nothing.

Comments By Citizens

Michael DeVries introduced himself and a friend, Barkley Haney from Hamilton Southeastern High School stating that they were observing the Council Meeting this evening.

Signatures on Official Documents!

Motion To Adjourn:

Mr. Hayden made a motion to adjourn. Mr. Cook seconded, motion passed.

Signatures on Official Documents!

Brett S. Foster – President

Jerry G. Cook- Vice-President

Sylvia Kay Hartley

Eric C. Hayden

Dennis D. Schrumpf

Attested: _____
Jan Unger, Clerk Treasurer

The Next Cicero Town Council Meeting will be on December 18th, 2012 at 7:00 PM at the Cicero Town Hall.