

MINUTES CICERO TOWN COUNCIL MEETING
March 5, 2013, Town Hall 7:00 PM
Cicero Town Hall, 70 N. Byron Street

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

| | | |
|-----------------|-----------------|----------------|
| Present: | Eric Hayden | Absent: |
| | Jerry Cook | |
| | Brett Foster | |
| | Kay Hartley | |
| | Dennis Schruppf | |

President Cook declared a quorum present.

Others Present: Jan Unger, Clerk Treasurer
Charlie Cambre, Park Superintendent
Pat Comer, Street & Utility Director
Dave Hildebrand, Police Chief
Steve Peachey, Fire Chief
Paul Munoz, Plan Commission Director
John Culp, Town Attorney

Town Council To Hold Public Hearing For Additional Appropriations For Rainy Day, CCD, & CCI.

Mr. Foster made a motion to open the Public Hearing. Mr. Hayden seconded, motion passed. Ms. Unger read the requested Additional Appropriations. President Cook inquired if there were any comments from the Public. There were none. Mr. Hayden made a motion to close the Public Hearing. Mr. Foster seconded, motion passed.

Council To Consider Ordinance Number 03-05-2013-1 Additional Appropriations For Rainy Day, CCD, And CCI Funds.

Mr. Hayden made a motion to approve Ordinance Number 03-05-2013-1 Additional Appropriations for the Rainy Day, CCD, and CCI Funds. Mr. Schruppf seconded, motion passed.

Approval of Prior Minutes:

Town Council Executive Session, February 19, 2013, 6:50 PM - Mr. Schruppf made a motion to approve the February 19, 2013 Executive Session Minutes. Ms. Hartley seconded, motion passed.

Town Council Meeting Minutes of February 19, 2013 – Mr. Schruppf made a motion to approve the February 19, 2013 Minutes. Mr. Foster seconded, motion passed.

Approval of Agenda

Mr. Foster made a motion to approve the agenda correcting the dates and times on the minutes. Ms. Hartley seconded, motion passed.

Approval of Claims

Mr. Hayden made a motion to approve the claims as presented. Mr. Schrupf seconded, motion passed.

Petitions by Citizens

There were none.

President's Report

President Cook informed the Council that Paul Munoz received an award for an Outstanding Supporter of Back Yard Conservation from his efforts with the Rain Barrel event the Town had in 2012. This award was presented at the Hamilton County Soil & Water Conservation District's Annual Meeting and Workshop on February 21st.

Council Committee Reports

There were none.

Legal Counsel Report- Aaron Culp:

Mr. Culp had nothing.

Cicero/Jackson Township Plan Commission Report

- 1. Vehicle for Plan Commission Director** – Mr. Munoz informed the Council that he had appropriated money in his budget to purchase a different vehicle as the one he currently has for the plan commission is older and not suited to the job. Dan Young has a trade in from Fishers and if it is acceptable he would like to purchase it trading in the current vehicle. The cost would be around \$8,500 less the trade in. Council was okay with this.
- 2. Host Countywide EDC Meeting** – Mr. Munoz stated that Hamilton County Economic Development staff were getting together quarterly to discuss economic issues for the county. Mr. Munoz attended the last meeting and would like to host the next meeting, which will be in June. Additionally Mr. Munoz stated that he would like to have the group review the Comprehensive Plan to see if they have any suggestions or ideas. The Council was agreeable to this.
- 3. Hamilton County Alliance** - Mr. Munoz informed the Council that the Hamilton County Alliance is going through some restructuring. The Board is in the process of hiring a new president and that they are looking to include all of the communities in their planning and economic growth ideas. Mr. Munoz asked if at least one of the Cicero Town Council members could attend the next meeting on April 25. Mr. Schrupf thought that he would be able to.

Town Engineer Report

Mr. Bryant was not in attendance due to weather conditions and he e-mailed that there was nothing new to report at this time.

Old Business

Council To Consider Approving Proceeding With Bond Issue For Wastewater And Stormwater I & I.

Mr. Foster made a motion to precede with the bond process for the Wastewater and Stormwater I & I project. Mr. Schrupf seconded, motion passed.

Ms. Unger stated that she had the contracts for service from Mr. Pitman with Barnes & Thornburg and Deen Rogers at H.J. Umbaugh and Associates for the project. Mr. Culp

stated that they had reviewed the contract with Mr. Pitman, but not the one with Mr. Rogers. The Council discussed the contracts and decided that they wanted to review them further and ask that these be put on the agenda for May 5th.

Council To Discuss Water Shutoff Procedures.

Remained tabled.

Council To Hear Update On Deck Repair At Utilities Office.

Mr. Munoz informed the Council that he has contacted Paul Vondersaar, who gave the original estimate, and asked if what they were going to fix would make the deck safe. They said it would. Mr. Hayden asked if this included everything that needed to be fixed and Mr. Munoz said that it would fix everything that was damaged by the accident.

Council To Consider Deposit Amendment For Water And Wastewater, Ordinance 02-19-2013-1, Amending Ordinance 3-1-88A.

Mr. Cook stated that this ordinance changed the deposits for water and wastewater from \$40 each to \$60 each. Mr. Hayden made a motion to approve the Amendment for Water and Wastewater, Ordinance 02-19-2013-1, Amending Ordinance 3-1-88A. Mr. Schrupf seconded, motion passed.

New Business

Council To Consider Approving Contracts With Barnes & Thornburg LLP For Wastewater/Stormwater Bond.

Mr. Culp stated that he has reviewed the terms and conditions in the agreement with Barnes and Thornburg LLP, and everything is in order. Mr. Culp stated that the agreement stated that the fee will be \$17,500 plus out of pocket expenses not to exceed \$750 without refunding the existing bonds and \$24,500 plus out of pocket expenses not to exceed \$750 if the Council decides to refund the existing bonds. Mr. Hayden made a motion to approve the agreement with Barnes and Thornburg LLP and give Mr. Cook permission to sign. It was stated that at this time the Council did not intend to refund the existing bonds. Mr. Schrupf second, motion passed.

Council To Consider Approving Contracts With H.J. Umbaugh & Associates For Wastewater/Stormwater Bond.

Mr. Culp stated that he has reviewed the terms and conditions in the agreement with H.J. Umbaugh and Associates and everything is in order. Mr. Culp stated that the agreement stated that the fee will be \$17,500 plus \$2,500 if a Parity Report is needed, and \$2,500 if Escrow Verification is needed. Mr. Culp stated that the Town would need to receive an E-Verify Document from both Barnes and Thornburg LLP and H.J. Umbaugh and Associates. Mr. Schrupf made a motion to approve the agreement with H.J. Umbaugh and Associates and give Mr. Cook permission to sign. It was stated that at this time the Council did not intend to refund the existing bonds. Ms. Hartley second, motion passed.

Council To Consider Contract With Irwin, Waggoner, and Scheele To Update Personnel Policies Handbook.

Ms. Unger informed the Council that Mr. Aaron Culp has reviewed the document and has sent a copy of his revision to Irwin, Waggoner, and Scheele (WIS) for approval. Mr. John Culp stated they wanted to remove the word gross before negligence and to add another paragraph. Additionally, they added a paragraph discussing the Town's limited liability as prescribed by the State of Indiana. This revision was sent to WIS today for approval which we have not received a reply. There was a discussion among the Council. Mr. Foster made a motion to approve the agreement contingent upon the approval of WIS of the changes and review by the Council and to give Mr. Cook permission to sign after those items have been completed. Ms. Hartley seconded, motion passed.

Old Business

Town Council To Consider Resolution 03-05-2013-2 Endorsing the United States Bicycle Route System (USBR35).

Mr. Munoz informed the Council that currently there is a proposed trail that goes from Michigan to New Orleans that would come through Cicero. There would be no cost to the Town but that the Council must endorse the trail coming through Cicero for the association to be able to consider this route as an option. Mr. Munoz stated that there may be some signage but he did not think there was any cost to the Town. Mr. Munoz stated that it would be good PR for the Town and probably bring in some business. Mr. Cambre agreed that this would be a good thing to do. Mr. Hayden made a motion to approve Resolution 03-05-2013-2 Endorsing the United States Bicycle Rout System (USBR35). Mr. Foster seconded, motion passed.

Town Council Interlocal Agreement With White River Township For ALS Service For 2013.

Mr. Cook stated that the agreement with White River Township went up \$15,000. Fire Chief Peachey stated that it did and that White River Township Trustee was aware of that. Chief Peachey stated that White River needed to have an agreement in place so they could secure the funding. Ms. Chris Miller, Jackson Township Trustee, stated that this agreement included all of White River Township and that Jackson Township previously had the runs north of 246th Street. Ms. Miller stated that the CAD program automatically sent the calls north of 246th Street and this would need to be changed. The Council asked Chief Peachey if this was a problem and he stated that it would not be. Mr. Foster made a motion to approve the Interlocal Agreement With White River Township for ALS Service for 2013. Ms. Hartley seconded. Mr. Hayden inquired as to what our out was and after review it was determined that #7 and #13 in the agreement provided an out. Motion passed.

Miscellaneous Business

Ms. Unger informed the Council that she had sent information to them today from someone wanting to know if we were interested in getting proposals for the Town's liability insurance. Ms. Unger stated it was a long process for a new company to get all

of the information they need for a proposal and if the Council was interested in getting proposals we should get started. After a brief discussion the Council stated that they were happy with the current provider and not interested in getting proposals.

Comments from the Public

There were none.

Signatures on Official Documents!

Mr. Hayden made a motion to adjourn the Town Council Meeting. Ms. Hartley seconded. Motion to adjourn passed.

Jerry G. Cook – President

Dennis D. Schrupf- Vice-President

Brett S. Foster

Eric C. Hayden

Sylvia Kay Hartley

Attested: _____
Jan Unger, Clerk Treasurer

Note: The Next Cicero Town Council Meeting will be on Tuesday, March 19, 2013 @ 7:00 PM at the Cicero Town Hall.