



TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
June 5, 2012
At 7:00 PM

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

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

Declared a quorum present.

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

Council To Open Proposals For Repair Of Front Of Fire Station.

The Town received one bid for the repair on the front of the Fire Station. That bid was from Myers Construction Management, Inc. They proposed two options: 1. Redland Tru-Bix Antique Over size for \$114,800 and 2. Redland Antique Oversize for \$118,300. Additionally they had several Alternate options. There was a discussion by the Council with some members wanting to negotiate the project with Myers and others wanting to rebid. Mr. Culp said they could do either. Mr. Culp inquired if there were other interested parties and Fire Chief Peachey stated that there was one that did not respond and one that said they did not have enough time. Mr. Schrumpf made a motion to get new proposals. Mr. Cook seconded the motion. There was another discussion. Ms. Hartley stated that she would prefer to negotiate the current proposal to get the project moving along. Mr. Foster called for a vote; 3-1 with Ms. Hartley voting nay.

Approval of Prior Minutes:

Town Council Meeting Minutes, May 15, 2012, 7:00 PM – Ms. Hartley made a motion to approve the Town Council Meeting Minutes of May 15, 2012 with corrections. Mr. Cook seconded, motion passed.

Emergency Town Council Meeting Minutes, May 22, 2012, 7:30 AM - Ms. Hartley made a motion to approve the Emergency Town Council Meeting Minutes of May 22, 2012 with corrections. Mr. Cook seconded, motion passed.

Approval of Agenda:

Mr. Foster added under New Business Council To Consider Approving Letting Out Bids For Paving. Ms. Unger asked to add under Mr. Culp a discussion on the Town's Liability Insurance. Mr. Cook made a motion to approve the Agenda with the additions. Mr. Schrupf seconded, motion passed.

Approval of Claims:

Ms. Hartley had a couple of questions that were answered. Mr. Cook made a motion to approve the Claims as presented. Mr. Schrupf seconded, motion passed.

Petitions by Citizens:

There were none.

President's Report:

1. President Foster informed the Council the he and Fire Chief Peachey attended a meeting on June 1st with the Township deputy fire chief; Township board member Glen Schwartz; President of the Fire Territory, Maurice St. Louis; and the Township trustee; Chris Miller. Mr. Foster received and read a letter from the Boards of Jackson Township and the Jackson Fire Territory. The letter was a thank you for the June 1st meeting and for working with them.
2. President Foster read a letter from Sam Graves at Beach Place commending David Waugh and Scott Griffin for work they did at Beach Place.
3. President Foster informed the Council that the Town would be receiving \$35,303.53 from the Southwest TIF District and \$17,597.29 from the Southeast TIF District.

Council Committee Reports:

There were none.

Legal Counsel Report-John Culp:

1. Liability and Property Insurance – Mr. Culp recommended that the Town raise their liability insurance to meet the Tort Claim law requirements in Indiana. Mr. Culp stated that the Tort Claim law was \$700,000 per person and \$5,000,000 per incident. The Council had a discussion on the renewal proposal with Walker and Associates for the liability and property insurance. Mr. Cook made a motion to approve the Walker and Associates proposal changing the liability to meet the state law. Mr. Schrupf seconded, motion passed.

Cicero/Jackson Township Plan Commission Report-Mr. Strong.

Mr. Strong reported that he had nothing but Mr. Munoz would like to discuss with the Council the Consultant for Comprehensive Plan and to ask for permission for Mr. Munoz to Sign Contract.

1. Mr. Munoz informed the Council that last year the money was transferred to use for the comprehensive plan but the plan was not completed. He is asking again for this money to be transferred within the plan commission budget to use this year. The resolution for the transfer is addressed later on the agenda.
2. Mr. Munoz informed the Council that the Comprehensive Committee received 5 proposals to complete the comprehensive plan. They reviewed the proposals and interviewed 2 companies. The Committee decided on a company called The Planning Workshop. The committee decided that they were the most responsive and responsible to the needs of the Town. The cost is \$38,550 and they plan on spending about \$20,000 each of 2012 and 2013.

3. Mr. Munoz informed the Council that he met with the Jackson Township Trustee Board and they have agreed to participate in the cost of the Comprehensive Plan. Mr. Munoz will pay for the cost out of his budget. Then at the end of the year they will be billed for their portion of the deficit as always including the Comprehensive Plan costs. For the total project the cost should be \$15,000 for Jackson Township and \$23,000 for Cicero.
4. Mr. Culp discussed the contract stating to be sure to include the e-verify clause.
5. Mr. Schrupf made a motion to accept The Planning Workshop proposal and to allow Mr. Munoz to sign the contract. Ms. Hartley seconded. Mr. Strong stated that they hoped to get some financial help with grants. Motion passed.

Mr. Munoz updated the Council on the activities for the Arts Trail Weekend. Mr. Munoz stated that there were 14 rain barrels that sold for a total of \$2,300; one additional barrel was painted by kids hand prints at the event directed by Kiwanis and will be displayed in front of the Utilities Office. This money will go to the parks. The Elementary School's rain barrel won People's Choice. The Artist's were all pleased and there was good response for the event. They plan to hold the event again next year.

Mr. Foster inquired if the minutes and agenda were on the website yet. Mr. Munoz stated that it should be taken care of next week.

Town Engineer Report-Mr. Keith Bryant –

1. Written report attached.
2. There was a Rule 5 - Notice of Intent (NOI) State Form 47487, Indiana Department of Environmental Management Office of Water Quality that needed to be signed by Mr. Foster. Mr. Bryant would like for the Council to give him permission to sign. Mr. Cook made a motion to allow Mr. Foster to sign the Rule 5 Notice. Mr. Schrupf seconded, motion passed.
3. Mr. Comer reminded the Council that there was a task order from Mr. Bryant regarding the extension of water and sewer in Cicero that should be addressed at the next Council Meeting.

Old Business:

Council To Consider Ordinance 06-05-2012-1 Amendment To the Towns Personnel Policies Handbook Regarding Nepotism, Elective Officers and Town Employment Restricted, and Contracting with the Town.

Mr. Culp explained that he would like the Council to table this as they were still doing some research on what responsibility the Town has with this new law. Mr. Schrupf made a motion to table. Mr. Cook seconded, motion passed.

Council To Consider Resolution 06-05-2012-2 Transfer of Funds For Plan Commission Comprehensive Plan.

Mr. Schrupf made a motion to approve Resolution 06-05-2012-2 Transfer of Funds. Ms. Hartley seconded, motion passed.

New Business:

Council To Consider Approving Letting Of Notice To Bidders For 2012 Paving Project.

Mr. Comer said that Police Chief Hildebrand would like to include in the Notice the police parking lot and alleys surrounding the lot. The approximate cost would be \$20,000. Chief Hildebrand stated that it needed to be done but could wait until next year. Mr. Schrupf suggested that it be included as an alternate bid. Mr. Schrupf then made a motion to approve the Notice to Bidders including the Police lot and alleys as an alternate bid. Mr. Cook seconded, motion passed.

Miscellaneous

1. Brett Morrow Addressed the Council concerning the drainage in the alley behind his new business at 99 S Peru. Mr. Morrow stated that he did not think that he should be responsible for any of the drainage problems caused by Wyatt's. Ms. Hartley recused herself from the discussion. Mr. Foster agreed with Mr. Morrow. Mr. Cook stated that the Town would participate in a big way. Mr. Schrupf stated that he saw both sides. Mr. Comer said that the alley was supposed to drain into the underground drainage installed by Wyatt's and it did not. Wyatt's was supposed to correct. Council asked Mr. Comer if he could tear out the alley if Mr. Morrow would install. This is what the Council agreed to.
2. Kids Go Fishing – Mr. Cambre informed the Council that the Kids Go Fishing Day was a big success. There were approximately 75 kids there. Everyone had a good time. Thanks to Mike Murphy, who does a ban up job, on this program.
3. Mr. Comer stated that if there isn't rain soon we may have to start watering restrictions. He would suggest when the time comes to have the restrictions every other day with odd and even addresses, odd address on Monday and Wednesday and even addresses on Tuesday Thursday and to have no watering on Friday, Saturday, and Sunday. Council agreed with this.
4. Mr. Culp stated that there are new state requirements for annexation and he will present a policy to the Council next meeting.
5. Mr. Comer inquired about redistricting. Ms. Unger said that she needed to get information from the elections office and then we could begin.

Comments By Citizens

There were none.

Signatures on Official Documents!

Motion To Adjourn:

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

Signatures on Official Documents!

Brett S. Foster – President

Jerry G. Cook- Vice-President

Sylvia Kay Hartley

Eric C. Hayden

Dennis D. Schrupf

Attested: _____
Jan Unger, Clerk Treasurer

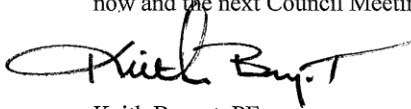
The Next Cicero Town Council Meeting will be on May 1, 2011, at 7:00 PM at the Cicero Town Hall.

**Town of Cicero
June 5, 2012 Town Council Meeting**

Engineer's Report

- 1. S. Stringtown Pike Ballpark Walkway:** We have submitted the Erosion Control Permit application for the project to the Hamilton County Surveyor's office – the cover letter for the NOI is attached. We need Brett to sign and return to our office so that we can file this once we receive Hamilton Co.'s approval. We have also contacted Mr. Jay Keith with IDNR for their approval to advertise for bids. Finally, Frontier has returned a proposal for \$8,403 to relocate a couple of their pedestals. We are reviewing options and believe that we can make modifications and mitigate most if not all of this cost. We still hope to be able to advertise at the next meeting upon approval from IDNR.
- 2. Jackson Street Pedestrian Path Project** –We received confirmation of final approval from INDOT including their land acquisition section and are on the letting (bid receipt) for August 8. It usually takes about a month for INDOT to get all awards made so we may look at some work beginning in September of 2012. Thanks to everyone for all of the efforts resolving the difficult land acquisition with Citizens Energy Group.
- 3. Cicero – I & I Investigation:** Town personnel finished the storm sewer flood and dye program and we met with them to review the notes and details. We are evaluating and the next step will involve some more detailed targeted investigation in areas that the specific problem and type of connection is unknown.

As always, feel free to contact me via phone or email should any questions arise between now and the next Council Meeting.



Keith Bryant, PE
United Consulting

United Consulting