



**TOWN OF CICERO  
TOWN COUNCIL MEETING MINUTES  
February 4, 2014  
At 7:00 PM**

**Call To Order:** President Dennis Schrupf called the meeting to order and led the Pledge of Allegiance and 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  
Brett Foster  
Kay Hartley  
Eric Hayden

**Absent:** Jerry Cook

President Schrupf declared a quorum present.

**Others Present:** Jan Unger, Clerk Treasurer  
Dave Hildebrand, Police Chief  
Steve Peachey, Fire Chief  
Paul Munoz, Cicero/Jackson Township Plan Commission Director  
John Culp, Town Attorney

**Approval of Agenda:**

Mr. Schrupf added to New Business Council's Approval For ADA Notice. Mr. Hayden made a motion to approve agenda as amended. Ms. Hartley seconded, motion passed

**Approval of Prior Minutes:**

**Town Council Meeting Minutes, January 16, 2014, 7:00 PM** – Ms. Hartley handed Ms. Unger some typographical errors to correct and made a motion to approve the January 16, 2014 minutes with the corrections. Mr. Hayden seconded, motion passed.

**Town Council Meeting Minutes, January 21, 2014, 7:00 PM** – Mr. Hayden made a motion to approve the January 21, 2014 minutes as presented. Ms. Hartley seconded, motion passed.

**Approval of Claims:**

After clarification on a couple of claims Ms. Hartley made a motion to approve the claims as presented. Mr. Hayden 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.** Mr. Munoz stated that the committee would like to have a representative from Becks for the committee appointment. The Committee has received a list of potential candidates which they are reviewing.

**Legal Counsel Report-John Culp:**

1. Mr. Culp stated that a violation letter was sent to Greg DeLong regarding the dangerous ash tree on his property adjoining a public street.
2. Mr. Culp stated that a violation letter was sent to M.S. Cicero LLC regarding three sump pumps in the basement of their building at 109 W. Jackson Street in Cicero which are connected to the Town's sewer lines. Mr. Culp noted that this is a violation of Town and State code.
3. Mr. Culp informed the Council that Mr. Gregg Boyd has e-mailed him regarding the piece of "dirt" the Town is deeding to Cicero Capital LLC. Mr. Boyd stated that he has ordered the survey and asked for a legal description from the surveyor to use in the deed's legal description. When Mr. Boyd receives that he will forward to Mr. Culp to prepare the deed.

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

There was nothing this evening.

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

Mr. Bryant was not available but sent the following:

1. Jackson Street Pedestrian Path Project – The Contractor has not made much progress due to the weather but returned to the site from January 13 through January 24 during which time they drove piles, formed and made concrete pours (pier caps and walls.) The week of January 27, the contractor continued miscellaneous work and formwork but could do little concrete pours due to the temperatures. They were planning to shut the job down but have elected to continue work when allowed by weather.
2. Cicero-Downtown Sewer Improvements (I&I): Due to the weather, the contractor has not worked a lot since last report. They have placed concrete street base. They plan to return when the weather will allow satisfactory productivity.

**Old Business:**

**Council To Discuss NRG Building and Mr. Ashok.**

Mr. Ashok was unable to attend the meeting due to the snow storm. Mr. Munoz reported that he, Mr. Culp, Mr. Foster, and Mr. Hayden met with Mr. Ashok, his son Jason Ashok, and Mark Reynolds on Monday evening to discuss the NRG Property at 119 Brinton Street. Mr. Munoz stated that the meeting was very productive. Mr. Munoz stated that Mr. Ashok made it clear that he wanted make the property into something that would meet with community needs. Mr. Munoz stated that some of the ideas were discussed with Mr. Ashok and that he seemed very interested. It appears that his son will be the point of contact from now on. Mr. Ashok would be drafting a letter to the Town regarding the discussion and wants to keep the lines of communication open and to do what is best for the community.

**Council To Consider Request From Jim Steckley For Return Of Prepaid Availability Fees For Water And Sewer For Woodlands At Morse Landing West.**

Ms. Unger informed the Council that she met with both John and Aaron Culp on Friday regarding the request from Christine Altman to return the tap and availability fees to Mr. Steckley. Ms. Unger explained that she has gone through the Woodlands at Morse Landing West file and found that there was an agreement between the Town and Mr.

Steckley that they would accept the second half of the prepaid availability and tap fees in the amount of sewer \$84,000 and water \$33,475 in exchange for 1.2 acres described in the agreement. Said amount were not refundable. An agreement was signed by both parties stating such. Ms. Unger stated that she still needs to figure out how much was prepaid that is not mentioned in the agreement and get with Mr. Culp to confirm. Ms. Unger stated that it appears that only half of the fees should be returned. Ms. Unger asked the Council to give Mr. Culp permission to discuss with Ms. Altman after a number is agreed upon. Mr. Schrupf directed Mr. Culp to write a letter to Ms. Altman after everything has been figured.

## **New Business**

### **President Of Redevelopment Commission To Present Redevelopment Commission Report Pursuant To I.C. 36-7-14-13 To President.**

Mr. Foster was not available so Mr. Schrupf, vice president of the Redevelopment Commission presented the report to the Council.

### **Council To Consider Resolution 02-04-2014-1 A Resolution In Opposition Of HB 1001 And SB 1 – The Elimination Of Business Personal Property Tax.**

Mr. Schrupf informed the Council that on Monday there was a conference call with Matt Greller of IACT regarding the elimination of Business Personal Property Tax. Mr. Schrupf stated that he and Ms. Unger both participated in the conference. Mr. Schrupf stated that it was very informative. Mr. Schrupf stated that IACT strongly opposes this legislation. Mr. Schrupf stated that IACT is encouraging municipalities to pass a resolution stating their opposition to the bill, which is what you have before you. Mr. Schrupf stated that in the conference call there was also a discussion on HB1001 regarding the Local Option Income Tax. Mr. Schrupf stated that IACT states that this is not a true Local Option. The COIT Council has to pass this and one or two of the larger entities in the county can control how the vote goes.

With regard to the Resolution at hand Mr. Schrupf stated there are two versions, the original one in the packet and one that Mr. Aaron Culp prepared with more information. Ms. Hartley inquired if there was any mention of replacing this with other funding and Mr. Schrupf said no. Mr. Foster made a motion to approve Resolution 02-04-2014-1 prepared by Mr. Aaron Culp. Ms. Hartley seconded, motion passed.

### **Council To Consider Approving The Notice Under the Americans With Disabilities ACT.**

Ms. Unger explained that this was prepared by Mr. Aaron Culp. The Notice needs to be posted and advertised by law. Ms. Unger stated that she only needed consensus of the Council. The Council directed Ms. Unger to do the posting and advertising.

## **Miscellaneous**

Ms. Unger distributed to the Council in their packets a copy of the Cancellation of Warrants that were over two years old.

**Comments from the Public**

There was none.

***Signatures on Official Documents!***

Mr. Foster made a motion to adjourn the Town Council Meeting. Mr. Hayden 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.**