



**TOWN OF CICERO  
TOWN COUNCIL MEETING MINUTES  
Tuesday, October 4, 2016  
At 7:00 PM**

**Call to Order:** President Brett Foster called the meeting to order. Boy Scout Daniel Harrison led the Pledge of Allegiance and Mr. Foster gave the prayer. Mr. Foster called for the roll call and the members of the Town Council were present or absent as follows:

<b>Present:</b>	Brett Foster	<b>Absent:</b>
	Chad Amos	
	Chris Lutz	
	Rusty Miller	
	Craig Penwell	

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  
Paul Munoz, Cicero/Jackson Township Plan Commission Director  
Aaron Culp, Town Attorney  
Paul Utterback, Storm Water Utility President

**Approval of Agenda:**

Mr. Foster added under Miscellaneous to discuss 2017 Dine On The Causeway. Mr. Amos noted a change in the ordinance number for the 2017 Salary Ordinance, change number to be 01-04-2016-2. Mr. Amos made a motion to approve the agenda as amended. Mr. Lutz seconded, motion passed.

**Adoption of the 2017 Budget for the Town of Cicero**

Mr. Foster inquired if there was any discussion and there was none. Mr. Lutz made a motion to approve the 2017 Budget for the Town of Cicero. Mr. Miller seconded, motion passed.

**Approval of Prior Minutes:**

**Town Council/Staff Meeting, September 15, 2016 -  
Town Council Meeting Minutes, September 20, 2016, 7:00 PM –  
Town Council Executive Session, September 26, 2016, 7:00 PM –**

Mr. Amos made a motion to approve the Town Council/Staff Meeting Minutes of September 15, 2016, Town Council Meeting Minutes of September 20<sup>th</sup>, 2016 and the Executive Session Memorandum for September 26, 2016 16<sup>th</sup>. Mr. Penwell 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:**

President Foster stated that he had nothing this evening.

**Council Committee Reports:**

Events Committee – Chief Hildebrand stated that he had nothing this evening.

**Legal Counsel Report- Aaron Culp:**

1. Mr. Culp stated that he had nothing.

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

1. **ADA Update:**

- a. Mr. Munoz stated to stay in compliance with the Indiana Department of Transportation, the Town was asked to write a letter of Commitment to INDOT stating that we would create a new Title VI Program and Implementation Plan. This has been completed by Shae Kmicikewycz with advice from Aaron Culp. We need the Council to formally adopt the new Title VI Program and Implementation Plan and have Town Council President, Brett Foster sign the two pages highlighted.
- b. Also before the Council is the letter from Mr. Munoz to the Title VI/ADA Specialist for Nondiscrimination and Accessibility Commitment to INDOT.
- c. Included for the Council are the already approved 2012 Self-Evaluation and ADA Transition Plan.
- d. Mr. Lutz asked Mr. Munoz for a summary of the documents which he gave. Mr. Amos made a motion to approve the documents and allow Mr. Foster to sign. Mr. Lutz seconded, motion passed.

2. **Comprehensive Site Redevelopment Program (CSRP) Update:**

- a. The Town Council agreed to move forward with the Office of Community and Rural Affairs (OCRA) CSRP letter of intent a few months ago. We just received word from OCRA that we have everything needed to complete the CSRP and are now eligible to apply for the Blight Clearance Program (BCP) in the future, 2017-2018 which could include the NRG property.
- b. Ms. Kmicikewycz explained what the Blight Clearance Program is.
  - i. The Indiana Office of Community and Rural Affairs (OCRA) has established a maximum grant award of up to \$350,000 for the competitive Blight Clearance Program (BCP) portion of the Comprehensive Site Redevelopment Program (CSRP). The maximum award is not intended to serve as a target figure for requests for grant assistance. OCRA will review the level of grant assistance requested and will consider the appropriateness of the project's scope, the level of demonstrated need and the financial resources of the applicant. If OCRA determines that a lesser amount is appropriate, it may be necessary to revise the project before it is submitted in final form. The funds can be used for demolition and/or clearance and/or environmental clean-up.

3. **LED Update:**
  - a. Mr. Munoz informed the Council that the Duke Small Business Program was gone and the Duke Representative that we were working with is no longer with Duke. Mr. Munoz stated that he has met with a new representative and they have reviewed the Police, Fire and Utilities departments. He has a quote back on the Police. The cost is higher but includes labor, some new fixtures and equipment. Mr. Munoz will get back to the Council when he gets the total cost.
4. **CLEAN Community Challenge Update:**
  - a. Mr. Munoz informed the Council that Cicero has been accepted into the Indiana Department of Environmental Management's (IDEM) CLEAN Community Challenge. The IDEM Commissioner will present the Town with a plaque and road signage on Tuesday, November 1<sup>st</sup> at 10:30am at Town Hall. We would like for as many town staff members and others to be present to be here for the award presentation.
5. **Main Street Revitalization Program (MSRP)**
  - a. Ms. Kmicikewycz reviewed where they were with the grant at this time and a timeline for moving forward. They plan to submit the final application in May of 2017. The cost of the application is \$1,500. Mr. Lutz inquired as to where the \$1,500 came from and Ms. Kmicikewycz stated that it would come from the grant. The consensus of the Council is to move forward.

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

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

**Town of Cicero**

**October 4, 2016 Town Council Meeting**

**Engineer's Report**

1. **IDEM Notice of Violation / Agreed Order:** The Town has formal approval of the Town's I & I Investigation Plan. We continue to evaluate the lift station basin data, coordinate the flow monitor program and evaluate the data, coordinate the sewer television program and evaluate the results and continue other activities in the Plan. All of this will help assemble the final Compliance Plan by August of 2017.
2. **Arbor Homes Development:** We have completed the draft of the sanitary and water evaluation for the development. This was emailed today. Note that we did not provide cost estimates as at this point, we are not aware of the Town agreeing to any shared costs. If during the Town discussions with the developer this becomes a possibility, we would suggest that the developer's engineer prepare the costs and the proposal with the logic (presumably and upgrades to benefit or serve areas beyond their development) for any Town participate and then we can review on the Town's behalf.

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

Thank you.

Keith Bryant, PE

**Old Business:**

**Council To Consider Rescinding Ordinance 08-16-2016-3 Salary Ordinance For 2017.**

Ms. Unger explained that there were a couple of issues in this Ordinance that needed to be corrected and after a discussion with Mr. Culp it was decided to just rescind this ordinance and pass a new one. Mr. Amos made a motion to rescind Ordinance 08-16-2016-3 Salary Ordinance for 2017. Mr. Lutz seconded, motion passed.

**Council To Consider Ordinance 10-04-2016-2 Salary Ordinance For 2017.**

Mr. Miller made a motion to approve Ordinance 10-04-2016-2 Salary Ordinance for 2017. Mr. Penwell seconded, motion passed 3-2 with Mr. Amos and Mr. Lutz voting nay.

**Council To Consider Response Letter To Office Of Community & Rural Affairs Regarding Additional Information Needed.**

Mr. Amos made a motion to approve the Community Development Block Grant: PL-14-022 response letter prepared by Mendenhall and Associates and give Mr. Foster permission to sign. Mr. Penwell seconded, motion passed.

**Council To Consider Agreement With INDOT-LPA For The Local Roads And Bridges Matching Grant.**

Mr. Amos made a motion to approve the agreement with INDOT-LPA for the Local Roads and Bridges matching grant and give Mr. Foster permission to sign. Mr. Miller seconded, motion passed.

**New Business**

**Council To Consider Ordering 2017 Ford Explorer For Fire Department.**

Fire Chief Overholser informed the Council that they would like to order the vehicle that has been approved for the 2017 Fire Budget. He stated that the vehicle would not be delivered until 2017. The Council agreed to proceed with ordering the vehicle.

**Miscellaneous**

1. There was a brief discussion on the Our Town Cicero's (OTC) Dine on the Causeway event for 2017. OTC has stated that there will be limited golf carts on the causeway during the event and only with approved drivers. The date will be September 9<sup>th</sup>, 2017. Mr. Cambre stated that he has an estimate on the repairs for the railing. The cost will be \$4,500 and OTC will be taking care of that. Mr. Amos made a motion to approve the use of the Causeway for Dine on the Causeway for 2017. Mr. Penwell seconded, motion passed.
2. Mr. Penwell stated that the Council needed to keep in mind that the plan commission vehicle needed to be replaced when discussing capital projects.

**Comments By Citizens**

1. Dennis Schrupf introduced Boy Scout Daniel Harrison stating that he was here this evening working on his General Citizenship badge. Mr. Schrupf also introduced Mr. Harrison's father, Dan, stating that he was the scout master.

**Motion To Adjourn:**

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

**Signatures on Official Documents!**

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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 October 4, 2016, at 7:00 PM at the Cicero Town Hall.**