TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
Tuesday, June 6, 2017
At 7:00 PM

Call to Order: President Chad Amos called the meeting to order. Mr. Amos led the Pledge of Allegiance and Mr. Foster 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 Chris Lutz Rusty Miller Craig Penwell	**Absent:**

Mr. Amos declared a quorum present.

Others Present:
Jan Unger, Clerk Treasurer
Charlie Cambre, Park Superintendent
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
Paul Utterback, Storm Water Management Board President

Approval of Agenda:

Mr. Lutz made a motion to approve the agenda as presented. Mr. Foster seconded, motion passed.

Council To Hold a Public Hearing Ordinance No. 05-16-2017-1 An Ordinance Revising Section 51.44 Of Chapter V Of The Municipal Ordinance Of The Town of Cicero With Regard to Inflow And Infiltration Reduction Program And Specifically Penalties For Non-compliance.

Mr. Amos read the Ordinance by Title and Number. Mr. Lutz made a motion to untable. Mr. Miller seconded. Mr. Foster then made a motion to open the Public Hearing. Mr. Penwell seconded, motion passed. Mr. Amos inquired if there were any comments from the public regarding passing this ordinance. There were none. Mr. Foster made a motion to close the Public Hearing. Mr. Lutz seconded, motion passed.

Approval of Prior Minutes:

Town Council/Department Head Meeting Memorandum March 10, 2016 -
Town Council/Department Head Meeting Memorandum April 14, 2016 -
Town Council/Department Head Meeting Memorandum May 11, 2017 -
Town Council Meeting Minutes, May 16, 2017, 7:00 PM –

Mr. Lutz made a motion to approve Town Council/Department Head Meeting Memorandum March 10, 2016, Town Council/Department Head Meeting Memorandum April 14, 2016, Town Council/Department Head Meeting Memorandum May 11, 2017, Town Council Meeting Minutes, May 16, 2017. Mr. Miller seconded, motion passed.

Approval of Claims:

Mr. Penwell made a motion to approve the claims as presented. Mr. Foster seconded, motion passed.

Petitions by Citizens:

Tony and Susan Wilde addressed the Council with their Petition for Variance for a fence they wish to install on the rear property line of their property, where there is an easement which backs up to the Cicero Cemetery. The neighbors on each side of them have done this. The Wilde's distributed copies of their petition and photographs of the neighbor's fences and where they want to put their fence. There was a discussion. Mr. Culp stated that if the Council allowed this that the property owners would be responsible for removing the fence if at anytime in the future they would need into the easement. The Wilde's stated that they were aware of this and that they planned to have a large gate in the rear. There was more discussion about the easement, what was there and if there was swell, etc. Mr. Amos read the Town's ordinance as it related to fences in easements. Mr. Foster stated that they could sign an agreement with the Town to remove the fence if needed for access. Mr. Jim Hunter stated that as a representative of the Cemetery Board he was okay with it if it was not on the cemetery property. There was more discussion. Mr. Miller made a motion to allow the fence contingent on Mr. Culp finding if the Town can have the property owner record a document stating that they will remove the fence if needed. Mr. Foster seconded, motion passed.

President's Report:

President Amos stated that he had nothing.

Council Committee Reports

1. EDC – Mr. Foster stated that the EDC's next meeting will be June 7, 2017. The signs are on order and should be here in four-five weeks. Chief Hildebrand and Pat Comer have looked at the locations for the five signs.

Legal Counsel Report- Aaron Culp:

1. Mr. Culp asked the Council if they wanted him to prepare a resolution for purchase of 331 E. Jackson Street as discussed in the Executive Session. Mr. Foster made a motion to approve Mr. Culp to move forward with the preparation of the resolution. Mr. Lutz seconded, motion passed 4-1 with Mr. Penwell voting nay.
2. Mr. Culp inquired if the Council wanted him to move forward with the new rate ordinance for water and wastewater with the rates prepared by Umbaugh. Mr. Foster made a motion to approve proceeding with the Rate Ordinance for water and wastewater. Mr. Penwell seconded, motion passed

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

1. Mr. Strong stated that MI Homes was not ready to come before the Council yet. They have scheduled a meeting on June 13th with Chad Amos and if another councilman would like to attend they can. Also, Mr. Amos inquired if Mr. Bryant could be there since they are reviewing the study United Consulting completed on this project. Mr. Bryant stated

he could be there. Mr. Isaacs with MI Homes was available for any questions the Council might have and there were none.

2. Mr. Taylor distributed a Cicero/Jackson Township Director's Report to the Council and stated that he was planning to do this each month.

Town Engineer Report-Mr. Keith Bryant:

Mr. Bryant reported on the following:

1. MI Homes – He distributed a copy of the report he prepared for the MI Home addition for utilities.
2. I & I – Mr. Bryant reported that they have now moved the flow meters to the 11th and 12th positions. They are getting some good data.

Old Business:

Council to Consider Approving Consultant for Municipal Building Study.

Mr. Penwell made a motion to untable. Mr. Foster seconded, motion passed. Mr. Penwell then reported on the following items:

1. This study is to determine the needs of the Town not just the municipal building.
2. The municipal building may be 5-10-15 years out. They will be speaking with the department heads and Council regarding the needs of the town hall or municipal building.
3. Mr. Penwell introduced Mr. Bret Dodd, President/CEO of SPS.
    a. Mr. Dodd stated that he has been working on system development 20 years and this process would be four steps.
    b. There would be no preconceived conclusions.
    c. There would be staff workshops.
    d. They would request public input.
    e. They would come back to the Council after each step.
4. Mr. Lutz inquired when the kick off would begin. Mr. Dodd stated that the first thing they would do would be the inventory of the assets. Mr. Penwell stated they would move forward from there with the fine lines. Mr. Dodd stated that building the data takes the longest time, up to 2 months. They would expect to complete the accumulation and collating of data in three months.
5. Mr. Miller inquired if there would only be one option at the end of the process or many. Mr. Dodd stated that there would be many different scenarios. They would try to narrow it down to 2-4 options with cost analysis. They will also be presenting advantages and disadvantages to their options. Mr. Penwell stated that this will not be building design, which would come later. Mr. Miller inquired about 109 W. Jackson St and the Turner Building. Mr. Penwell stated that this may be taken off through the deduction process.
6. Mr. Penwell made a motion to approve SPS to complete the Master Plan for the municipalities in Cicero. Mr. Lutz seconded, motion passed.

Council to Consider Ordinance No. 05-16-2017-1 An Ordinance Revising Section 51.44 of Chapter V of the Municipal Ordinance of the Town of Cicero With Regard to Inflow and Infiltration Reduction Program.

Mr. Amos stated that there was a public hearing at the beginning of this meeting and there were no comments. Mr. Penwell made a motion to approve Ordinance No. 05-16-2017-1 An Ordinance Revising Section 51.44 of Chapter V of the Municipal Ordinance of the Town of Cicero With Regard to Inflow and Infiltration Reduction Program. Mr. Miller seconded, motion passed 4- 1 with Mr. Lutz voting nay.

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. *(Remained Tabled)*

Council To Approve Contract With MKSK For Pocket Park Landscape Design And Give President Permission To Sign.

Mr. Lutz stated that he was okay with moving ahead with the Pocket Park. He wanted OTC to keep in mind that it may have the possibility of being expanded in the future. Ms. Kmicikewycz stated that in 4-6 weeks the contracts will be back. They can use the study for different grants for funding. Mr. Penwell made a motion to approve the contract with MKSK for the Pocket Park. Mr. Miller seconded, motion passed.

Council To Consider Additional Funding For Pier Project.

Mr. Cambre reviewed what the additional costs were for the Pier. They included reinforcement of the structure, decking changes and cement for the path. The amount is approximately $10,000 for the pier and $6,000 for the path. Mr. Foster made a motion to approve the appropriation out of CCD with an amount not to exceed $16,000. Mr. Lutz seconded, motion passed.

New Business

Council To Consider Ordinance 06-06-2017-1 Amendment To Salary Ordinance, Fill-in Medic.

Mr. Amos noted that this increase was budgeted for fill-in medics but was not put in the salary ordinance. Mr. Penwell made a motion to approve Ordinance 06-06-2017-1 Amendment To Salary Ordinance, Fill-in Medic. Mr. Miller seconded, motion passed.

Council To Consider Ordinance 06-06-2017-2 Amendment To Salary Ordinance, Plan Commission.

Ms. Unger informed the Council that this was a change from weekly/daily salary for the interim plan commission director to hourly for bookkeeping purposes. Mr. Foster made a motion to approve Ordinance 06-06-2017-2 Amendment To Salary Ordinance, Plan Commission. Mr. Penwell seconded, motion passed.

Council To Consider Resolution 06-06-2017-3 Transfer of Funds, Park And Police.

Mr. Miller made a motion to approve Resolution 06-06-2017-3 Transfer of Funds, Park and Police. Mr. Lutz seconded, motion passed

Council To Discuss Pearl Street South Of Brinton.

Mr. Lutz presented a diagram of Pearl Street south of Brinton which include going past the library, Park Department Building and south to the baseball fields. He explained how improvements could be made to this street with paving, curbs, and signage. Mr. Lutz thought this would be an excellent project for the Community Crossing Matching Grant application. He would prefer to do the Jackson and Main Street intersection but it was not ready yet. He asked Mr. Bryant to look into the possibility of putting a circular ending to the street where it ends at the baseball park. Chief Hildebrand and Mr. Culp believe that this section of Pearl Street is in fact a street per the County's GIS system. There was a discussion on lighting and Ms. Kmicikewycz stated that is could not be included in the grant.

Miscellaneous

1. Mr. Amos stated that he was appointing Scott Bockoski to the Cicero/Jackson Township BZA to complete Brad Baker's term. Mr. Baker has resigned.
2. Mr. Miller informed everyone that the Town had its first baseball tournament last weekend. There were 49 games and all went well. Money will be invested back into the fields.
3. Mr. Cambre informed the Council that the Rehabilitation Hospital of Indiana will be having their annual adaptive ski clinic at Red Bridge Park on Wednesday and Thursday. There will be approximately 150 people attending.

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

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Chad B. Amos, President

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Robert J. Miller, Vice-president

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Christopher J. Lutz

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Brett S. Foster

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Craig S. Penwell

Attested: ___________________________
Jan Unger, Clerk Treasurer

The next Cicero Town Council Meeting will be on June 20th, 2017, at 7:00 PM at the Cicero Town Hall.