



**TOWN OF CICERO  
TOWN COUNCIL MEETING MINUTES  
February 18th, 2014  
At 7:00 PM**

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

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

**Absent:**

President Schrumpf 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, Cicero/Jackson Township Plan Commission Director  
John Culp, Town Attorney  
Kelleigh Fagan, Attorney  
Keith Bryant, Town Engineer  
Paul Utterback, Storm Water Management Board President

**Approval of Agenda:**

Ms. Unger asked the Council to move Tina Henderson to next on the agenda. Mr. Schrumpf also moved Mr. Michael Meddock right after Ms. Henderson. Mr. Cook made a motion to approve agenda as amended. Mr. Foster seconded, motion passed

**Council To Hear Presentation From Tina Henderson, Mendenhall & Associates, LLC, On The OCRA Application For Hidden Bay Waterline Replacement.**

Ms. Henderson distributed to the Council a copy of the timeline for the Grant Applications and reviewed the key points. The cost for application is \$1,500 and \$3,000 for the environmental review. Mr. Bryant stated that there would be no charge for the information Ms. Henderson needs from United for the application. Ms. Henderson stated that it looked like the Town would qualify for \$400,000 in the applications. There was a discussion where Ms. Henderson said that the grant was all or nothing, if you applied for \$400,000 that is what you would get or not get whatever the case would be. Mr. Cook stated that he thought we should move forward with the grant as these waterlines in Hidden Bay really needed to be replaced. Ms. Hartley inquired if we did not receive the

grant this year could we reapply. Ms. Henderson stated that there was one opportunity per year to apply and yes the Town could. Ms. Henderson stated she had a contract with her if the Town chose to move forward. Mr. Culp stated that he has reviewed the contract and it was good with him. Mr. Cook made a motion to approve the contract with Ms. Henderson and give permission for Mr. Schrupf to sign. Additionally, approve for the Town to pay the \$1,500 application fee, applying for \$400,000 grant and the \$3,000 environmental fee. Ms. Hartley seconded, motion passed.

**Presentation by Michael S. Meddock, P.E., Vice President of SME An Environmental Consulting Company.**

Mr. Meddock addressed the Council regarding the opportunity for the Town to be included in the EPA Brownfield Coalition Grant of which Noblesville, Arcadia and Sheridan are current members. Mr. Meddock stated they have been given verbal approval from the EPA for Cicero to join. The grant of \$400,000 has had only \$200,000 used and is for the purpose to study environmentally impacted property whether it be hazardous materials for petroleum. Mr. Foster inquired if this would include the NRG property and was told it would. Mr. Meddock stated that he would need a couple of signatures from the Council on a letter stating that they would like to be part of the Coalition. Mr. Munoz stated that the cost would be \$13,000 to \$15,000 for a Phase I and Phase II study. Mr. Meddock stated that the EPA did not begin enforcement for cleanup based on the study. Mr. Hayden inquired if the property owner was on board. Mr. Munoz stated that he is aware of the possibilities. Mr. Meddock stated there were between 18 and 20 months left on the grant and there is no cost to the Town. Mr. Munoz informed the Council that this could also be used for other properties such as the old Gas America property or other businesses wanting to move into the area. Mr. Meddock stated that they would have to have written permission to evaluate any property. Mr. Foster made a motion to approve moving forward with joining the Coalition and Mr. Schrupf signing the appropriate documents with the approval of Mr. Culp. Mr. Hayden seconded, motion passed.

**Approval of Prior Minutes:**

**Town Council Meeting Minutes, February 4, 2014, 7:00 PM** – Mr. Cook made a motion to approve the February 4, 2014 minutes with the corrections. Ms. Hartley seconded, motion passed.

**Approval of Claims:**

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

**Petitions by Citizens:**

There was none.

**President's Report:**

Mr. Schrupf had nothing at this time.

**Council Committee Reports:**

**EDC - Council To Make Appointment To the Cicero Economic Development Committee.** Ms. Hartley stated that she had a candidate she would like to recommend

and distributed a resume for Robert Gordon, a Cicero resident and employee of Beck's Superior Hybrids. Mr. Cook made a motion to approve Mr. Gordon as the Council's appointment to the EDC. Mr. Foster seconded, motion passed. Ms. Unger stated that this appointment is to complete the vacant term and the Council would need to reappoint Mr. Gordon in May.

**Legal Counsel Report-John Culp:**

1. Mr. Culp stated that he has prepared the Quit Claim Deed for the Town to give the small piece of property at the waterfront between Cicero Capital LLC and the Town's water access ramp and deck to Cicero Capital LLC. The Deed was prepared from a legal description provided by Cicero Capital LLC and reviewed by Mr. Bryant for the Town. There was a brief discussion regarding Cicero Capital LLC's suggestion that they would give the Town some property at the corner for road improvement. The majority of the Council thought this was two separate issues. Mr. Hayden made a motion to approve the Quit Claim Deed and allow Mr. Schrupf to sign. Mr. Foster seconded, motion passed 4-1 with Mr. Cook voting nay.
2. Mr. Culp informed the Council that he would be meeting with Jack Squire of Crown Castle regarding the lease on the cell tower property.

**Cicero/Jackson Township Plan Commission Report-Mr. Munoz**

1. Mr. Munoz informed the Council that HAND was working with CDBG to provide emergency assistance for those in need. Mr. Munoz stated that he had sent a letter to Ms. Unger and would like for the Council approve Mr. Schrupf signing it. Mr. Foster made a motion to approve Mr. Schrupf to sign a letter in support of HAND's program to provide emergency assistants to Cicero and Jackson Township residents. Mr. Hayden seconded, motion passed.
2. Mr. Munoz informed the Council that HAND was wanting to have a ribbon cutting to open Lakeside Garden, their new development in Cicero, and would like to have it when as many Council as possible could attend. There was a discussion and it was decided that after 6 pm during the week or Saturday morning would work for most. Mr. Munoz said he would get back with them on possible dates. Mr. Comer inquired if they had their occupancy permit yet and Mr. Munoz stated that it was only temporary. Mr. Comer stated that he needed to get with Mr. Bryant prior to giving the permit as there were a few items that needed to be completed.

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

Mr. Bryant addressed the following:

1. Jackson Street Pedestrian Path Project - Mr. Bryant informed the Council that they have been in discussion regarding the planting under the bridge on the causeway. Mr. Bryant said the person providing the plantings does not think there is enough light under the bridge to sustain the plants. Additionally, the water fluctuates and they could be under water at times. Mr. Cook said to let it go and not plant, Council agreed. Mr. Bryant stated that above the bridge they would be planting 721 Sumac plants as ground cover. It may take some time for this to fill in and they are looking for some alternatives until they do.
2. Cicero-Downtown Sewer Improvements (I&I): Due to the weather, the contractor is not working. May start again in a week or two.

3. CVS – Punch list cannot be address due to the weather. Mr. Bryant stated parts of the reimbursement bills have been paid and the others should be soon. Mr. Bryant informed the Council that the contractor has been in contact with Mr. Drake concerning the drive cut and the plantings. Weather still a problem.
4. Mr. Cook inquired about parking on the north side of the Causeway. The Council all agreed that there should be no parking and that it should be paved from rail to rail.

## **Old Business:**

### **Council To Discuss Request From Jim Steckley For Refund Of Availability Fees.**

Mr. Culp informed the Council on an agreement that was made in 2004 between the Town and Mr. Steckley stating that he would pay \$84,000 for sewer and \$33,475 for water for Woodlands at Morse Landing West and that the Town would deed a piece of property back to Mr. Steckley and that they sums were nonrefundable. Ms. Unger stated that she was able to calculate the same figure Mr. Steckley's attorney, Christine Altman, addressed in her letter as the amount to be refunded. However, if the \$84,000 and the \$33,475 were nonrefundable they would be taken off of the bottom line. Mr. Culp asked the Council to give him permission to send Ms. Altman a letter referring to the nonrefundable amounts and refusing payment of the same. Mr. Cook made a motion to approve Mr. Culp to send the letter addressing the nonrefundable amounts. Ms. Hartley seconded, motion passed.

## **New Business**

### **Council To Approve Bond For Park Superintendent And Allow President Schrupf To Sign.**

Mr. Cook made a motion to approve and allow Mr. Schrupf to sign Mr. Cambre's bond. Ms. Hartley seconded, motion passed.

## **Miscellaneous**

1. Mr. Culp stated the Council gave him permission to send letters to a resident in Hidden Bay regarding a tree that needed to be removed. Mr. Culp stated that this tree has been removed.
2. Mr. Culp also stated the Council gave him permission to send a letter to Turner property regarding illegal drain hookups. Mr. Culp stated that he received a letter back stating that they will be taking care of this.

## **Comments from the Public**

There was none.

## ***Signatures on Official Documents!***

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

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Dennis D. Schrumpf – President

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Sylvia Kay Hartley- Vice-President

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Jerry G. Cook

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Brett S. Foster

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Eric C. Hayden

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

**Note: The Next Cicero Town Council Meeting will be on Tuesday, February 18, 2013 @ 7:00 PM at the Cicero Town Hall.**