



**TOWN OF CICERO  
TOWN COUNCIL MEETING MINUTES  
July 17, 2012  
At 7:00 PM**

**Call To Order:** President Brett Foster called the meeting to order and Mr. Schrupf 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  
Jerry Cook  
Kay Hartley  
Eric Hayden  
Dennis Schrupf

**Absent:**

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  
John Culp, Town Attorney  
Keith Bryant, Town Engineer

**Approval of Prior Minutes:**

**Town Council Meeting Minutes, 3, 2012, 7:00 PM** – Ms. Hartley made a motion to approve the Town Council Meeting Minutes of July 3, 2012. Mr. Hayden seconded, motion passed.

**Approval of Agenda:**

Ms. Unger asked to add under Committee Reports the Council appointing a member to the Cicero/Jackson Township Work Comp Committee. Mr. Schrupf made a motion to approve the Agenda as amended. Ms. Hartley seconded, motion passed.

**Approval of Claims:**

Mr. Cook made a motion to approve the Claims as presented. Mr. Schrupf seconded, motion passed.

**Petitions by Citizens:**

**Mr. Joe Katuin** informed the Council that the Lights Over Morse Lake (LOML) committee met on July 12<sup>th</sup> to discuss the rescheduling of the fireworks. There was much discussion and the conclusion was that by Labor Day the drought conditions would probably not improve. The LOML Committee decided that they would cancel the fireworks for 2012 and move the funds to the 2013 celebrations. In 2013 the festival will begin on July 4<sup>th</sup> with the fireworks and end on Saturday, July 6<sup>th</sup>.

**Cicero Town Council To Open Bids For 2012 Resurface Projects**

The Council received seven bids for the 2012 Resurface Project. The results of those bids are attached. Ms. Hartley made a motion to take the bids under advisement. Mr. Hayden seconded, motion passed.

**Cicero Town Council To Open Bids For Stringtown Pike/Ballpark Pedestrian Walkway.**

The Council received five bids on the Stringtown Pike/Ballpark Pedestrian Walkway. The results of those bids are attached. Mr. Cook made a motion to take the bids under advisement. Mr. Schrupf seconded, motion passed.

**President's Report:**

President Foster read Proclamation for FAITH, HOPE AND LOVE. Ms. Hartley made a motion to confirm the Proclamation. Mr. Cook seconded, the motion passed.

**Council Committee Reports:**

**Cicero/Jackson Township Work Comp Committee** - President Foster inquired if there was someone from the Council willing to volunteer to be a member of the Cicero/Jackson Township Work Comp Committee. Mr. Schrupf agreed to be on the committee. Mr. Hayden made a motion to appoint Mr. Schrupf to Cicero/Jackson Township Work Comp Committee. Mr. Cook seconded, motion passed.

**Legal Counsel Report-John Culp:**

Mr. Culp stated that he had received information regarding a class action lawsuit against J.P. Morgan and Wells Fargo regarding investments made with them from 1992-2011. Mr. Culp inquired if Ms. Unger knew of any investments the town may have made with these two entities during that time and she said that she knew of none.

**Cicero/Jackson Township Plan Commission Report-Dan Strong**

No one was available.

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

Mr. Bryant reviewed the following

1. Stringtown Pike/Baseball Park Path – Mr. Bryant stated that the bids were open this evening and United will be reviewing them.
2. Jackson Street Pedestrian Path – Mr. Bryant stated that the bids will be received by IDEM on August 8<sup>th</sup> and when he knows the results he will let the Council know.
3. I & I – Mr. Bryant stated that the wastewater department has finished all of the flooding and testing of the storm sewer. United has reviewed the results. Mr. Bryant distributed a review of their findings and a diagram of the results. The red on the diagram shows where the failures were. The yellow dots shows where they know what the problem is as described on page one. Page two is a list of problems that they are aware of. Mr. Bryant informed the Council that it is United's recommendation that they hire a company to televise the area where they do not know what the problem is. The estimated cost by United is \$21,924. Mr. Culp was asked if the Town had to do a formal request for proposals. Mr. Culp stated that the Town did not have to get three proposals on this amount. Mr. Foster surveyed the Council and the consensus is to proceed with televising the lines. Mr. Bryant informed the Council that the Town did receive a letter from IDEM stating that they were closing the violation, but Mr. Bryant felt that it was good to proceed with correcting all of the problems.

## **Old Business:**

### **Council To Discuss The Watering Ban.**

Mr. Foster stated that at the Staff Meeting there was a consensus to expand the watering ban to no sprinkling, washing vehicles, and washing of outside surfaces. The ban would exclude hand watering plants, gardens, and topping off pools. Mr. Culp reviewed the ordinance and there was a discussion. It was noted that there may be a problem with the version on the ordinance that Mr. Culp had. Mr. Schrupf made a motion to table while Mr. Culp has a chance to review. Mr. Hayden seconded, motion passed.

### **Council To Approve President To Sign Contract For Repair Of Fire Station With Myer Construction Management, Inc.**

Mr. Culp informed the Council that he has reviewed the contract with Myer Construction Management, Inc. and found no fault or objections with it. Ms. Hartley made a motion to approve the contract and to give Mr. Foster permission to sign. Mr. Cook seconded, motion passed.

## **New Business:**

### **Council To Consider Ordinance 07-17-2012-1 2013 Salary Ordinance.**

There was a discussion on the ordinance. Mr. Hayden made a motion to approve the 2013 Salary Ordinance 07-17-2013-1. Mr. Schrupf seconded, motion passed.

## **Miscellaneous**

1. Mr. Hayden made a motion to untable the Discussion on the Watering Ban. Mr. Cook seconded, motion passed. Mr. Culp reviewed the Town of Cicero Code of Ordinances 50.25 through 50.33. The Council discussed Sec. 50.29 Mandatory Conservation.
  - a. Mr. Schrupf made a motion to declare an emergency and implement mandatory water conservation. Mr. Schrupf's motion included that there be no use of sprinklers, no sale of pool water, no vehicle washing, and no washing of outside surfaces. The motion allowed handheld water with a hose for new trees and scrubs, flowers and vegetable gardens, and topping off pools as needed. Additionally Mr. Schrupf included fines to be implemented as follows: 1<sup>st</sup> offence would be a warning; 2<sup>nd</sup> offence \$50; 3<sup>rd</sup> offence \$100; 4<sup>th</sup> offence \$200; 5<sup>th</sup> offence \$500; and 6<sup>th</sup> offence \$2,500. Mr. Cook seconded, the motion, motion passed.

## **Comments By Citizens**

Mr. Tyler Orton who lives in Morse Landing addressed the Council stating that he was representing his neighborhood regarding the fireworks. Mr. Orton stated the displeasure of the citizens on how the Town Council handled the fireworks. He stated that the Town missed an economic opportunity by not having the fireworks and thought they jumped the gun in canceling them. Mr. Orton stated that other communities in the county went on with their displays and was disappointed that Cicero canceled theirs. Mr. Foster stated that there was much consideration that went in to the decision. Mr. Foster stated that

when the Hamilton County Commissioners declared an emergency for the entire County and with the advice of the Town's public safety personnel, it was a unanimous decision by the Council to not shoot off the fireworks. Mr. Foster stated that the public safety of the town residents is the Town Council's highest priority and responsibility. Mr. Foster stated that there is a lot of planning that goes into the celebration, with the hiring of additional police officers, fire personnel, medics, volunteers for parking etc., and that the decision would have been very difficult to reverse. Mr. Foster stated that he wasn't sure if it was the right or wrong decision, however it was the safe decision. Mr. Foster said that with the addition of this year's proceeds, next year's fireworks promise to be the biggest and best ever!

Mr. Mike Murphy thanked the Council for the Proclamation for FAITH, HOPE AND LOVE. Mr. Murphy stated that it was timely. Mr. Murphy informed the Council of the Cicero Food Drop at the high school being done by Gleaners Food Bank and Good Samaritan Network next Thursday, July 26<sup>th</sup> at 3:00 PM.

Mr. Murphy stated that there was a lot of opportunity for citizens to volunteer on committees in the community with regard to Mr. Orton's comments, particularly with the Lights Over Morse Lake committee. That way they can be involved and know what and why certain decisions are being made.

**Signatures on Official Documents!**

**Motion To Adjourn:**

Mr. Schrupf made a motion to adjourn. Ms. Hartley seconded, motion passed.

**Signatures on Official Documents!**

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Brett S. Foster – President

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Jerry G. Cook- Vice-President

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Sylvia Kay Hartley

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Eric C. Hayden

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Dennis D. Schrupf

Attested: \_\_\_\_\_  
**Jan Unger, Clerk Treasurer**

**The Next Cicero Town Council Meeting will be on August 7, 2012 at 7:00 PM at the Cicero Town Hall.**

| Bids for Stringtown Pike/Ballpark Pedestrian Walkway       |                                      |   |              |  |               |
|--|--------------------------------------|---|--------------|--|---------------|
| Opened by  |                                      |   |              |  | BID           |
| Ms. Hartley  | CAT Excavating, Inc.                 | 5424 E. 1050 South<br>LaFontaine, IN 46940  | 765-981-2455 |  | \$ 193,000.00 |
| Mr. Schrumpf   | Glove Asphalt Paving                 | 6445 E. 39th St.<br>Indianapolis, 46219     | 317-568-4344 |  | \$ 345,300.00 |
| Mr. Cook   | Grady Brothers, Inc                  | P.O. Box 421519<br>Indianapolis 46242       | 317-244-3343 |  | \$ 243,000.00 |
| Mr. Foster   | Yardberry Landscap<br>Excavating Co. | 9940 S 1000 W<br>Anderson, IN 46017         | 765-378-5783 |  | \$ 248,000.00 |
| Mr. Hayden   | Rieth-Riley Const.                   | 1751 W. Minnesota St<br>Indianapolis, 46206 | 317-634-5561 |  | \$ 217,000.00 |
| Opened at the Cicero Town Council Meeting on July 17, 2012 |                                      |   |              |  |               |

