



TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
April 21, 2015
At 7:00 PM

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

Present: Brett Foster
Chad Amos
Kay Hartley
Eric Hayden
Dennis Schrumpf

Absent:

President Hartley declared a quorum present.

Others Present: Jan Unger, Clerk Treasurer
Charlie Cambre, Park Superintendent
Pat Comer, Street & Utilities Director
Dave Hildebrand, Police Chief
Paul Munoz, Cicero/Jackson Township Plan Commission Director
Aaron Culp, Town Attorney
Keith Bryant, Town Engineer
Paul Utterback, Storm Water Management Board President

Approval of Prior Minutes:

Town Council Executive Session Memorandum, March 25, 2015 at 7:00 PM – Mr. Schrumpf made a motion to approve the Executive Session Memorandum for March 25th, 2015. Mr. Amos seconded, motion passed.

Town Council Meeting Minutes, April 7, 2015 7:00 PM – Mr. Hayden made a motion to approve the March 17, 2015 Minutes. Mr. Schrumpf seconded, motion passed.

Approval of Agenda:

Ms. Hartley stated that Mr. John Berry would not be here this evening and to remove him under Petitions by Citizens. Ms. Hartley stated that the American Legion was here this evening with a request and to add them under Petitions by Citizens. Ms. Hartley also asked to add under Miscellaneous a request to dispose of one more generator and to remove the quotes for Stringtown Pike Path Sealing. Mr. Foster made a motion to approve the agenda as amended. Mr. Amos seconded, motion passed.

Approval of Claims:

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

Petitions by Citizens:

1. Cicero American Legion – Mr. Troy Ferguson addressed the Council with a proposal the American Legion would like to implement called “Cicero’s Historic Walk of Honor.” This would be to honor the 100th Anniversary of WWI and the lives lost in

WWI. Mr. Ferguson stated they would sell plaques to businesses on Jackson Street to honor each of the nine men who lost their lives in WWI. This money would fund the flags that fly on Jackson Street and the Causeway during special events. Mr. Ferguson stated that he had a written proposal that was to be distributed to the Council but since they had not received it he would come back at the next meeting, May 6th, to answer any questions and get the Council's decision.

President's Report:

1. President Hartley reminded everyone of the prescription drug drop off at CVS on April 25th.
2. President Hartley also thanked the Girl Scouts for their work in the cleanup of the parks on April 18th.
3. President Hartley stated that at the last staff meeting Mr. Rogers reviewed the Financial Management Reports for the Town's Utilities. Mr. Rogers stated that both Water and Wastewater were in good shape and that the small incremental increases the Town has made each year has kept up with inflation and kept the Town from making a large increase.

Council Committee Reports:

There was nothing.

Legal Counsel Report-Aaron Culp:

1. Mr. Culp stated that he did not have anything.

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

1. Mr. Munoz informed the Council that he had sent out the quarterly report to the Council by e-mail.
2. Mr. Munoz asked the Council if they would be willing to finish the path on the west side of the causeway walk. Mr. Munoz stated that it would be a not to exceed amount of \$9,000. Mr. Hayden made a motion to approve an amount not to exceed \$9,000 to finish the path on the west side of the causeway walk. Mr. Amos seconded, motion passed.

Town Engineer Report-Mr. Keith Bryant:

1. Discuss INDOT response to Frontier request for additional funds – Mr. Bryant stated that INDOT has denied to pay the additional amount Frontier requested for the Causeway Pedestrian Path. Previously Frontier agreed to accept the 20% of that additional bill as payment in full if INDOT would not pay the 80%. Mr. Bryant stated having said that the Town could pay the 20% as agreed and this would complete that contract.
 - a. There was brief discussion about INDOT closing the grant. Mr. Bryant stated that we were still trying to contact Comcast regarding their contract with the Town for the moving of their utility. Ms. Unger has sent the refused document to a post office box and we are waiting to hear back.
 - b. Ms. Unger stated that she recently received a small bill from United and inquired if the Council would like to just pay it or send it in for the 80%. Mr. Bryant stated that he would void that claim and the Town would not need to pay.
2. UV Filter system at Wastewater Plant – Mr. Bryant stated that Mr. Comer, Mr. Taylor and himself visited three installations of UV filtering systems. They are interested in two different systems that they will bid. Mr. Bryant stated that they would need to have a common law wage hearing and they would need to schedule it for May 4th. Mr. Bryant stated that they would need two appointments by the Council, one a rate payer and one

from industry. The Council suggested Pat Comer and Mike Murphy. Mr. Bryant stated that they planned to have bids in to Council on June 16th.

3. Task Order No. 2015-01 State Road 19 (Peru Street) Sidewalk and Curb Evaluation – Mr. Bryant responded to Mr. Hayden’s question about the sidewalks stating that even if the Town replaced the sidewalks the Town would have to get INDOT approval. Mr. Comer inquired if this Task Order would cover what was needed to apply for the grant from INDOT? Possibly. Ms. Hartley inquired about OCRA as a possible funding source. Ms. Henderson did not think so.
 - a. County Commissioner Mark E. Heirbrandt informed the Council that he has talked with INDOT and INDOT might consider a request from the Town to delay the SR 19 Paving Project and at a later date include the curbs with their project. Mr. Amos stated that he has been talking with Mr. Heirbrandt about the Council requesting this. There was a discussion about how long it would be delayed. Mr. Heirbrandt stated that he could arrange a meeting with Mr. Bryant, INDOT and himself to discuss.
 - b. Mr. Bryant stated that the Town’s ADA Plan does not include SR 19. INDOT is doing ADA access at Jackson Street and SR 19.
 - c. The discussion continued with questions about right-of-way, if the pavement would have to be cut to pour new curbs (they would have to be cut approximately two feet into the road), and the cost.
 - d. It was decided that Mr. Heirbrandt could schedule a meeting with INDOT. Also, Mr. Foster made a motion to approve Task Order No. 2015-01 State Road 19 (Peru Street) Sidewalk and Curb Evaluation in the amount of \$7,500 to be taken out of CCD. Mr. Hayden seconded, motion passed.
4. Task Order No. 2015-02 Brinton Street Widening Quotation Documents – Mr. Bryant stated that INDOT was planning to widen Brinton Street six feet on the north and two feet on the south side of Brinton at the SR 19 intersection. This proposal is to extend that width approximately three hundred feet to the entrance of CVS. Mr. Amos made a motion to table until the Mr. Heirbrandt could meet with INDOT on the sidewalk and curb issue on SR 19. Mr. Foster seconded, motion passed.
5. Hidden Bay Waterline Replacement - Mr. Bryant distributed the tabulations from the single bid the Town received on this project. Mr. Bryant then summarized what he had previously stated in an e-mail.
 - a. The e-mail read:
 - i. Prebid: Receiving a single bid on a project is always undesirable. During the bid process, the project was advertised locally as required. We also maintain a contractor list and emailed 18 potential contractors that we knew did this type of work and were within a geographical distance that made sense for the project scale. On March 31, we contacted the potential bidders from the plan holders list / 2 of them indicated that they would not bid due to current work load / 4 said that they may bid / 5 said that they would bid. We asked them if they had any issues or questions. Any questions or issues received were evaluated and addressed by addendum as appropriate. Typically, this is a good time of year to bid a project. It is unusual to receive only 1 bid.

- ii. Bid Tabulation / Bid Review: The preliminary bid tabulation for the single bid is attached. The left column includes our prebid estimate. Note that the unit prices used are from recent (2013-2014) bid results on similar projects with adjustments made in an attempt to address the project specifics. In general the bid unit prices are comparable to our estimates with the exception of the HMA Surface and Base and the installed pipe prices. It is obvious that the bidder shifted his paving cost to the pipe cost. In post bid discussions with the bidder, they indicated a concern for productivity in the pipe installation simply due to the proximity of the homes, dealing with the homeowners, etc. Pipe prices include material costs but then vary based upon the productivity (feet per day) that the contractor believes they can install for a given location and project.
- iii. Potential Project Savings: Before the bid we discussed potential savings with contractors. Some of their ideas were incorporated into the final bid documents and others were considered with addenda. Possible pipe materials and installation techniques were considered and allowed where consistent with Town Standards and when the end product would not suffer. Post bid we talked to those who did not bid and to the bidder. There were no large potential dollar savings found during any of these conversations.
- iv. Budget: If the Town proceeds with the submitted bid, the Town costs will increase by \$118,807 if only the paved trenches are patched. If the Mandatory Alternate #2 is accepted (milling and paving all cul-de-sacs that will be cut by multiple service line trenches) the cost increases an additional \$62,670 based upon the bid. Note that the service line gap from the meter pit at the right of way to the existing meter pit is estimated at this time and will need to be “quoted” as we have discussed. A summary of the approximate original and current budget with the single bid is attached.
- v. Post Bid Non-Bidder Review: Bidders that had indicated that they would or might bid beforehand were contacted post bid to determine why they did not bid and if they would bid in a re-bid situation. A table summarizing these results is attached. Answers varied. Some were not accustomed to OCRA requirements while others simply decided to pursue other work.
- vi. Rebid Thoughts: In discussions with Tina, the project could be rebid and still fit within our OCRA grant requirements. We would need to make this decision as soon as possible and certainly no later than the April 21 meeting. If rebid, the bids would be received on May 19. In regards to re-bids in general – they are a GAMBLE. Historically, unless the scope changes or the schedule changes (bid at a different time of the year in an attempt to generate more interest and competitive bids) the numbers often increase. There are little scope changes that can be made with this project so we would essentially be bidding the same project with the same schedule among the same contractor pool. Based upon our initial efforts to generate bidder interest and the post-bid discussions with potential

bidders, we cannot comfortably say that we would have any more bids with a re-bid. Keep in mind that the few that said they may be interested in a rebid also said that they were going to bid the project originally a few days before the bid. Sometimes timing is everything. If we did not have the OCRA timetable to comply with, we would likely advise rebidding 4-6 months down the road to try to fall within a better bidding environment. Since we do not have this option, the risk in receiving no bids or higher bids is significant. At that time, we would be in jeopardy in regards to the grant OR we would have to fund even more with Town funds (if the bids are higher).

- vii. Project Need / Costs: The project could be abandoned. The project need, however, will still exist. Over the last couple of decades the existing lines have developed relatively minor leaks under or adjacent to the homes resulting in costly repairs for the Town as well as safety issues for Town employees and the homeowners. It is only a matter of time before this results in an expensive injury or property damage claim. The unfortunate reality is that the problem will increase with time and that it will be unlikely for us to obtain another \$400,000 grant to apply to this project if we lose this one. Obviously, to move forward now (and very likely following a rebid if we go that route) will require additional local funding. We are not certain of the current water funds or if a loan from the sewer utility or other entity is possible.
- b. There was a discussion by the Council regarding how much more this was going to cost and if the money was available. Ms. Unger stated that she and Mr. Comer have gone over the numbers. Ms. Unger stated that if we get a contract for the laterals that are within the estimated amount we expect, there will be money to pay for everything but the improvement fund will be very low. It would leave between \$35,000 and \$40,000 for other needs. According to Mr. Rogers with Umbaugh the improvement fund should maintain around \$120,000. Ms. Unger stated that the Water Utility could borrow \$100,000 from the Wastewater Fund which could be paid back within five years. There was a discussion regarding the loan. Ms. Unger stated that we were putting the hydrant maintenance in the water improvement fund which should be a little over \$100,000 for the year. They decided to wait and see on the loan.
- c. Ms. Henderson presented a new timeline for the project.

Old Business:

Council To Consider Bid For Hidden Bay Waterline Replacement Project.

The Council considered the information received from Mr. Bryant regarding the bid from CAT Excavating. Mr. Bryant recommended in the review that the Council accept the \$575,432 and Mandatory Alternate Bid #2 paving the cul-de-sacs for \$62,670. After discussing, the Council decided to go with Mandatory Alternate Bid #3 paving all services except Timberline for \$77,450. Mr. Schrupf made a motion to accept the construction bid of \$575,432 and Mandatory Alternate Bid #3 for \$77,450. Mr. Foster

seconded, motion passed. Mr. Hayden then made a motion to allow Ms. Hartley to sign necessary documents for the contract. Mr. Amos seconded, motion passed.

Moving Cicero's Public Access Docks.

Mr. Amos informed the Council that he contacted Shawn Jones to check on a date to repair and move the docks. Mr. Jones said he would move the docks now at no extra cost to the Town. Mr. Amos stated that Mr. Boyd is aware that he is not to move the docks.

New Business

Tina Henderson To Discuss "Northern Hamilton County Trail."

Ms. Henderson discussed the idea of the Northern Hamilton County Trail. It would run from Atlanta to Noblesville and out to Koteewi Park in Strawtown. Ms. Henderson stated that the school system along with various community leaders and stakeholders gathered to discuss the need for completing a master plan for the Trail. They issued a request for information seeking qualified planning firms to design. Butler Fairman and Seufert were selected. The cost to prepare the plan is from \$33,000 to not exceed \$50,000. Cicero's portion would be \$3,400 to not exceed \$5,500. Hamilton County, Arcadia, and Atlanta have all agreed to their portions. Ms. Henderson distributed a map of the proposed Trail. The Council had a discussion. Mr. Amos made a motion to approve the not to exceed amount of \$5,500. Mr. Schrupf seconded, motion passed.

Council To Address Request For Modification Work To Be Completed On The Water Tower On Stringtown By The T-Mobile Tenant.

T-Mobile's request to perform site modification work on their communications facility located on the south water tower has been reviewed by Mr. Bryant and he does not see a problem with the work they are doing. There is no additional equipment being added. Mr. Amos made a motion to approve Ms. Hartley signing the document. Mr. Foster seconded, motion passed.

Miscellaneous

1. Ms. Henderson distributed a new Timeline for the Downtown Revitalization Plan/Main Street Organization.
2. Ms. Hartley stated that there was an additional generator that the Town owned that needed to be discarded. The Council agreed to discard 3 at the April 7, 2015 Council Meeting. This generator does not function either. Mr. Schrupf made a motion to approve disposing of the additional generator. Mr. Amos seconded, motion passed.

Comments By Citizens

1. There were none.

Signatures on Official Documents!

Motion To Adjourn:

Mr. Foster made a motion to adjourn. Mr. Amos seconded, motion passed.

Signatures of Cicero Town Council:

Sylvia Kay Hartley - President

Brett S. Foster - Vice-President

Chad B. Amos

Eric C. Hayden

Dennis D. Schrupf

Attested: _____
Jan Unger, Clerk Treasurer

The next Cicero Town Council Meeting will be on May 6, 2015, at 7:00 PM at the Cicero Town Hall.