



**TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
January 20, 2015
At 7:00 PM**

Call To Order: President Kay Hartley called the meeting to order and led the Pledge of Allegiance. Mr. Schrumpf said 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
Pat Comer, Street & Utilities Director
Dave Hildebrand, Police Chief
Steve Peachey, Fire Chief
Paul Munoz, Cicero/Jackson Township Plan Commission Director
Aaron Culp, Town Attorney
Kelleigh Fagan, Town Attorney
Keith Bryant, Town Engineer
Dan Strong, Cicero/Jackson Township Plan Commission President
Paul Utterback, Storm Water Management Board President
Brett Morrow, EDC

Approval of Prior Minutes:

Town Council Executive Session Memorandum, January 6, 2015 at 6:00 PM - Mr. Amos made a motion to approve the January 6, 2015 Executive Memorandum. Mr. Hayden seconded, motion passed.

Town Council Meeting Minutes, January 6, 2015 at 7:00 PM – Mr. Hayden made a motion to approve the January 6, 2015 Minutes. Mr. Schrumpf seconded, motion passed.

Approval of Agenda:

Ms. Hartley added a discussion on having Financial Management Reports for the Water Utility and Sewage Works prepared for the 2014 year-end under New Business. Mr. Hayden made a motion to approve the agenda. Mr. Amos seconded, motion passed.

Approval of Claims:

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

Petitions by Citizens:

There were none.

President's Report:

1. Ms. Hartley stated that she has appointed Fire Chief Peachey to the Hamilton County Emergency Management Advisory Council.

2. Ms. Hartley informed the Council that she and Mr. Schrumpf met with Mr. Steve Stackhouse regarding the ceiling damage and the plaster falling in the Town Hall. Mr. Schrumpf stated that Mr. Stackhouse did not think that there was structural damage; only old plaster drying out and cracking. Mr. Stackhouse checked the basement and some of the windows could use some caulking and there is a very rusty water heater there that may need replaced sometime. Mr. Comer stated that the water heater was turned off and not being used. Ms. Hartley stated that they have asked Mr. Stackhouse to give them an idea of the cost for repairs. Ms. Unger also pointed out that there was a leak on the south wall near the center of the room.
3. Ms. Hartley inquired if Ms. Unger contacted Mr. Culp regarding the flower bed at the front of the Town Hall. Ms. Unger said that she did and she and Mr. Culp both agreed that someone else needs to write the description. Ms. Unger has forwarded this to Mr. Munoz. Mr. Munoz stated he would work on it.
4. Council To Appoint 2015 Department Heads:
 - a. Fire Chief – Mr. Hayden made a motion to appoint Steve Peachey as Fire Chief. Mr. Foster seconded, motion Passed 5-0.
 - b. Police Chief – Mr. Hayden made a motion to appoint Dave Hildebrand as Police Chief. Mr. Schrumpf seconded, motion passed 4-1 with Mr. Amos voting nay.
 - c. Street/Utilities Director – Mr. Schrumpf made a motion to appoint Pat Comer as the Street/Utilities Director. Mr. Hayden seconded, motion passed 4-1 with Mr. Amos voting nay.
 - d. Plan Commission Director – Mr. Schrumpf made a motion to appoint Paul Munoz as Plan Commission Director. Mr. Foster seconded, motion passed 5-0.
 - e. Park Superintendent – Mr. Foster made a motion to appoint Charlie Cambre as Park Superintendent. Mr. Schrumpf seconded, motion passed 5-0.
5. President Hartley named the following Department Liaisons.
 - a. Police – Mr. Hayden
 - b. Fire – Mr. Foster
 - c. Parks – Mr. Schrumpf
 - d. Street & Utilities – Mr. Amos
 - e. Plan Commission – Ms. Hartley
6. **Council To Make Appointment To The Cicero Metropolitan Police Commission**
 - a. Mr. Schrumpf made a motion to appoint Mike Orr to the Cicero Metropolitan Police Commission. Mr. Foster seconded, motion passed.
7. **Council President To Make Appointment To Storm Water Management Board**
 - a. President Hartley appointed Paul Uutterback to the Storm Water Management Board.
8. **Council To Make Appointments To The Cicero Redevelopment Commission**
 - a. President Hartley made three appointments to the Cicero Redevelopment Commission: Dennis Schrumpf, Brett Foster, and Eric Hayden.
 - b. The Council made two appointments: Mr. Hayden made a motion to appoint Ms. Hartley and Mr. Amos. Mr. Schrumpf seconded, motion passed.

9. Council To Make Appointments To the Cicero Economic Development Committee (EDC).

- a. President Hartley appointed Alford Wilson, Terri Strong, and Bruce Freeman. Mr. Freeman inquired if there was a possibility of him being reappointed to the BZA as he wished to stay on the BZA. Ms. Hartley stated no. Mr. Freeman then said he would accept the appointment on the EDC.
- b. The Council made four appointments:
 - i. Mr. Amos made a motion to appoint Brett Morrow to the EDC. Mr. Foster seconded, motion passed.
 - ii. Mr. Foster made a motion to appoint Mike McConnell to the EDC. Mr. Schrumpf seconded, motion passed.
 - iii. Mr. Amos made a motion to appoint Linda Wilgus to the EDC. Mr. Foster seconded, motion passed.
 - iv. Mr. Foster made a motion to appoint Steve Decatur to the EDC. There was no second. Mr. Foster then made a motion to appoint Bob Gordon to the EDC. Mr. Amos seconded, motion passed.

At this point, Mr. Brett Morrow addressed the Council stating there has been no discussion or communication with the EDC about the appointments or lack of appointments from those on the committee currently. Mr. Morrow stated that the current EDC has been blindsided. There was a brief discussion at which point Mr. Morrow resigned from the EDC.

Mr. Hayden made a motion to table appointing a replacement for Mr. Morrow. Mr. Amos seconded, motion passed.

10. Council To Make Two Council Appointments To The Cicero Jackson Township Plan Commission If Necessary.

- a. Mr. Schrumpf stated that he was willing to continue with his term.
- b. Mr. Hayden stated that he would like to be replaced. Mr. Amos was asked if he would be interested and he said he would. Mr. Hayden made a motion to have Mr. Amos complete his term. Mr. Foster seconded, motion passed.

11. Council To Make Appointment To The Cicero Jackson Township Plan Commission BZA.

- a. Mr. Hayden made a motion to appoint Tom Warner to the Cicero Jackson Township Plan Commission BZA. Mr. Amos seconded, motion passed, 4-0-1 with Mr. Foster abstaining.

12. President To Make Appointment To The Cicero Jackson Township Plan Commission.

- a. Ms. Hartley stated that she was re-appointing Dan Strong to the Plan Commission. Ms. Unger stated that she thought this was a BZA appointment. After a brief discussion the Council decided that Mr. Strong was a Plan Commission appointee to the BZA and this appointment should be to the Plan Commission. Ms. Hartley confirmed her appointment of Dan Strong to the Plan Commission.

Council Committee Reports:

There were none.

Legal Counsel Report-Aaron Culp:

Mr. Culp stated that Crown Castle has contacted him again about the lease on the cell tower. Mr. Culp stated that they want to meet with the Council to go over some options.

Mr. Culp thinks there are only 5 years left on the lease. Mr. Foster stated that he did not want to talk to them at this point. Mr. Hayden thought it was a good idea to see what they had to say. After a discussion it was determined that Mr. Culp would do some research and get back with the Council. Mr. Foster made a motion to table. Mr. Schrupf seconded, motion passed.

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

1. Mr. Strong thanked the Council for his re-appointment.
2. Mr. Strong informed the Council that the Plan Commission has reviewed the Zoning Ordinances and are making a few modifications. The final document should be read in February for the Plan Commission to send a favorable recommendation to the Council.
3. Mr. Strong informed the Council that the Comprehensive Plan has also been reviewed by the Plan Commission and it will be set for Public Hearing on February 11th. After that the Plan Commission will also be sending a favorable recommendation to the Council.
4. Mr. Munoz informed the Council that it has been difficult to get a quorum at the BZA meeting and would like to know if the Council would be inclined to appoint Mr. Freeman as an alternate. Mr. Strong reiterated the same. Mr. Strong said that Mr. Freeman would be a good alternate. He also stated that it would be good to have someone from the Township also. After a discussion it was decided that Mr. Strong would go back and do some research and Mr. Culp will check as well as to what can be done.

Town Engineer Report-Mr. Keith Bryant –

1. 2013 Downtown Sewer Rehabilitation Project - Change Order No. 1 & Certificate of Substantial Completion.
 - a. Mr. Bryant informed the Council that all of the pipe was in the ground and that the contract was substantially complete. Mr. Bryant distributed information to the Council on Change Order No. 1 which included some additional work and some reductions. The final increase is \$66,510 to the contract price which was \$794,377 making the final cost \$860,887. The bond issue was for \$900,000. Mr. Bryant asked the Council to approve the change order and give permission for Ms. Hartley to sign. Mr. Schrupf made the motion to approve the change order and give permission for Ms. Hartley to sign. Mr. Foster seconded, motion passed.
 - b. Second, Mr. Bryant informed the Council that since the project was substantially complete he would like for the Council to approve the Certificate of Substantial Completion. Mr. Bryant stated that this would essentially begin the warranty process on the completed portions. The other items, such as the chip and seal, will begin warranty when they are completed in the spring. Mr. Hayden made a motion to approve the Certificate of Substantial Completion and allow Ms. Hartley to sign. Mr. Foster seconded, motion passed.
 - c. Mr. Hayden inquired about the repair on East Jackson Street. Mr. Comer stated that was from one of our water mains that had a leak.
 - d. Mr. Hayden also inquired about a hole on SR 19 south of the stoplight on the north bound lane. Mr. Comer said he was not aware of it but he would check on it.
 - e. Mr. Bryant stated there would be a punch list once everything was complete.

Old Business:

There was none.

New Business

Council To Approve Authorization Signatures For Payment Request For The OCRA Grant For Hidden Bay.

Mr. Foster made a motion to approve Ms. Hartley signing the Request for Payment for the OCRA Grant. Mr. Schrupf seconded, motion passed.

Council To Consider Annual Preventative Maintenance Inspection Agreement For Outdoor Warning Siren And Approve Town Representative To Sign.

Ms. Unger stated that this was the annual maintenance fee for the sirens. The amount is \$350. Mr. Schrupf made a motion to approve the Maintenance Agreement for the Sirens and to allow Ms. Hartley to sign. Mr. Amos seconded, motion passed.

Council To Consider Having Umbaugh Prepare Financial Management Reports for the Water Utility and Sewage Works for the 2014 year-end.

Mr. Hayden stated that he thought that we should have these completed. Mr. Schrupf made a motion to approve proceeding with the Financial Management Reports for the Water Utility and Sewage Works for the 2014 year-end at the cost of \$3,750 per utility. Mr. Amos seconded, motion passed.

Miscellaneous

1. Council to hear year-end report from Clerk Treasurer – Ms. Unger briefly reviewed the year-end report for the General Fund stating that there was additional revenue received and due to the cuts that were made in 2014 the year ended with a positive \$60,000.
 - a. Ms. Unger also touched on the Water and Wastewater accounts stating that they were in good order. Ms. Unger said that she still needed to evaluate the hydrant maintenance fees which were deposited into the water cash operating since the billing system could not account for it separately. These fees should be deposited into the Water Improvement fund. She is going to do some research on this. It will not be a problem in 2015 as the hydrant maintenance is accounted for separately.
 - b. Ms. Unger said for water and wastewater additionally there is debt service reserve accounts. There is also an improvement investment for each account.
 - c. Mr. Hayden inquired as to what the UV system would be paid out of and Ms. Unger stated the improvement investment which has \$862,000 in it.

Comments By Citizens

1. Mr. Tom Warner addressed the Council concerning the appointments to the EDC. Mr. Warner stated that the EDC was totally unaware of the Council's intent to make changes to the appointments this evening. He stated that three members were removed without any communication from the Council. Mr. Warner stated that he was astonished again by no communication. Mr. Warner stated that he thought the appointments were staggered. Mr. Culp reviewed the amendments to the EDC. Ms. Unger stated that over the years there had been four amendments. Mr. Culp stated

that in one of the amendments it states that the Council has the right to remove an appointee at any time. Additionally, he thought because there have been several amendments, one of which changed the number of members, and the final one not addressing the terms directly, this is probably where the terms got confusing. Originally, in the first amendment it did state how the terms were established. Ms. Unger stated that the information she has shows all terms ending in May or October of 2014. Mr. Warner stated that no one told the EDC members that there would be any changes.

2. Mr. Brett Morrow stated that the EDC members, including himself as president, were totally caught off guard this evening. Mr. Morrow stated that this was not directed to the new members. They welcomed anyone to the committee. It was directed to the lack of communication from the Council. Mr. Morrow stated that there needed to be some changes made and that he would be running for Council.

Signatures on Official Documents!

Motion To Adjourn:

Mr. Hayden made a motion to adjourn. Mr. Schrupf 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 February 3, 2015, at 7:00 PM at the Cicero Town Hall.