



**TOWN OF CICERO  
TOWN COUNCIL MEETING MINUTES  
Tuesday, June 21, 2016  
At 7:00 PM**

**Call To Order:** President Brett Foster called the meeting to order. Mr. Foster led the Pledge of Allegiance and 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  
Chad Amos  
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  
David Hildebrand, Police Chief  
Lance Overholser, Fire Chief  
Paul Munoz, Cicero/Jackson Township Plan Commission Director  
Aaron Culp, Town Attorney  
Paul Utterback, Storm Water Management Board President

**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, June 7, 2016, 7:00 PM** - Mr. Lutz made a motion to approve the Town Council Meeting Minutes of June 7, 2016. Mr. Amos seconded, motion passed.

**Approval of Claims:**

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

**Petitions by Citizens:**

There were none.

**President's Report:**

1. President Foster read a thank you note from Dan & Terri Strong.

**Council Committee Reports:**

1. Events Committee – Police Chief Hildebrand stated that they are working on the plans for the July 4<sup>th</sup> event.

**Legal Counsel Report- Aaron Culp:**

Mr. Culp stated that he had nothing.

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

1. Mr. Strong informed the Council that the Plan Commission met on June 8<sup>th</sup>. On the docket was a minor subdivision at Point Lane and 249<sup>th</sup> Street.

2. Mr. Strong stated that the Plan Commission would be filing a monthly report with the Council on permit issues and a violation report. This should help with communication.

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

Mr. Bryant was not available. Mr. Comer reported on the following:

1. SR 19 Curbs and Ramps – Mr. Comer stated that they have still not heard anything from the contractor.
2. IDEM Wastewater issues – Mr. Comer informed the Council that they also have not heard back from IDEM on the agreed order.

**Old Business:**

**Council To Hear/Give Update On Ingerman Drain Meeting And Consider Request To County For Study Of The Cornthwaite Drain.**

Mr. Munoz stated that if the Council would like to have the county do a study on the Cornthwaite Drain they would need to have Mr. Culp complete the petition, have the president sign it, and then give it to the County Drainage Board. Mr. Culp stated that he had the petition and he would complete it and then it would just need Council signatures. Mr. Amos made a motion to complete the petition and give permission to sign. Mr. Penwell seconded, motion passed.

**Council To Consider Purchase Of Lighted Speed Signs For Jackson Street.**

Police Chief Hildebrand informed the Council that it would take a process to install the lighted speed limit signs. The Council would have to pass an ordinance, and then they would have to be quoted. It would probably take 30 days to order and another 30 days after advertisement of the ordinance. Chief Hildebrand stated that he would like to move the 20 MPH sign to the west for incoming traffic to across from the edge of the Waterfront building. He thought this would help. That would give more time to assess what would be most effective. Also, they might install a couple of pedestrian crossing signs. These would be less expensive than the lighted signs. Mr. Culp stated they would have the ordinance ready for the next meeting.

**Town Council To Open Paving Bids.**

Bids were opened as follows:

| <b>Company Name</b>    | <b>Bid Amount</b> | <b>Opened by</b> |
|------------------------|-------------------|------------------|
| Harding Group          | \$ 101,950.00     | Mr. Penwell      |
| Globe                  | \$ 120,060.00     | Mr. Penwell      |
| Calument               | \$ 115,000.00     | Mr. Amos         |
| Asphalt Solutions      | \$ 126,550.00     | Mr. Amos         |
| ACE Paving LLC         | \$ 109,000.00     | Mr. Foster       |
| Midwest Paving         | \$ 99,480.00      | Mr. Foster       |
| Mile Stone Contractors | \$ 107,035.00     | Mr. Lutz         |
| Baumgartner & Company  | \$ 126,097.00     | Mr. Lutz         |
| E&B Paving             | \$ 115,515.81     | Mr. Miller       |
| Grady Brothers, Inc    | \$ 88,800.00      | Mr. Miller       |

Mr. Foster stated that the Town would take time to review documents and bids packets for completeness. Mr. Amos made a motion to table to take under advisement. Mr. Lutz seconded, motion passed.

## **New Business**

### **Council To Consider Ordinance 06-21-2016-1 An Ordinance Governing Internal Control Standards And Internal Control Procedures For Internal Control Systems Of The Town Of Cicero.**

Mr. Culp informed the Council that this was a new law mandated by the State and the Department of Local Government Finance in case there are fraudulent activities regarding funds; they want to be able to track it back to someone. Mr. Lutz inquired about the actual policy and Ms. Unger stated that it was coming but still needs some time to work on it. Mr. Amos made a motion pass on the first reading. Mr. Lutz seconded, motion passed.

### **Council To Discuss Responsibility Of Addressing New Properties.**

Mr. Amos made a motion to untable. Mr. Lutz seconded, motion passed. Mr. Munoz stated that he would be taking on the new property addressing. He will be working with Andy Wert to learn the process. The Cicero Fire Department will also work with Mr. Munoz on the addressing.

### **Council To Consider Liability Insurance Policy With Walker & Associates For July 1, 2016 Through June 30, 2017.**

Mr. Penwell stated that the Council should approve the presented policy for July 2016-June 2017 as the quoting process on a municipality would be extensive and there would not be enough time to complete at this time. Mr. Penwell suggested that in 2017 the Council should start looking at the policy at least 45 days out to see if we wanted to get additional quotes. Mr. Penwell made a motion to approve the presented Liability and Workers Comp Insurance Policy with Walker & Associates. Mr. Miller seconded, motion passed.

### **Council To Approve INDOT 50/50 Match Grant For Road Improvements And Give President Permission To Sign, Named “Community Crossing Matching Grant.”**

Ms. Kmicikewycz presented the Council with information regarding the Community Crossings Matching Grant. This money cannot be used for sidewalks or railroads. The Council discussed this grant intermittently along with the Railroad Grade Crossing Safety Enhancement Grant. It was the consensus of the Council to apply for this grant using the special “LOIT” distribution the town received from the state as the match. The application is due on July 29, 2016. Mr. Amos made a motion to approve proceeding with this application and allowing Mr. Foster to sign after being reviewed by the town’s attorney. Mr. Lutz seconded, motion passed.

### **Council To Consider Applying For Reimbursable Grant From State For Railroad Improvements, Named “Railroad Grade Crossing Safety Enhancement Grant.”**

The Crossing Grant is for a total of \$40,000, not \$40,000 per crossing, and there is no match. It can only be used for median barriers at grated crossings, pavement markings, signage, and illumination. It cannot be used for paving. The Town can only apply for the

items mentioned above. The owners of the railroad tracks must apply for repair of the tracks. The Town cannot apply for both or for the track repair. The Hoosier Heritage Port Authority (HHPA) owns the tracks. They are applying for repairs in Fishers and if they apply for Cicero they would want Cicero to assist with the match. The match is 50%. There was a discussion on closing the crossings in Cicero and the Funds that were available to do this. There is a grant for \$10,000-\$20,000 per crossing for closing. The Town has 7 crossing and Mr. Lutz inquired if we could apply for all. Ms. Kmicikewycz thought it was only two per year. The HHPA would have to approve any closings. The HHPA and the Indiana Transportation Museum (ITM) were to meet on June 27<sup>th</sup> to discuss the future of the railroad but the meeting has been moved to July 11<sup>th</sup>. The application for the \$40,000 is due on July 29<sup>th</sup>. There was a discussion on what alternatives the Town had to get the railroad to repair their track crossings. Several ideas were discussed including; going to the meeting and discussing with the HHPA and/or ITM, fixing them ourselves, and a possible court filing. Mr. Lutz stated that they were just exploring ideas at this time. Ms. Kmicikewycz stated that the railroad grant was going to be tough and inquired what the highest priority was. Mr. Lutz made a motion to table. Mr. Miller seconded, motion passed 3-2 with Mr. Penwell and Mr. Amos voting nay. Mr. Amos stated that he did not want to discuss further.

### **Miscellaneous**

1. **EDC** – Linda Wilgas, President of the Economic Development Committee (EDC), invited the Council to attend the EDC’s July 6<sup>th</sup> meeting. Mrs. Wilgas stated that Bill Soards, President of AT&T, will meet with the EDC to discuss making Cicero a Broadband ready community.
  - a. Mr. Foster suggested that the Council discuss their capital project list with the EDC at this time and invite Mr. Semler with Umbaugh to attend.
  - b. Mr. Lutz suggested that the school be invited.
  - c. Mr. Penwell thought that the Council should finalize the capital priority list first. Mr. Mike McConnell stated that he thought the drainage on SR 19 was a priority. Mr. McConnell stated that the EDC has been working with Arbor Homes and they are looking to build a 200-400 home development on the east side of town.
  - d. Mr. McConnell inquired about the Town Hall not being on the priority list. Mr. Foster stated that it was but it was number five. This Council did not see it as much of a priority.
2. The Council discussed a meeting date for capital projects and Ms. Unger stated that they needed to have budget meetings with the department heads so she could move forward with the initial budget in Gateway by July 19<sup>th</sup>. The Council decided to meet on Monday, June 27<sup>th</sup> with Mr. Comer, Chief Hildebrand, and Mr. Cambre and on Wednesday, June 29<sup>th</sup> with Chief Overholser and Mr. Munoz. They will discuss the capital project during these meetings.
3. Mr. Miller stated that the OTC wanted to hang a banner on the Causeway facing the lake for boaters to see information about the Dine on the Causeway event. Council was okay with this.

### **Comments By Citizens**

There were none.

**Signatures on Official Documents!**

**Motion To Adjourn:**

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

*Signatures of Cicero Town Council*

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Brett S. Foster, President

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Chad B. Amos, Vice-president

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Christopher J. Lutz

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Robert J. Miller

\_\_\_\_\_  
Craig S. Penwell

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

**The next Cicero Town Council Meeting will be on July 5<sup>th</sup>, 2016, at 7:00 PM at the Cicero Town Hall.**