



**TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
Tuesday, February 16, 2016
At 7:00 PM**

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

Present: Chad Amos
Brett Foster
Chris Lutz
Rusty Miller
Craig Penwell

Absent:

Mr. Foster declared a quorum present.

Others Present: Jan Unger, Clerk Treasurer
Charlie Cambre, Park Superintendent
Pat Comer, Street & Utilities Director
Dave Hildebrand, Police Chief
Lance Overholser, Fire Chief
Aaron Culp, Town Attorney

Approval of Agenda:

Mr. Amos made a motion to approve the agenda as presented. Mr. Lutz seconded, motion passed.

Approval of Prior Minutes:

Town Council Meeting Minutes, February 2, 2016, 7:00 PM - Mr. Miller made a motion to approve the Town Council Meeting Minutes, February 2, 2016. Mr. Lutz seconded, motion passed.

Approval of Claims:

Mr. Amos made a motion to approve the Claims as presented. Mr. Penwell seconded, motion passed.

Petitions by Citizens:

1. There were none.

President's Report:

1. President Foster stated that he had nothing this evening.

Council Committee Reports:

1. Events Committee – There was nothing.

Legal Counsel Report- Aaron Culp:

Mr. Culp stated that he had received a Default Judgment on Cicero Truck and Auto. This includes granting Cicero \$1,000 in legal fees, court costs. The owner has one month to remedy the violations. If he fails to do so we can file a motion to bring him back to court and seek to have him held in contempt. We can also seek additional fines. If all else fails, the court also granted us the power to remove the sign and vehicles that are currently in violation of the zoning code.

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

1. Contract for services with HWC for the Stellar Communities Application - Mr. Penwell inquired of Mr. Culp about the indemnify clauses and the insurance requirements. He does not see any reason for those to be in our contract since it is for HWC to write the application only. Mr. Culp agreed with that. The discussion continued. Mr. Amos made a motion to approve the contract after Mr. Culp revises. Mr. Lutz seconded, motion passed.

Town Engineer Report-Mr. Keith Bryant:

Mr. Bryant was not available but sent the following report:

Town of Cicero

February 16, 2016 Town Council Meeting

Engineer's Report

1. **UV Disinfection System Project:** The contractor (Thieneman Construction) has installed the new equipment and the manufacturer has visited the site. The manufacturer is scheduled to be onsite again on February 17 to fully check out the installation and start up, run and test the equipment. If all tests out properly, the manufacturer will return to the site in mid-March to restart the equipment and provide training to the plant personnel. No issues in having the equipment on line for the 2016 disinfection system are anticipated.

2. **SR 19 Sidewalk Project:** The contractor, Dorsey, has completed the current contract scope. Additional lawn area grading and seeding are likely in the spring. We are working with INDOT for the permit modification related to the additional work to be completed in the spring of 2016. Dorsey is planning to do the work beginning in mid-April.

3. **IDEM Notice of Violation:** The settlement conference with IDEM has been scheduled for February 24 at 9:00 at IDEM's offices.

As always, feel free to contact our office to discuss any project or other needs.

Thank you.

Keith Bryant, PE

Mr. Amos reported that Dorsey will be finishing the SR 19 sidewalk project the week of April 18th.

New Business:

There was none.

Old Business:

Council To Consider State of Indiana Mutual Aid Agreement For Water/Wastewater And Give President Permission To Sign.

Mr. Penwell made a motion to approve the State of Indiana Mutual Aid Agreement for Water/Wastewater and give Mr. Foster permission to sign. Mr. Lutz seconded, motion passed.

Council To Consider Agreement With Malcon For Medicaid/Medicare Billing Service And Give President Permission To Sign.

Fire Chief Overholser explained that this is the consulting firm that will evaluate the expenses the Town incurred for service. They will then determine what amount is still owed to the Town. This year (for 2013) they are estimating a return of \$21,184.87. They are anticipating a return next year (for 2014) around \$40,000. This would go in the general fund to be appropriated as Council decides. Mr. Lutz made a motion to approve the agreement with Malcon. Mr. Miller seconded, motion passed.

Miscellaneous

1. Mr. Culp inquired about the Staff/Retreat meeting minutes. Ms. Unger stated that these are written but she has never had them approved at the Council meeting. Mr. Culp stated that they should be and Ms. Unger said that she would start doing that.
2. Mr. Penwell brought up the issue of Mr. Munoz attending the Ball State Class. Council had approved this and at the time of approval they did not think there would be any charge to the Town. The cost is \$1,600 and it was determined that the full cost would have to be paid. Mr. Penwell made a motion to approve the Town paying this out of the Training line item for the Plan Commission and that would be the limit for the year. Mr. Lutz second, motion passed.

Comments By Citizens

There were none.

Signatures on Official Documents!

Motion To Adjourn:

Mr. Miller made a motion to adjourn. Mr. Lutz seconded, motion passed.

Brett S. Foster, President

Chad B. Amos, Vice-president

Christopher J. Lutz

Robert J. Miller

Craig S. Penwell

Attested: _____
Jan Unger, Clerk Treasurer

The Next Cicero Town Council Meeting will be on March 1, 2016, at 7:00 PM at the Cicero Town Hall.