



**TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
Thursday, July 13, 2017
At 6:30 PM**

Call to Order: President Chad Amos called the meeting to order. Mr. Amos led the Pledge of Allegiance and Ms. Unger said the prayer. Mr. Amos called for the roll call. The members of the Town Council were present or absent as follows:

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

Absent:

Mr. Amos 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
C. J. Taylor, Cicero/Jackson Township Plan Commission Director
Aaron Culp, Town Attorney
Keith Bryant, Town Engineer
Dan Strong, Cicero/Jackson Township Plan Commission President

Approval of Agenda:

Mr. Penwell made a motion to approve the Agenda as presented. Mr. Miller seconded, motion passed.

Approval of Prior Minutes:

Town Council/Department Head Memorandum, June 15, 2017, 7:00 PM -
Town Council Meeting Minutes, June 20, 2017, 7:00 PM –

Mr. Miller made a motion to approve the Town Council/Department Head Memorandum for June 15, 2017 and the Town Council meeting on June 20, 2017.
Mr. Penwell seconded, motion passed

Approval of Claims:

Ratify Claims paid on July 6, 2017. Mr. Penwell made a motion to ratify the action of paying the claims on July 6, 2017. Mr. Miller seconded, motion passed.

Petitions by Citizens:

There were none.

President's Report:

President Amos stated that he had nothing.

Council Committee Reports

1. OTC – Mr. Miller reported that the OTC had a board meeting on Tuesday. Mr. Miller reported that the 3rd Thursdays at 30 West were doing well. The next event on the slate for OTC is the Dine On The Causeway, September 9th.

Legal Counsel Report- Aaron Culp:

1. Cell Tower – Mr. Culp reported that the cell tower on the east side of Town was discussed a couple of months ago. He received communication from the current manager stating that the co-locators are looking at other sites in anticipation that Cicero does not renew the contract.

Mr. Amos confirmed that he received a letter stating that they were looking elsewhere. Mr. Culp asked if the Council would like to set this for executive session. It was decided that the Council would hold an executive session at 6:30 pm on July 18th.

2. Mr. Culp informed the Council that he has transitioned out of Church Church Hittle and Antrim and had relocated his office. He has a new e-mail address; however, he can still get e-mails from CCHA. He expects his service to the Town to continue without any issues. Mr. Culp stated that if there was any issues to let him know.

Cicero/Jackson Township Plan Commission Report – C.J. Taylor/Dan Strong

1. Mr. Taylor distributed a written report to the Council on the Plan Commission activities.
2. Mr. Strong stated that MI Homes may not have known about the time change of the meeting and asked if it would be okay to have them do their presentation when they get here. The Council was good with this.

Town Engineer Report-Mr. Keith Bryant:

Mr. Bryant reported on the following:

1. I & I – Mr. Bryant informed the Council that United was evaluating the data they have received from the flow meters. One of the meters was not reading and it has been repaired. A summary of the information will need to be sent to IDEM by August 1st, 2017. After that the Town will have 60 days to forward it's plan for compliance.

Old Business:

Council To Consider Resolution 03-21-2017-4 A Resolution Of The Town Of Cicero In Support Of Utilizing The Nickel Plate Railroad Property For Walking Trails. (Tabled)

Mr. Lutz made a motion to withdraw this item from the agenda as he does not feel there will be a quick resolution to the problem by the Port Authority. Mr. Miller seconded, motion passed.

New Business

Council To Approve Uniform Conflict of Interest Disclosure Statement From Jeff Rednour & Pat Comer.

Mr. Penwell made a motion to accept the Conflict of Interest Disclosure Statement Forms from Mr. Comer and Mr. Rednour for 2017. Mr. Miller seconded motion passed.

Council To Consider Approval Of Transfer Resolution 07-13-2017-1 Transfer Of Funds Fire, Plan, And Park.

Mr. Lutz made a motion to approve Transfer Resolution 07-13-2017-1 Transfer Of Funds For Fire, Plan, and Park. Mr. Penwell seconded, motion passed.

Council To Consider Approval To Payoff Fire 2016 Silverado Out of CCD Miscellaneous. Estimate \$26,632.

Ms. Unger explained that the decision to pay this vehicle off was made during the 2017 budget process and the transition of the ALS service from the Cicero Volunteer Fire Department to the Town's Fire Department. The money is available in CCD Miscellaneous. Mr. Lutz made a motion to pay off the 2016 Silverado. Mr. Miller seconded, motion passed.

Council To Open Proposals For Electric Service On The Red Bridge Pier.

The Council has three proposals to open:

1. Gaylor, \$21,200.
2. Omni, \$17,846.45.
3. Jeff Rednour, \$7,794.

Mr. Lutz made a motion to take the proposals under advisement and have the attorney review. Mr. Penwell seconded, motion passed.

Council To Consider Continuing Eye Coverage with EyeMed For The Next Four Years At The Current Rate Through Watson Agency.

Ms. Unger informed the Council that EyeMed has extended their contract with the Town for the next four years at the current rates. Ms. Unger stated that she has not heard any complaints from the employees. Mr. Miller made a motion to continue with EyeMed. Mr. Penwell seconded, motion passed.

Plan Commission

MI Homes - Mr. Jonathan Isaacs, MI Land Acquisition Manager, gave a detailed presentation concerning the development of Tamarack PUD District. Mr. Isaacs had handouts complete with exhibits for the council. Mr. Isaacs explained:

1. The different areas to be developed i.e. A1, A2, B, C, D and E as well as targeted ages for each area.
2. Exterior Materials – siding materials and patterns front building facades, masonry materials.
3. The preliminary development plan.
4. The maximum number of dwelling units – not to exceed 276 dwellings.
5. General regulations – standards, minimum lot widths.
6. Infrastructure Standards – sidewalks, paths and street lights.
7. Design Standards – roof pitch, siding, roof overhangs, gutters and downspouts, landscaping requirements (residential, commercial and perimeter).
8. Open Space.

Mr. Isaacs' concerns are of cautionary opportunity, lift station upgrades, upsizing of sewer pipes, costs to be shared by the Town, configuration of the outlets for the sewers and the possibility of using availability fees. Mr. Isaacs had sent the PUD Ordinance No 07-13-2017-2 An Ordinance of the Town of Cicero and Jackson Township, Hamilton County, Indiana Concerning Amendment to the Unified Development Ordinance to the Council which Mr. Isaacs reviewed.

The council was unclear as to what Mr. Isaacs wanted from them this evening. Was he asking for approval of the ordinance or confirmation to their commitment to the utilities or both? Mr. Isaacs stated that he would like to move forward with the zoning.

Mr. Penwell made a motion to approve Ordinance No 07-13-2017-2 An Ordinance of the Town of Cicero and Jackson Township, Hamilton County, Indiana Concerning Amendment to the Unified Development Ordinance. Mr. Lutz seconded, motion passed.

The Council took a short break.

Department Head Items:

1. **Planning** – Mr. Taylor informed the Council that the new vehicle was ordered. Ms. Unger stated that the Trailblazer was advertised and that Ms. Kmicikewycz would be putting it on our webpage.
2. **Street Dept** – Mr. Comer stated that Ms. Kmicikewycz was finishing up the Community Crossing Matching Grant application this evening. The new entrance to Town welcome signs have been installed. Mr. Comer inquired if the Council wanted him to do anything with the old signs. Mr. Foster said someone wanted to restore the small one. Mr. Comer said they were in the barn and could be picked up.
3. **Police** – Chief Hildebrand stated that Mr. Strong and he met with Duke regarding the Town's street lights. Chief Hildebrand stated that he now has a map showing the location of all of the Town's lights and spread sheets for the billing. It appears that the 1964 contract that the Town had for Street 28 lights on SR 19, which were never there but the Town has been billed for,

might go away. Additionally, Chief Hildebrand stated that he has received another quote for the installation of lights from SR 19 to the east side of Town on Jackson Street and it is half the cost of the other two quotes. Chief Hildebrand stated that he would get information together and forward it to the Council.

4. **Fire** – Chief Overholser informed the Council that effective July 1, 2017 the Town has taken over the ALS Service. They are still working out the transfer of assets. The Town just received \$13,000 payment for Medicare and Medicaid, the Town will net around \$9,000 from this. Chief Overholser informed the Council that on average the time between billing for services and receiving payment is around three months.
5. **Parks** – Mr. Cambre informed the Council that the additional railing for the Pier is installed. He still needs to talk with Scott Thomas about some things on Monday. Mr. Cambre informed the Council that Mr. Culp said the proposals were all okay and asked them to approve one at the July 18th Council meeting. All that will be left for the Pier will be the concrete for the path and the landscaping. Mr. Cambre stated that the State would like to have a grand opening and ribbon cutting in mid-September.

Discussion On 2018 Salaries.

Mr. Lutz stated that he did not want to make a decision on the salaries until they reached an agreement on the rest of the budget. There was a lengthy discussion on how to use the CCD Fund. Ms. Unger stated that CCD was a Cumulative Capital Development Fund. It has a separate tax rate which can be up to .05. As assessed value goes up or down the rate can change but can never get higher than .05. If it goes down to far it can be reestablished by the Council back up to close to .05. In the past we have use this money as match money for capital projects. The last couple of years we have taken the police vehicles, a fire vehicle and a plan vehicle out of CCD. This helped with getting the General Fund balanced. It was decided to hold this conversation until the August 10th Budget Meeting. They went around the Council to see what each Council member wanted to do with regard to raises: Mr. Miller said 2%; Mr. Lutz did not want to decide until the remainder of the budget was settled; Mr. Penwell did not want to decide until the remainder of the budget was settled; and Mr. Foster said 3%. Mr. Amos stated that we would not be able to make that decision this evening. Ms. Unger said she could live with that.

Miscellaneous

1. Mr. Lutz informed the Council that he has received a request to operate a Biscuits and Gravy food truck on the Town's streets. There was a discussion on how this fit into our ordinances and what affect it would have on other restaurants in Town. Mr. Amos was not for it except for special occasions and other Council agreed. The discussion continued and it was decided that the Town would look into what other communities were doing along with our current ordinances and go from there.
2. Mr. Amos inquired if there was an Economic Development Committee (EDC) report? Mr. Lutz informed the Council that the EDC met and they are ready to have some more projects assigned to them. On Ramp is still being discussed. The possibility of a location for a new restaurant was also a possibility. Ms. Kmicikewycz stated that they discussed the Facebook page and they do not want to manage it.
3. Mr. Lutz stated that he was concerned about the deficit proposed in the General Fund 2018 Budget. He wondered if the Council was also. There was a discussion about reviewing all of the 2018 Budgets on August and if there would be enough time. It was decided that the Council would meet with Mr. Comer, Mr. Cambre and Mr. Taylor at the next Town Council meeting on July 18th.

Comments By Citizens

There were none.

Signatures on Official Documents!

Motion To Adjourn:

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

Signatures of Cicero Town Council

Chad B. Amos, President

Robert J. Miller, Vice-president

Christopher J. Lutz

Brett S. Foster

Craig S. Penwell

Attested: _____
Jan Unger, Clerk Treasurer

The next Cicero Town Council Meeting will be on July 18, 2017, at 7:00 PM at the Cicero Town Hall.