



TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
August 4, 2015
At 7:00 PM

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

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
Steve Peachey, Fire Chief
Paul Munoz, Cicero/Jackson Township Plan Commission Director
Keith Bryant, Town Engineer
Paul Utterback, Storm Water Management Board President

Approval of Agenda:

Mr. Hayden made a motion to approve the agenda. Mr. Amos seconded, motion passed.

Approval of Prior Minutes:

Town Council Meeting Minutes, July 21, 2015, 7:00 PM – Ms. Unger stated that she has changed the motion and second by Mr. Foster under Prior Minutes to seconded, by Mr. Amos. Mr. Schruppf made a motion to approve the July 21, 2015 Town Council Meeting Minutes. Mr. Foster seconded, motion passed.

Approval of Claims:

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

Petitions by Citizens:

1. **Michael Spaulding** – Mr. Spaulding addressed the Council stating that he has permission to speak for the residents of the Waterfront Plaza Condominiums. Mr. Spaulding stated that the volume for entertainment at the Lazy Frog and the LaCascada restaurants did not meet the Town's noise ordinance as described in Title IX of the Town's Code of Ordinances. Mr. Spaulding stated that they could hear the music inside their home with the doors and windows shut. Mr. Spaulding stated that this made it hard to carry on a conversation or sleep. Mr. Spaulding stated that the noise and hours did not conform to the Code and asked that it be enforced.
 - a. Mr. Amos inquired if the police department has been contacted and Mr. Spaulding stated that it has and they have come out when called and the noise did moderate

when they came out. Mr. Spaulding stated that he did speak with Chuck Goldfarb and this did help some.

- b. Mr. Foster inquired as to what would be a good compromise? Mr. Spaulding stated that they have been trying to compromise but is not sure that it can be controlled that way and asked the Code be enforced to the letter of the law. Mr. Spaulding stated that it was not just the Lazy Frogg but also LaCascada now. Mr. Spaulding stated that he wanted both restaurants to succeed but he wanted the noise reduced.
- c. Chief Hildebrand stated that they have been out there a couple of times. Chief stated that they are monitoring it but they need to be called each time there is an issue. Chief stated that they cannot just go in and unplug the amps; they have to follow a procedure and address the issue with the establishment. Chief stated they he has a meeting with both restaurants on August 5th.
- d. Mr. Chuck Cunningham stated that at the original meeting when the Lazy Frogg was given permission for the music pad Mr. Gregg Boyd stated that the music would be soft, not full blown bands which they have now.

President's Report:

Ms. Hartley reminded everyone that there would be a public open house on August 12th at Red Bridge Community Building from 3-7 pm for residents to receive information regarding the Northern Hamilton County Trail Master Plan.

Council Committee Reports:

1. Event Committee –Police Chief Hildebrand reviewed Ordinance 08-04-2015-1 An Ordinance Amending Certain Sections of Chapter 111 of Title: XI of the Municipal Code of Ordinances of the Town of Cicero.
 - a. Chief Hildebrand stated that there were three sections that were amended:
 - i. The definition of Peddler deleted.
 - ii. Stated that there would be one permit needed for an event on a personal property by the property owner, such as the farmer's market. This does not include the Lights Over Morse Lake event.
 - iii. Any vendors during the Lights Over Morse Lake festival will be processed by the Lights Over Morse Lake Committee.
 - iv. The Ordinance it to be considered under New Business.

Legal Counsel Report-Church Church Hittle and Antrim

No one was available.

Cicero/Jackson Township Plan Commission Report:

Mr. Munoz requested a Redevelopment Commission meeting on August 18th, 2015 at 6:30 pm.

Town Engineer Report-Mr. Keith Bryant:

Mr. Bryant reviewed the following:

1. Update on Hidden Bay – Mr. Bryant stated that all of the mains were installed and tested and they should have the service lines to the meter pits next week.
2. Engineering Services Task Order No. 2015-02, Brinton Street Widening Quotation Documents – Mr. Bryant stated that INDOT has accepted a bid for the SR 19 Repaving project in Cicero. The bid includes curbs and sidewalks. With that Cicero needs to proceed with the improvements on Brinton Street which includes widening the road at the intersection and installing curbs to the drive of CVS on Brinton Street. Mr. Bryant submitted a new Task Order in the amount of \$8,200 for the engineering on this project.

Mr. Hayden made a motion to approve the Task order for \$8,200 for this project. Mr. Amos seconded, motion passed.

3. UV Filter system at Wastewater Plant – Mr. Bryant informed the Council that the plans and bid documents were about 90% complete. They plan to advertise Request for Bids next week and accept bids at the September 1st meeting. They would then plan to award the bid on September 15th.

Old Business:

Council To Hear Update On SR 19 Project.

Mr. Amos addressed the following:

1. Mr. Amos stated that in fact INDOT has accepted a bid for the SR 19 paving, curbing and sidewalk project.
 - a. INDOT will provide cross walks at stop light
 - b. INDOT will provide striping for parking
 - c. There is a pre-construction meeting on August 7th, 2015.
 - d. Regarding the traffic study at SR 19 and Brinton Street, a stop light has been approved to be installed at this location. Mr. Amos stated that it could take up to two years for this to be accomplished, but it is approved.
 - e. Mr. Amos stated that the residents on SR 19 would need to be notified of the improvement that would be happening in their area. He suggested door to door, flyers, and notification on the water bills.
 - f. Mr. Amos stated that the Town would need to start on the tree removal soon.
 - g. Mr. Amos does not know the final footages on the sidewalks to be installed by the Town since we are going with the ADA requirements for five foot walks. He should have more information after Friday's meeting.
 - h. There was a question about striping the center line and Mr. Amos said he would find out on Friday. Mr. Amos inquired if Chief Hildebrand would be attending the meeting and Chief stated that he could.
 - i. Mr. Comer inquired about the bid for the Town's portion of the sidewalks. Mr. Amos stated that he was hoping that we could get this accomplished with INDOT's contractor. Mr. Amos stated that the town would still need to tear out the existing walks.
 - j. Mr. Amos stated that the actual paving of SR 19 may not happen until next year.

New Business

Council To Consider Ordinance 087-04-2015-1 An Ordinance Amending Certain Sections of Chapter 111 of Title XI of the Municipal Code of Ordinances of the Town of Cicero as it relates to Peddlers, Itinerant Merchants, and Solicitors.

Mr. Amos made a motion to approve Consider Ordinance 087-04-2015-1 An Ordinance Amending Certain Sections of Chapter 111 of Title XI of the Municipal Code of Ordinances of the Town of Cicero as it relates to Peddlers, Itinerant Merchants, and Solicitors. Mr. Schrupf seconded, motion passed.

Council To Discuss Utilities at 190 N. Peru Street.

Mr. Amos explained that the owner of the property at 190 N. Peru Street has given the property to the Cicero Fire Department for training and has hired a contractor to remove the structure after training is complete. He requested to charge the minimum bill for the property since there would be no structure there. Ms. Unger stated that she has already processed the work order to do that and the owner will only be billed \$3.15. Mr. Foster made a motion to approve. Mr. Schrumpf seconded, motion passed.

Miscellaneous

1. Mr. Comer asked the Council to give Ms. Hartley permission to sign the Wastewater Treatment Permit for the State. Mr. Hayden made a motion to approve Ms. Hartley to sign the permit. Mr. Schrumpf seconded, motion passed.

Comments By Citizens

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. Schrumpf

Attested: _____
Jan Unger, Clerk Treasurer

The next Cicero Town Council Meeting will be on August 18, 2015, at 7:00 PM at the Cicero Town Hall.