



TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
August 19, 2014
At 7:00 PM

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

Present: Dennis Schrupf
Jerry Cook
Brett Foster
Kay Hartley

Absent: Eric Hayden

President Schrupf declared a quorum present.

Others Present: Jan Unger, Clerk Treasurer
Charlie Cambre, Park Superintendent
Pat Comer, Street & Utilities Director
Dave Hildebrand, Police Chief
Kelleigh Fagan, Town Attorney
Paul Utterback, President Storm Water Management Board
Brett Morrow, President EDC

Approval of Agenda:

Mr. Schrupf removed: Council To Consider Interlocal Agreement By And Between The Town Of Cicero And Jackson Township, Hamilton County, Indiana, For Administration Of Zoning, Building Permits, And Subdivision Control Services from Old Business since the Plan Commission tabled it at their last meeting for further review. Mr. Cook made a motion to approve the Agenda as amended. Mr. Foster seconded, motion passed.

Public Hearing On Ordinance 07-15-2014-1 Ordinance To Adopt Certain Measures to Comply With National Flood Insurance Program Regulations.

Ms. Hartley made a motion to open the Public Hearing on Ordinance 07-15-2014-1 Ordinance To Adopt Certain Measures to Comply With National Flood Insurance Program Regulations. Mr. Cook seconded, motion passed. Ms. Fagan stated that the ordinance meets federal regulations for the National Flood Insurance Program. Mr. Munoz stated that the Ordinance needed to be passed by November 1st. There were no questions. Ms. Hartley made a motion to close the Public Hearing. Mr. Foster seconded, motion passed.

Council To Consider Ordinance 07-15-2014-1 Ordinance To Adopt Certain Measures to Comply With National Flood Insurance Program Regulations.

Ms. Hartley made a motion to approve Ordinance 07-15-2014-1 Ordinance To Adopt Certain Measures to Comply With National Flood Insurance Program Regulations. Mr. Foster seconded. Mr. Cook inquired if this had much effect on Cicero. Mr. Munoz stated

that there were quite a few changes and most of the changes impact the residents in a positive way. Motion passed.

Approval of Prior Minutes:

Town Council Meeting Minutes, August 5, 2014, 7:00 PM– Ms. Hartley made a motion to approve the August 5, 2014 Town Council Meeting Minutes as presented. Mr. Cook seconded, motion passed.

Approval of Claims:

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

Petitions by Citizens:

There were none.

President's Report:

President Schruppf addressed the following:

1. President Schruppf stated that the Town did not receive the OCRA Grant that was applied for to replace waterlines in Hidden Bay. However, Ms. Tina Henderson informed the Council that there were additional funds coming available and asked for permission to apply for them. There would be no additional cost to the Town. The Council by consensus approved President Schruppf approving the second application.
2. President Schruppf stated that at the Staff meeting on Thursday August, 14, 2014, Mr. Comer was asked to get a breakdown of costs from Precision Concrete Cutting to level the most serious of the trip hazards on the downtown sidewalks. The cost to do them all is \$5,653.70. Precision Concrete Cutting gave Mr. Comer a cost of \$3,700 for those ¾” and above and \$4,950 for those ½” and above. President Schruppf stated that Ms. Unger informed him that the money was available in the CCD Miscellaneous Fund if the Council chose to proceed. President Schruppf inquired what the Council wanted to do. Ms. Hartley asked Mr. Comer what his recommendation was and Mr. Comer stated that he would recommend doing all of them. Ms. Hartley made a motion to have the entire identified trip hazards in the downtown area fixed. Mr. Foster seconded, motion passed.

Council Committee Reports:

Cicero EDC – Brett Morrow

1. Mr. Morrow informed the Council that Days Pharmacy would be closing at the end of the month. Mr. Morrow said that they were having a sale and recommended that everyone go and help reduce the inventory. Mr. Morrow stated that this was the third business to leave Cicero this year: Sugar Bean, Kid Again, and now Days Pharmacy.
2. Mr. Morrow informed the Council that on September 3rd, 2014 the EDC would be meeting with interested members of the Cicero Town Council to interview engineering companies to address the Gateway project at Main and Jackson Streets at 6:00 PM at the Cicero Town Hall.

Legal Counsel Report- Kelleigh Fagan:

Ms. Fagan stated that she had nothing.

Cicero/Jackson Township Plan Commission Report

There was no report.

Town Engineer Report-Mr. Keith Bryant –

Mr. Bryant was not available. Mr. Schruppf stated that Mr. Bryant indicated that little had changed since the last meeting. Mr. Comer stated that the contractor was working on the

punch list for the Causeway and Mr. Cambre stated that they would be moving the construction trailer out of Red Bridge this week.

Old Business:

There was none.

New Business

Council To Consider Ordinance 08-19-2014-1 An Ordinance Establishing A Fund For Excess Liability Trust For The Town's Underground Storage Tanks.

Ms. Unger informed the Council that she has now received information from the insurance company regarding coverage of the \$35,000. One proposal was for \$1,000,000 at a cost of \$3,572 annually with a \$5,000 deductible. This is not what we needed. The other was for \$500 annually with a deductible. Ms. Unger recommended that we proceed with establishing the fund and transferring the \$35,000 and see what happens with the State. If at some point in the future the Town needed the money the insurance method could be re-evaluated. Mr. Foster made a motion to approve Ordinance 08-19-2014-1 An Ordinance Establishing A Fund For Excess Liability Trust For The Town's Underground Storage Tanks. Mr. Cook seconded, motion passed.

Council To Consider Ordinance 08-19-2014-2 Ordinance Amending Chapter 50 Of Title V: Public Works Of The Town Of Cicero, Indiana As It Relates To Shutoffs.

Mr. Schrupf stated that this ordinance would bring us in compliance with the United Stated Circuit Court for the Southern District of Indiana opinion regarding the case of Wayt vs. Town of Crothersville, Indiana as it related to shutting off water service. Mr. Foster made a motion to approve Ordinance 08-19-2014-2 Ordinance Amending Chapter 50 Of Title V: Public Works Of The Town Of Cicero, Indiana As It Relates To Shutoffs. Ms. Hartley seconded, motion passed.

Council To Consider Utility Office Procedures And Water Payment Arrangements.

Ms. Unger explained to the Council that the two documents presented for Water Shutoff Procedures and for Water Payment Arrangements were established after the Crothersville ruling and that the office has been following these procedures. Ms. Hartley inquired if this was time consuming. Ms. Unger stated that shutoff day was the first Monday of each month and that it usually takes most of the day for all of her staff to open mail, field calls for arrangements, and process the payments for the shutoffs. Ms. Unger stated that there are usually around 400 late notices and that there are usually around 35 shutoffs. The Council agreed that the policies were acceptable. Ms. Hartley made a motion to approve the policies of the Utilities Office. Mr. Cook seconded, motion passed.

Council To Consider Ordinance 08-19-2014-3 2015 Salary Ordinance.

Ms. Unger informed the Council that all that has changed on the Salary Ordinance from 2014 are the dates and the president. Ms. Hartley made a motion to pass Ordinance 08-19-2014-3 2015 Salary Ordinance. Mr. Cook seconded, motion passed.

Council To Consider Ordinance 08-19-2014-4 An Ordinance Transferring \$35,000 From The Rainy Day Fund To The Excess Liability Trust Fund.

Mr. Foster made a motion to approve Ordinance 08-19-2014-4 An Ordinance Transferring \$35,000 From The Rainy Day Fund To The Excess Liability Trust Fund. Mr. Cook seconded, motion passed.

Council To Consider Ordinance 08-14-2014-5 An Ordinance Enacting And Adopting A Supplement To The Code Of Ordinances For The Town Of Cicero, Hamilton County, Indiana And Declaring An Emergency.

Ms. Unger stated that this ordinance updates the Town's Code of Ordinance with the ordinances that were passed in the last year. Ms. Hartley made a motion to approve Ordinance 08-14-2014-5 An Ordinance Enacting And Adopting A Supplement To The Code Of Ordinances For The Town Of Cicero, Hamilton County, Indiana And Declaring An Emergency. Mr. Foster seconded, motion passed.

Miscellaneous

1. **Mr. Schrumpf** stated that he has received a request from Hamilton County Area Neighborhood Development, Inc. (HAND) for a letter of support for their Owner Occupied Repair Application, Helping HAND. They are applying for federal funds through the State which are all that are available since Cicero has opted out of the local CDBG program. Mr. Foster inquired if it was for new housing? Mr. Schrumpf stated that the funding would be for emergency home repairs. Mr. Foster made a motion to approve Mr. Schrumpf signing the letter of support for HAND. Ms. Hartley seconded, motion passed.
2. **Mr. Cook** inquired if the punch list had been completed at the HAND project on the north end of Cicero. Mr. Munoz stated there were still a couple of items to complete.

Comments from the Public

There were none.

Signatures on Official Documents!

Mr. Foster made a motion to adjourn the Town Council Meeting. Mr. Cook seconded. Motion to adjourn passed.

Dennis D. Schrumpf – President

Sylvia Kay Hartley- Vice-President

Jerry G. Cook

Brett S. Foster

Eric C. Hayden

Attested: _____
Jan Unger, Clerk Treasurer

Note: The Next Cicero Town Council Meeting will be on Tuesday, September 2, 2014 @ 7:00 PM at the Cicero Town Hall.