



**TOWN OF CICERO**  
**TOWN COUNCIL MEETING MINUTES**  
**Tuesday, September 19, 2017**  
**At 7:00 PM**

**Call to Order:** President Chad Amos called the meeting to order and led the Pledge of Allegiance. 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  
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  
Dan Strong, Cicero/Jackson Township Plan Commission President  
Paul Utterback, Storm Water Management Board President

**Approval of Agenda:**

Mr. Amos added under Old Business a discussion on the purchase of Chromebooks and a discussion on applying for a grant through Tourism. Mr. Foster made a motion to approve the agenda as amended. Mr. Miller seconded, motion passed.

**Approval of Prior Minutes:**

Town Council Special Meeting Minutes, September 5, 2017, 5:30 PM –  
Town Council Meeting Minutes, September 5, 2017, 7:00 PM –  
Town Council Executive Session Memorandum, September 5, 2017, 8:15 PM –  
Town Council Executive Session Memorandum, September 6, 2017, 6:30 –  
Town Council Special Meeting Minutes, September 8, 2017, 6:00 PM –  
Mr. Lutz made a motion to approve all minutes and memorandum as presented.  
Mr. Penwell 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:**

1. Nicholas and Kasey Rulon addressed the Council with a request to install a new fence in the easements around their new home. They distributed a copy of their request, a

plat of the property showing the easements, the position of the fence and the type of fence they would be installing. There was a discussion. Mr. Comer stated that he prefers that the rear fence line stay out of the easement as the other properties in that area that have fences that are out of the easement. The Rulons stated that they could do that. Mr. Foster inquired if this issue would have to go to the BZA and was told that it didn't. Mr. Culp stated that they would need to sign an agreement to remove the fence in case access was needed. Mr. Culp stated that he has reviewed the agreement prepared by Mr. Taylor and it is acceptable. Mr. Foster made a motion to approve the fence in the side and front easements contingent on their signing the letter and it being recorded with the deed to their home. Additionally, the fence permit will not be issued until this is completed and a copy is returned to the Plan Commission. Mr. Penwell seconded, motion passed.

#### **President's Report:**

1. President Amos stated that the Council has appointed Major Hunter to be the Police Chief after the retirement of Chief Hildebrand in April of 2018.

#### **Council Committee Reports**

1. EDC – Mr. Lutz informed the Council that Joe Cox has expressed interest in taking the leadership role for EDC. They expect that he will be the next president.
2. OTC – Mr. Miller stated that the Dine on the Causeway went well and there were 263 attendees. Mr. Miller thanked the Town, the Police, Fire and Parks Department for their efforts in making the event a success.
  - a. Mr. Miller also stated that the Fall Festival would be coming up in October and more information will be coming.
  - b. Mr. Amos stated that the cleaning of the causeway was something that needed to be completed every year. It was not discussed this year but he thought the \$925 should be paid by the Town. There was a discussion regarding insurance. Ms. Unger stated that she will ask for an insurance policy next year. Ms. Unger thought that if the Town was going to pay the bill they should be the ones to hire the cleaning company. Mr. Miller made a motion to pay the \$925 to Aquapro for the cleaning of the causeway. Mr. Lutz seconded, motion passed.

#### **Legal Counsel Report- Aaron Culp:**

1. Cell Tower Lease – Mr. Culp informed the Council that he has read the proposed lease with the requested amendments. He stated that he is not satisfied with the way the co-locators would be paying the Town as written. He is asking for a change in that language and has also asked for a \$50,000 signing bonus.
2. 331 E. Jackson – Mr. Culp informed the Council that the owners have agreed to the requested changes that Council requested. They would like to close this month. He has ordered title work through Meridian Title. They will also do the closing. Mr. Culp stated that the Town did need to pay the \$3,000 rent and that it would be applied to the closing cost. Mr. Culp asked for a designee to go to the closing and sign the documents. Mr. Miller designed Ms. Unger. Mr. Foster seconded, motion passed. Ms. Unger inquired as to when the Town would have possession. Mr. Culp said that the current owners had until the end of the year to evacuate but they may move sooner. Mr. Culp also said that they would be taking care of the utilities during the time they are there. Mr. Penwell inquired about beginning work on the building. Mr. Culp stated that we should notify them when that happens. Mr. Strong will work on the plans for renovation.

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

1. MI Homes – Mr. Strong stated that he has been in communication with MI Homes and that they should be getting something to the Council at the next meeting on October 3<sup>rd</sup>.

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

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

**Town of Cicero  
September 19, 2017 Town Council Meeting  
Engineer's Report**

**1.IDEM Notice of Violation / Agreed Order:** The Compliance Plan as reviewed and agreed upon at the Council Meeting on September 5 is being completed and will be submitted to IDEM at the end of September as required. Discussions and planning related to financing should continue.

**2.MI Homes / Tamarack Development:** Dan Strong continues communication with MI to arrive at an agreement based upon the meeting on September 6, 2017.

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 The Purchase Of Chromebooks.**

Fire Chief Overholser presented information to the Council regarding a couple of different Chromebooks by Dell. The Council discussed the differences and the cost. Both were educational models. Mr. Penwell made a motion to purchase the 13.3 model. Mr. Lutz seconded, motion passed. There are a couple of places that funds could come from and the Council asked Ms. Unger to decide.

### **Council To Discuss Possible Projects To Us In Application For Tourism Grant.**

Ms. Kmicikewycz was not available but presented written information about the goals of the grant and eligible projects. She also presented some suggested projects. Ms. Unger stated that the Council needed to keep in mind that at this time funding for the match was not available in the 2018 budget.

1. The Council and Mr. Cambre discussed what might qualify for Red Bridge Park:
  - a. The Marina building needs to be replaced. Discussion about expanding this facility.
  - b. Splash pad. There was a discussion about replacing the pool with a splash pad.
  - c. Discussion about moving the parking lot away from lake more and adding a grass designed parking area.
  - d. Adding a pavilion near the fishing pier.
  - e. Kayak launch – The Parks Department is planning to fund this with Crowd Funding.
2. The Council then discussed the Baseball Park.

- a. Mr. Lutz stated that the baseball park would bring in people from out of town in addition to benefiting the residents.
  - b. Mr. Lutz suggested that the Council put together a tourism package.
  - c. There was a discussion on repairing the drainage on the baseball fields.
  - d. Mr. Miller stated that he is working with Adam Decker on tournaments for 2018.
3. The Council asked Mr. Miller to give Brenda Myers with Hamilton County Tourism, Inc. a call and inquire as to what she thinks would be a good fit for the grant application and get back with the Council.

## **New Business**

### **Council To Consider AIM Medical Trust Health Insurance Plan B PPO and Plan F HSA And Give President Amos Permission To Sign.**

Mr. Lutz made a motion to approve continuing with AIM Medical Trust Health Insurance Plan B PPO and Plan F HSA and give Mr. Amos permission to sign documents. Mr. Penwell seconded, motion passed.

### **Council To Consider Resolution 09-19-2017-1 Transfer Of Funds In Park, Town Council, And Plan.**

Mr. Foster made a motion to approve Resolution 09-19-2017-1 Transfer of Funds in Park, Town Council and Plan. Mr. Miller seconded, motion passed.

### **Council To Consider Resolution 09-19-2017-2 Transfer Of Funds in Wastewater.**

Mr. Miller made a motion to approve Resolution 09-19-2017-2 Transfer of Funds in Wastewater. Mr. Foster seconded, motion passed.

### **Council To Consider Ordinance 09-19-2017-3 2018 Salary Ordinance.**

Mr. Penwell made a motion to approve Ordinance 09-19-2017-3 2018 Salary Ordinance. Mr. Miller seconded, motion passed 4-1 with Mr. Lutz voting nay.

## **Miscellaneous**

There was none.

## **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 (page 5)*

\_\_\_\_\_  
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 October 3, 2017, at 7:00 PM at the Cicero Town Hall.**