



**TOWN OF CICERO  
TOWN COUNCIL MEETING AGENDA  
Tuesday, October 18, 2016  
At 7:00 PM**

**Call To Order:**

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

**Absent:**

Declare a quorum present.

**Others Present:** Jan Unger, Clerk Treasurer  
Charlie Cambre, Park Superintendent  
Lance Overholser, Fire Chief  
Paul Munoz, Cicero/Jackson Township Plan Commission Director  
Aaron Culp, Town Attorney

**Approval of Agenda:**

Mr. Foster added to the agenda under Petitions by Citizens HHASA and Mr. Cavanaugh and under Miscellaneous the equipment lease for the fire department.

**Approval of Prior Minutes:**

**Town Council Special Meeting, October 4, 2016, 6:00 PM,  
Town Council Meeting Minutes, October 4, 2016, 7:00 PM, and  
Town Council Executive Session Memorandum, October 6, 2016, 7:00 PM.**

Mr. Amos made a motion to approve the Special Meeting minutes of October 4<sup>th</sup>, Council meeting minutes of October 4<sup>th</sup>, and the Executive Session Memorandum of October 6<sup>th</sup>, 2016. 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:**

1. Joe Robbins to discuss Honor Wall at Veterans Circle – Mr. Robbins addressed the Council and introduced Jody Brown the Legion Commander. He distributed drawings of the proposed Honor Wall in brick and cement along with having one flag or three flags (US flag, State flag, and POW/MIA flag). Mr. Robbins stated that the post has the flag poles. Mr. Robbins stated that there would be plaques on the wall with all five service branches. Mr. Robbins also reviewed the costs for the project. Mr. Brown stated that they would be raising money for the project and thought that they would be able to raise it all. Mr. Robbins and Mr. Brown were asking for permission from the Council to move forward and to decide which design they liked best. Mr. Penwell made a motion to approve moving forward with the design plan using the brick wall capping it with limestone and placing the three flag poles behind the wall. Mr. Amos seconded, motion passed. Mr. Robbins stated that they would like to complete as soon as possible but their goal was to have it completed by Memorial Day 2017.

2. Bill Holliday to discuss Morse Landing West – Mr. Holliday addressed the Council with concerns that he has about the Silverthorne Homes being built in Morse Landing West. He stated the following:
  - a. He stated that there were no yard lights. The Covenants state that there needs to be dusk to dawn yard lights.
  - b. No house numbers, he stated that the covenants stated that they were not putting house numbers on the homes.
  - c. Mr. Holliday stated that there were to be two trees and these plantings were not being completed.
  - d. Mr. Holliday stated that they were not meeting the architectural standards and covenants and they were being given a certificate of occupancy (C of O). Mr. Holliday stated that this should not happen.
  - e. Mr. Holliday also stated that the upper siding was four or five inches from the flashing.
  - f. He stated that the sidewalks were not thick enough and were going to deteriorate.

Mr. Munoz stated that all of the homes have dusk to dawn lights just that some were on the garages. Mr. Munoz stated that Cicero does not enforce covenants. Mr. Munoz stated that they may consider putting some of the items mentions above in the architectural standards in the future. Mr. Holliday stated that when the addition was approved the Town withheld the C of O until everything was completed and or there was an agreement in writing. Mr. Culp stated that he was not sure what was recorded but that if the building meets the building code a C of O must be issued. Mr. Culp stated that today these issues would be resolved through a Planned Unit Development (PUD). Mr. Strong stated that there was a revised builder information sheet and wanted to know if the builder has the updated sheet. Mr. Holliday stated that these issues will probably development into a Civil Action lawsuit which is what they had to do previously. Mr. Steckley, owner of the development was in attendance and stated that he has been in contact with Mr. Munoz and that is who should handle these issues.
3. Mr. Kevin Cavanaugh, candidate for school board, was in attendance and addressed the Council. Mr. Cavanaugh introduced himself stated that he was employed with Beck’s Hybrids and was a member of their leadership team. He thought that he would be a good addition to the school board and asked for our support.
4. Hamilton Heights Amateur Sports Association (HHASA) – Mr. Sean Flaherty introduced himself, Chris Morrison and Kara Dent as new members that make the HHASA Board. Mr. Flaherty distributed a handout reviewing what the league has does at the ball fields over the last several years and what their plans are. Items reviewed were:
  - a. Current League snapshot
  - b. Changes and goals incorporated in 2016 and the increase in teams
  - c. Goals met in 2016, travel teams, Babe Ruth team added, middle school ball, increased sponsorships, increased concessions, added batting cage, improved communications, and improved behavior
  - d. Lessons learned in 2016 include fields need repair, damages by vandalism, scheduling issues
  - e. Goals for 2017 are correct drainage on fields, adding flags, vandalism issue corrected, add teams, continue to increase communications with parks department; Long range goals are safety nets, lights, concession stand, fix pavement and add path to diamonds

- f. Questions and Challenges if we partner with NYB: who will pay utilities; who will provide insurance; who buys product for fields; scheduling; etc.

Mr. Miller stated that the Council wants HHASA to be an integral part of the facility and are not planning to take over the fields. NYB is offering to do some work to the fields, bring in 64 team tournaments, and bring in a 50/50 split on profits to assist with the improvement of the fields in the future. On October 26<sup>th</sup> HHASA, NYB and a couple of Council will meet and discuss a plan. Ms. Dent, softball representative, inquired about who is responsible for the damage to the facility, referring to vandalism. She wondered if NYB was aware of everything that needed to be fixed. Mr. Lutz stated that he would like for everyone to look at this positively. Right now we are in a discovery stage and no promises have been made. Mr. Morrison wanted to know: when the tournaments would be, he was told after regular season; he wanted to know what was in it for the NYB representative, it is for profit and HHASA was non-for-profit; he wanted to know how Cicero kids could be first, especially if games had to be rescheduled, Council said this would have to be worked out; he wanted to know if it would be a true partnership. Police Captain Jim Hunter stated that the first fields were developed in the 1970s; 10 years ago there was none; the current fields were development with much volunteer help and donations by companies; he knows that drainage can be fixed but it will take more money and more volunteers. Mr. Lutz asked everyone to keep an open mind. Mr. Penwell stated that scheduling should be discussed. Mr. Foster stated that we needed to work on the handicap accessibility. Mr. Foster stated that after the meeting on October 26<sup>th</sup> they could report back to the Council.

**President's Report:**

1. Mr. Foster stated that the State of the Town was very good.

**Council Committee Reports:**

1. Events Committee – No report.

**Legal Counsel Report- Aaron Culp:**

1. Mr. Culp had nothing to report

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

1. **Update on Arbor Homes** – Mr. Strong stated that Arbor Homes was working on a feasibility study and architectural standards. The Plan Commission is waiting for more information.
2. Mr. Penwell inquired about an estimate from HWC for a possible Road Impact fee and Mr. Munoz stated that he should receive some information tomorrow.

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

Mr. Bryant was not available.

**Old Business:**

There was none.

**New Business**

There was none.

**Miscellaneous**

1. Lease for purchase of Cardiac Monitors and Air Packs with the Indiana Bond Bank and U.S. Bancorp Government Leasing and Finance, Inc. – Mr. Amos made a motion to approve the lease with U.S. Bancorp Government Leasing and Finance, Inc. and to allow President Foster to sign. Mr. Penwell seconded, motion passed.

**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 the 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

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Craig S. Penwell

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

**The next Cicero Town Council Meeting will be on November 1, 2016, at 7:00 PM at the Cicero Town Hall.**