



**TOWN OF CICERO  
TOWN COUNCIL MEETING MINUTES  
March 3, 2015  
At 7:00 PM**

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

**Absent:** Chad Amos

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  
Aaron Culp, Town Attorney  
Kelleigh Fagan, Town Attorney  
Keith Bryant, Town Engineer

**Approval of Prior Minutes:**

**Town Council Meeting Minutes, February 17, 2015 at 7:00 PM** – Mr. Foster made a motion to approve the February 17, 2015 Minutes. Mr. Hayden seconded, motion passed.

**Approval of Agenda:**

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

**Approval of Claims:**

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

**Petitions by Citizens:**

There were none.

**President's Report:**

1. Ms. Hartley stated that the Council would be having an executive session on March 17<sup>th</sup> at 6:00 pm to discuss potential litigation and second to discuss economic development.
2. Ms. Hartley stated that the Council would be having an executive session on Wednesday, March 25<sup>th</sup> at 7:00 pm to discuss employee evaluations.
3. Ms. Hartley informed the Council that there would be a meeting on March 4<sup>th</sup> at 7:00 pm with the Economic Development Committee to discuss the Main Street Project.

4. Ms. Hartley stated that she would be delivering Meals on Wheels next week for the March Meals on Wheels public awareness initiative.

**Council Committee Reports:**

There were none.

**Legal Counsel Report-Aaron Culp:**

Mr. Culp stated that they have issued a temporary Certificate of Occupancy (C of O) to the Lazy Frog contingent on the completion of the agreement to complete all exterior issues. Mr. Culp stated that there are no pending issues concerning health, safety, or ADA on the interior. The agreement will state that they have 90 days to complete the exterior issues. Cicero Capital LLC will put \$10,000 in escrow for the Town to use if the items are not completed, and the final C of O will not be issued until all items are complete and the Town can issue an injunction if the project is not complete. Mr. Munoz and Chief Peachey have had at least 5 or 6 walkthroughs and are in agreement with what is stated above. Mr. Culp stated that the Lazy Frog was slated to open on Friday, March 6<sup>th</sup>. Mr. Hayden inquired if the Plan Commission and Mr. Strong were in agreement with this process and Mr. Munoz stated that they were 100% in agreement. Mr. Hayden inquired if the \$10,000 was enough to complete the exterior items and Mr. Munoz stated that it was. Mr. Culp asked the Council for approval to proceed with the agreement and to give Ms. Hartley permission to sign. Mr. Hayden made a motion to approve the agreement and give Ms. Hartley permission to sign. Mr. Foster seconded, motion passed.

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

1. Mr. Munoz stated that he would be sending additional items to the Council regarding the executive session scheduled on March 17<sup>th</sup>.

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

1. Update on Frontier Bill for Utility Relocation –The Town has received confirmation from Frontier that they will accept the agreement proposed by the Town to accept 20% of the additional invoice if INDOT will not pay the 80%. Mr. Bryant stated that the Town should pay the original \$129,437 and then submit to INDOT a request to pay the 80% of the second invoice. Council was good with that.
2. Discussion on Comcast Relocation for Causeway – Mr. Bryant stated that they have received nothing from Comcast regarding their relocation. It has been well past the 90 days completion for them to submit a bill. Mr. Bryant stated that he did receive a call from INDOT inquiring if this project was complete and Mr. Bryant stated that it was not. Mr. Bryant was not sure what the Town wanted to do regarding this issue and suggested that we could either send a letter to Comcast or let it go and if the grant closes the Town may or may not be responsible. Mr. Culp stated that he thought we should send a letter to Comcast and give them 30 days to present an invoice. Mr. Hayden made a motion to allow legal and engineering to prepare a letter for Comcast and for Ms. Hartley to sign. Mr. Foster seconded, motion passed.
3. UV Filter system at Wastewater Plant – Mr. Bryant distributed the minutes of the meeting on February 17<sup>th</sup>, 2015 that United had with Mr. Comer and Mr. Taylor for a preliminary evaluation of the different UV Systems available today. The system we have currently is outdated and no longer available. In April they will go to look at some installations and talk with the operators. Mr. Bryant said that they should have final design in April or May.

4. Hidden Bay Waterline Replacement – Mr. Bryant distributed the minutes of the meeting United had with Mr. Comer, Mr. Higgins and Mr. Taylor on February 17<sup>th</sup>, 2015 discussing the project. Mr. Bryant said they are planning a meeting with residents at their facility to review the plans and discuss potential shutdown times and areas. The advertisement for the bids will be in the paper Monday, March 9, 2015. Bids will be received and opened at the April 7<sup>th</sup> Town Council Meeting with the award being given on April 21<sup>st</sup>.
  - a. Additionally with regard to this project, the OCRA Grant will not allow grant money to be used on private property. Mr. Bryant suggested that to bridge the gap with the service lines that the Town get a quote from the contractor doing the water line replacements. This would be a separate contract and paid for by the Town but would be completed at the same time. Council was okay with this and advertising for the bids on the full project.
5. SR 19 – Mr. Bryant informed the Council that the State will only be making the sidewalks ADA accessible at the intersection of SR 19 and Jackson St. Mr. Bryant stated that INDOT would be widening the turn at Brinton Street and installing a curb at the right of way. Mr. Bryant suggested getting a quote, from the contractor doing the work for INDOT, to install curbing and widen the street on both sides of Brinton Street. They would widen Brinton Street two feet on the south side and six feet on the north side to match up with INDOT’s plans for the intersection. The Council was good with doing that.

## **Old Business:**

### **Council To Consider Resolution 03-03-2015-1 Comprehensive Plan.**

Mr. Munoz stated that the Comprehensive Plan has gone through the process of public meetings and the Plan Commission has approved the draft. The next step is for the Town Council and Jackson Township to approve. Mr. Munoz informed the Council that Mr. Strong has suggested that a committee be formed to meet at the beginning of each year to review if any changes need to be made, if anything has been completed, and evaluate how we are doing with the plan. Mr. Munoz stated that K.K Gerhart-Fritz with The Planning Workshop, Inc. is here this evening to answer any questions the Council might have this evening. Ms. Hartley stated that she has not completely read the document and would like to do that before passing. Mr. Munoz asked if she had any questions and Ms. Hartley stated that she didn’t at this time. Mr. Hayden made a motion to table. Mr. Schrupf seconded, motion passed.

## **New Business**

There was none.

## **Miscellaneous**

1. **Cancellation of Warrants over 2 years old** - Ms. Unger informed the Council that by law she was required to inform the Council of the cancellation of warrants over 2 years old and that she has distributed a list of these items to them.

2. Mr. Munoz informed the Council that he would have all of the quotes for the necessary repairs that need to be completed on the Town Hall and the Utility Office at the Staff Meeting.
3. Mr. Brett Morrow reminded the Council of the Main Street meeting on March 4, 2015 at the Town Hall at 7:00 pm.

**Comments By Citizens**

1. Mr. Bruce Freeman inquired about the cancellation of warrants. He was informed that there were only 6 for a total amount of \$189.07.

**Signatures on Official Documents!**

**Motion To Adjourn:**

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

***Signatures of Cicero Town Council:***

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Sylvia Kay Hartley - President

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Brett S. Foster - Vice-President

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Chad B. Amos

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Eric C. Hayden

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Dennis D. Schrumpf

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

The Next Cicero Town Council Meeting will be on March 17, 2015, at 7:00 PM at the Cicero Town Hall.