



TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
Tuesday, December 6, 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:	Brett Foster	Absent:
	Chad Amos	
	Chris Lutz	
	Rusty Miller	
	Craig Penwell	

Declare 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
Dan Strong, Cicero/Jackson Township Plan Commission President
Keith Bryant, Town Engineer
Aaron Culp, Town Attorney

Approval of Agenda:

Ms. Unger added under Miscellaneous an update on the damaged police car. Mr. Amos added under Miscellaneous an update on the Christmas Festival. Mr. Amos made a motion to approve the agenda as amended. Mr. Miller seconded, motion passed.

Approval of Prior Minutes:

**Town Council /Staff Meeting Memorandum, November 10, 2016, 6:30 PM –
Town Council Meeting Minutes, November 15, 2016, 8:30 PM -**

Mr. Amos made a motion to approve the Town Council/Staff Meeting minutes for November 10th and the Town Council Meeting Minutes for November 15th. Mr. Miller seconded, motion passed.

Approval of Claims:

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

Petitions by Citizens:

There were none.

President's Report:

1. President Foster stated that Linda Wilgus has resigned from the Cicero/Jackson Township Plan Commission due to other commitments. Mr. Foster stated he was appointing Jack Russell to the Cicero/Jackson Township Plan Commission.

Council Committee Reports:

1. Plan Commission Director Search Committee – Mr. Strong stated that they have received three applications. They are still taking applications at this time. Ms. Unger stated that she has added the posting to the IACT website and to the state’s plan commission website.

Cicero/Jackson Township Plan Commission Report-Mr. Strong

1. Contractor’s Report – Mr. Strong stated that he has distributed a copy of the contractor’s report to the Council. Mr. Strong stated that the plan commission is processing permits and completing inspections in a timely manner.
2. Arbor Homes – Mr. Strong distributed a folder to the Council containing a copy of Article 8 in the Zoning Ordinance describing the process for a Planned Development for the Council to review. Also included was information from Paul Claire with Arbor Homes discussing the Regional Infrastructure Costs on the East Side of Cicero. The total cost is \$2,939,420. Mr. Strong stated that Arbor wants to partner with the Town on some of the costs but he does not know how much. He is waiting to hear back from Arbor. Mr. Strong will continue to pursue. Mr. Strong was interested if the Town has partnered with other developers on certain items in the development.
 - a. Mr. Strong stated that Arbor Homes is on the Plan Commission docket for December 14th to ask for a re-zone and there will be an opportunity for public opinion. The Plan Commission then makes a recommendation to the Town Council. They could recommend approval, disapproval, or ask for further information. Once the Plan Commission decides on their recommendation it will go on the next regular scheduled Town Council meeting, which is currently scheduled for December 20th but could change.
 - b. Mr. Penwell inquired about partnering on the utilities and inquired if that was separate from the zoning. Mr. Strong said it was separate unless it was brought up. Mr. Penwell inquired if the Town Council disapproved the zoning must the developer wait one year to ask again. Mr. Strong stated that they did. Mr. Culp suggested that the Council may want to schedule an Executive Session to discuss the development further. All decisions will have to be made at a public meeting but discussion should happen in an executive session concerning the partnering. Mr. Lutz asked for the information that Mr. Strong supplied to be sent to him electronically. There was a discussion. Mr. Lutz inquired if it was time to get Umbaugh involved. Mr. Strong stated that Ms. Unger has spoken with Umbaugh and received some information.
 - c. The Council scheduled an Executive Session for January 5th, 2017 at 6:00 pm.
 - d. Mr. Strong pointed out an article in the Hamilton County Business Magazine regarding addressing a lack of workforce in the building industry in general.

Legal Counsel Report- Aaron Culp:

1. Mr. Culp updated the Council on NRG stating that they have hired Plews Shadley for their attorney and a second attorney is involved. The vegetation was cut last week and they are taking steps to secure the building and the next step will be the insurance. Mr. Culp believes that we will be moving forward from now on.

Town Engineer Report-Mr. Keith Bryant –

Mr. Bryant addressed the following:

1. I & I Evaluation – Mr. Bryant stated that the video was complete and he distributed a listing of the results. He touched on some of the major points. He stated that the sewers in some areas are in poor condition. They will be looking at how to proceed. He pointed out some of the photographs attached. At this point he still does not have an estimate of repair costs. That should come sometime within the next five months or so. There was a discussion regarding funding for repairs and Ms. Unger stated that she would talk to Umbaugh.

Old Business:

Council To Consider Proposals For Main and Jackson Streets And For Path On Main Street.

Mr. Penwell made a motion to untable. Mr. Lutz seconded, motion passed. Mr. Penwell stated that Ms. Kmicikewycz, Mr. Strong and he met as a committee to review the proposals and they have asked for additional information. They plan to have a recommendation to the Council by the Town Council meeting on December 20th. Mr. Penwell then made a motion to table. Mr. Miller seconded, motion passed.

Council To Hear Update On LED Lighting.

Chief Hildebrand informed the Council that the representative the committee was working with informed them that they needed to pay 70% down and there was a large delivery fee. The Town cannot pay upfront costs; therefore, Chief Hildebrand is moving on to another vendor that will not charge prior to delivery. The committee will meet with a new vendor on December 8th. The same day Chief Hildebrand is meeting with a representative from Duke on the street lights.

New Business

Council To Consider Resolution 12-06-2016-1 Transfer Of Funds In Fire And Parks Dept.

Ms. Unger informed the Council that she added another transfer for the Fire Department for fill-in help since they received their packet. Mr. Lutz made a motion to approve Resolution 12-06-2016-1 Transfer of Funds in Fire and Parks Dept. Mr. Miller seconded, motion passed.

Council To Consider Dan Strong As Interim Plan Commission Director And To Approve Ordinance 12-06-2016-2 An Amendment To the 08-18-2016-1 2016 Salary Ordinance.

Mr. Amos made a motion to approve Dan Strong as interim Plan Commission Director and to approve Ordinance 12-06-2016-2 an Amendment to the 08-18-2016-1 2016 Salary Ordinance. Mr. Lutz seconded, motion passed.

Council To Consider Options For Electric, Water, And Roof Situation In Upstairs Apartment At 150 W. Jackson Street.

Ms. Unger stated that the electric has been repaired and because of this there is no water issue. Ms. Unger stated that there is still a problem with the leak in the ceiling in the apartment. Mr. Lutz made a motion to ratify the action to repair the electric box. Mr. Miller seconded, motion passed. Mr. Amos stated there was a problem with the eaves

trough above the electric box and to have it looked at. Chief Hildebrand stated he would look into the problem.

Council To Discuss The Future Of Voss Hiatt Road.

Mr. Comer informed the Council that a section of Voss Hiatt Road is in need of replacement. Mr. Comer stated that initially the County stated that the entire road was Cicero's, now they are not sure that it is. The section that is ours is in need of repair. Mr. Comer stated that the Council could close, chip seal or replace. There may be some grant money available in 2017. Mr. Comer stated that in the spring he could grade and chip seal for \$10,000-15,000. There was a lengthy discussion and Mr. Culp stated he would see if he could find out who actually owns the road.

Council To Consider 2017 Proposed Parks Dock Fees.

Mr. Cambre presented proposed fees for the docks for 2017 to the Council and Mr. Cambre reviewed the fees. There was a discussion and the Council thought the percentage of increase for resident and non-resident should be the same. Mr. Amos made a motion to approve \$1,050 for residents and \$1,400 for non-residents. Mr. Lutz seconded, motion passed.

Council To Discuss Utility Service Partners Private Label, Inc., d/b/a Service Line Warranties of America.

Ms. Unger explained to the Council how the program worked and stated that she had talked with some of the references. Mr. Lutz made a motion not to move forward with this endorsement from Utility Service Partners Private Label, Inc.. Mr. Penwell seconded, motion passed.

Council To Consider 2017 Interlocal Agreement With White River Township For ALS Service.

There was a discussion by the Council on the fee and the number of runs. Mr. Amos made a motion to approve the 2017 Interlocal Agreement with White River Township for ALS service. Mr. Penwell seconded, motion passed.

Miscellaneous

1. Christmas Party – pitch-in luncheon, December 16th, 11:30 am at Red Bridge Community Building.
2. Police Car – Chief Hildebrand stated that the police car involved in an accident has been totaled. He will need to replace. Chief Hildebrand does not know the exact amount on the settlement yet. He and Ms. Unger have looked at the budget and think the difference between the estimated insurance settlement and the cost of a new car can be covered. He will most likely not be able to get it replaced until March.
3. Christmas Festival – Mr. Amos thanked all of the departments and people involved in a very successful first Christmas lighting event. He estimated between 500 and 600 attendees. If anyone has any suggestions please forward to OTC.

Comments By Citizens

There were none.

Motion To Adjourn:

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

Signatures on Official Documents

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 December 20, 2016, at 7:00 PM at the Cicero Town Hall.