

MINUTES CICERO TOWN COUNCIL MEETING

September 17, 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. Dennis Schrupf gave prayer. President Cook called for the roll call and the members of the Town Council were present or absent as follows:

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

President Cook declared a quorum present.

Others Present: Jan Unger, Clerk Treasurer
Pat Comer, Street & Utilities Director
Dave Hildebrand, Police Chief
Steve Peachey, Fire Chief
Paul Munoz, Director Cicero/Jackson Township Plan Commission
Keith Bryant, Town Engineer
Paul Utterback, President Storm Water Management Board

Approval of Agenda

Mr. Cook stated that Ordinance 08-20-2013-3 relating to Fire Hydrant Rental fees would be moved to October 15th, 2017. Mr. Cook also asked to add under Presidents Report the appointment of a BZA member. Ms. Hartley made a motion to approve the agenda as amended. Mr. Foster seconded, motion passed.

Public Hearing On 2014 Town of Cicero Budget Ordinance 09-17-2013-1.

Ms. Hartley made a motion to open the Public Hear on the Town's 2014 Budget. Mr. Schrupf seconded, motion passed. Ms. Unger read the proposed budget. Mr. Cook inquired if there were questions. There were none. Mr. Hayden made a motion to close the Public Hearing. Mr. Foster seconded, motion passed.

Public Hearing On Ordinance 08-20-2013-2 An Ordinance To Amend Section 50.04 Of Chapter 50 Of Title 5 Of The Cicero Municipal Code By Amending The Code Pursuant To I.C. 36-1-4, I.C. 36-1-5, And I.C. 8-1.5-4 ET. SEQ. Concerning Fire Protection Hydrant Rental.

Moved to October 15, 2013

Council To Except And Open Bids For Sewer Improvement Project.

The Town received six bids, vendor and amounts as follows:

Mr. Hayden	Yardberry Landscaping & Excavating	\$ 995,417.00
Mr. Foster	Geiger Excavating, Inc.	\$ 1,194,140.00
Mr. Cook	Culey Contracting	\$ 898,724.00
Mr. Schrupf	Watson Excavating, Inc.	\$ 865,185.50
Ms. Hartley	Atlas Excavating, Inc.	\$ 1,054,779.00
Ms. Hartley	C.A.T. Excavating, Inc.	\$ 794,377.00

Mr. Schrupf made a motion to take the bids under advisement. Mr. Foster seconded, motion passed.

Approval of Prior Minutes:

Town Council Meeting Minutes for September 3, 2013 – Ms. Hartley made a motion to approve the Minutes for September 3, 2013. Mr. Foster seconded, motion passed.

Approval of Claims

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

Petitions by Citizens

1. Mr. Jim Schneider addressed the Council concerning:
 - a. The Lake Cleanup – Mr. Schneider stated that they had the second lake cleanup. Mr. Schneider thanked Charlie Cambre and Pat Comer and his staff for their help with the project. They had 12 dump truck loads of wood that was hauled out plus 10-15 bags of trash, mostly from the causeway. Most of the trash was left by fishermen.
 - b. Town Docks – Mr. Schneider stated that the debris that collects behind the Town docks is a mess. He stated that the Town needed to seriously consider how to resolve this problem. With the new Jackson Street Pedestrian Walkway there would be more people in the area and this looks bad. Mr. Schneider distributed an e-mail he sent to Town representatives that discussed possible solutions along with some before and after photographs of the area. Mr. Cook stated that the council would discuss at the next staff meeting.

President's Report

President Cook stated that the Council needed to appoint a member to the BZA to replace Steve Zell. Mr. Brad Baker has been recommended. Mr. Foster made a motion to appoint Mr. Baker to the Cicero/Jackson Township Board of Zoning Appeals. Ms. Hartley seconded motion passed. There was a brief discussion as to who Mr. Baker was replacing and Ms. Unger stated Steve Zell. Mr. Munoz stated that either Steve Zell or Corey Sylvester as both had resigned. Mr. Baker was asked where he lived and it was in Cicero. Mr. Munoz stated that the Plan Commission would be appointing the other member.

Council Committee Reports

There were none.

Legal Counsel Report- John Culp:

Mr. Culp stated that he had nothing at this time.

Cicero/Jackson Township Plan Commission Report – Dan Strong

Mr. Strong was not available.

Town Engineer Report

Mr. Bryant discussed the following:

1. Sewer Rehab Project – Mr. Bryant stated that there were a couple of mini-barns in the Town's easement that needed to be moved. He has prepared a letter to send to the property owners' giving them time to move them before the project. Mr. Hayden made a motion to have the President sign the letters and for them to be sent to the property owners. Mr. Foster seconded, motion passed.
 - a. Mr. Bryant stated that he had a call from Deen Rogers with Umbaugh wanting to know the amount of the project. Mr. Bryant stated that he told him we did not know yet. Mr. Bryant stated that bids open this evening would need to be reviewed prior to making a decision but the bids were well under the estimate. Mr. Bryant suggested the Council include a contingency in to the bond of 10-20%. There was a discussion regarding this issue. It was decided to wait until the October 1st, 2013 Council meeting to award the bid before making a decision on the contingency.
2. East Side and West Side Wastewater and Water Study – Mr. Bryant distributed a draft copy of this study for the Council to review.
3. Jackson Street Pedestrian Walkway – Mr. Bryant stated Duke has been working on removing the overhead power lines. The contractor would like to have Comcast and Frontier remove their lines prior to starting. Mr. Bryant stated that the contractor will have one lane open during the constructions.
 - a. Mr. Bryant informed the Council that INDOT has reviewed the Inspection Agreement and given verbal approval. Mr. Bryant would like for the Council to approve and sign the document. Mr. Hayden made a motion to approve the LPA Consulting Contract and sign it. Mr. Schrupf seconded, motion passed.
4. Stringtown Pike/Baseball Park DNR Path Project – Mr. Bryant stated that they had their final walk through. DNR was supposed to get back with them on the final evaluation and he has not heard from them yet.

Old Business

Council To Consider Adopting Title VI Plan Which Includes Discrimination Complaint Against Act Form And Responses.

Ms. Hartley noted there was still reference to Transit Services in the document. Mr. Munoz stated that he would correct this since we have not transit services. There was a discussion on the Agency Name on the document. It currently says: Town of Cicero Utilities and Street Department. Mr. Culp suggested it be changed to Town of Cicero. Ms. Hartley made a motion to approve the document with striking the references to transit services and changing the Agency Name to Town of Cicero. Mr. Foster seconded, motion passed.

New Business

Council To Hear Presentation by Gregg Boyd And Chuck Goldfarb Regarding The Waterfront Development And To Discuss The Waterfront Restaurant "Lazy Frog".

Mr. Cook stated that Ms. Unger was checking into a survey of the property owned by the Town for the waterfront public access and dock from the reservoir. After the survey was reviewed there would be a discussion regarding an easement for Cicero Capital, LLC. Mr. Foster stated the Cicero Redevelopment Commission recommended to the Town Council that they allow connectivity from the Cicero Capital, LLC property to the Town's walkway.

Mr. Gregg Boyd stated that Cicero Capital was willing to gift to the Town a portion of the corner of Jackson and Main to assist with installing a sidewalk along Main Street along the property. There was a discussion on the dirt area where Cicero Capital would like to connect to the Town's walkway as mentioned above. Mr. Boyd stated the stairs from the restaurant would land in this area and that one post would be on Cicero property and that the other would be in this dirt area and that is why they would like to fill this in and connect to the walkway. There was a discussion on the posts for the stairs. There was discussion on who owns the land. Mr. Boyd stated that they would provide an insurance policy to cover this portion of walk.

Mr. Boyd then discussed the position of the Town docks. Mr. Boyd stated that they would like for the Town to consider repositioning these docks so they are perpendicular to the land. Mr. Boyd stated this might solve some of the problem of debris collecting behind the docks Mr. Schneider spoke about earlier. Mr. Foster agreed that it would likely cut down on the trapping of debris and also assist boaters when leaving the docks, as more space would be provided to back boats out. Mr. Foster stated that making all the docks perpendicular to the land also made sense from an aesthetic standpoint, as well as giving the Town the ability to add more docks to the existing docks in the future. Mr. Cook stated that he would go down and look at the area and the Council would discuss at the next staff meeting.

Mr. Boyd's final discussion point was the fire hydrant located on his property. They would like to give this to the Town along with an easement to the hydrant. This way it would be available for use in the entire area. Mr. Comer stated that there was a hydrant at the Condo's. Mr. Cook said he would talk to Mr. Comer and Fire Chief Peachey about it.

Council To Consider Ordinance 09-17-2013-2 Transfer For Parks Dept.

Ms. Hartley noted there were a couple of places that stated Fire instead of Park. Ms. Unger said that she would correct that. Ms. Hartley made a motion to approve Ordinance 09-17-2013-2 with the correction of Fire to Park. Mr. Foster seconded, motion passed.

Council To Consider Ordinance 09-17-2013-3 2014 Salary Ordinance.

Mr. Cook read by title and number and stated that the Salary Ordinance included a two percent raise. Mr. Foster stated that under Other Compensation, the number of Council extra meetings should be 30 instead of 20. Ms. Unger stated that she would get that corrected. Ms. Hartley made a motion to approve Ordinance 09-17-2013-3 2014 Salary

Ordinance with the correction on the number of meetings. Mr. Schrupf seconded, motion passed.

Council To Consider Ordinance 09-17-2013-4 Adopting Standards for ADA.

Mr. Schrupf made a motion to approve Ordinance 09-17-2013-4 Adopting Standards for ADA. Mr. Foster seconded, motion passed.

Miscellaneous Business

There was none.

Comments from the Public

There were none.

Signatures on Official Documents!

Ms. Hartley made a motion to adjourn the Town Council Meeting. Mr. Foster 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, October 1, 2013 @ 7:00 PM at the Cicero Town Hall.