



**TOWN OF CICERO**  
**TOWN COUNCIL MEETING MINUTES**  
**Tuesday, February 20, 2018**  
**At 7:00 PM**

**Call To Order:** President Rusty Miller called the meeting to order, led the Pledge of Allegiance and Mr. Foster gave the prayer. President Miller called for the roll call and the members of the Town Council were present or absent as follows:

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

**Absent:** Chris Lutz

Declare 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  
Shae Kmicikewycz, Community Development Specialist  
C. J. Taylor, Cicero/Jackson Township Plan Commission Director  
Aaron Culp, Town Attorney  
Dan Strong, Cicero/Jackson Township Plan Commission President

**Approval of Agenda:**

Mr. Amos added under Plan Commission a discussion on boats, trailer, and campers.  
Mr. Foster made a motion to approve the amended Agenda. Mr. Penwell seconded, motion passed.

**Approval of Prior Minutes:**

**Town Council Meeting Minutes, February 6, 2018, 7:00 PM –**  
**Town Council/Department Head Meeting Minutes, February 15, 2017, 7:00 PM –**  
Mr. Amos made a motion to approve the Town Council Meeting Minutes, February 6, 2018 and the Town Council/Department Head Meeting Minutes for February 15, 2018. Mr. Foster seconded, motion passed.

**Approval of Claims:**

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

**Petitions by Citizens:**

There were none.

**President's Report:**

1. Mr. Miller stated that Mr. Culp will be in Town on February 27<sup>th</sup> and advised the Department Heads to meet with him if they have items to discuss.

**Council Committee Reports:**

1. OTC – Brett Morrow/Sue Baker
  - a. Ms. Baker addressed the Council and asked permission to hang 4' x 8' signs on the Causeway railing. They would be back to back, one facing the lake and one

facing the road. They would also like to put a sign on the fence in the Pocket Park. They would like to do this before July 4<sup>th</sup>. Mr. Cambre stated that if this is allowed he would like to make sure that the signs are kept tied tight. Mr. Amos made a motion to approve OTC putting up the signs before July 4<sup>th</sup> on the Causeway and Pocket Park. Mr. Penwell seconded, motion passed.

- b. Mr. Morrow informed the Council that OTC is planning a Candidates Forum on April 18<sup>th</sup> at 6:00 PM at Red Bridge Community Building.
  - c. Mr. Morrow stated that the recipients of the Façade Grant have seen the final architect plans for the buildings and they are very excited to get started.
2. EDC – Mr. Foster stated that he had nothing this evening.

**Legal Counsel Report- Aaron Culp:**

1. Mr. Culp informed the Council that he has a proposed agreement from MI Homes and he is in the process of reviewing it. Mr. Bryant has made some suggestions and comments Mr. Culp is also reviewing. It may be ready by the March 6<sup>th</sup> Town Council Meeting.

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

1. Mr. Taylor read a letter from the Plan Commission addressing the issue with boats, trailers, and campers parked in driveways:

Dear Concerned Citizens,

Last fall, the Town of Cicero received several complaints regarding the parking of RVs and trailers in residential areas. After discussing the concerns voiced by the residents, the Planning Commission began reviewing the applicable ordinances to determine if they were unclear or needed revision. To that end, Planning Commission reviewed the current rules, how they impact the community, examined the rules and restrictions in use in neighboring communities, and discussed the Town's priorities and objectives in regulating the parking of RVs and trailers in residential areas.

The main areas of concern were ensuring public safety by preventing obstruction of roadways or the views of roadway for traffic, maintaining unobstructed sidewalks and protecting the rights of property owners. To that end, the Planning Commission looked at the current limitations on parking RVs, boats, and trailers on public streets or blocking the sidewalks or parking them on the grass areas of lawns (particularly the front yard area) and whether these rules should be modified in any way. To date, no change has been made.

In fact, the members of the Planning Commission unanimously agreed that it was essential that residents continue to be permitted to park their boats or boat trailers in their driveways and on their property due to that being the long-held practice in the town and being an important part of permitting all residents to enjoy the amenities and benefits of living on the Morse Lake. As such, not only are there no plans to ban the parking of boats or boat trailers in driveways, but the Planning Commission has made it clear that they will not even entertain such a restriction.

I hope that this provides clarity on this subject and alleviates any concerns that were raised by this false rumor. If you or anyone has any questions or concerns regarding this, please don't hesitate to contact my office.

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

1. Mr. Bryant was not available but submitted his written report:

**Town of Cicero**  
**February 20, 2018 Town Council Meeting**  
**Engineer's Report**

1. **IDEM Notice of Violation / Agreed Order:** IDEM has not yet reviewed the Compliance Plan submitted in early October 2017. The application for SRF Funding has been submitted. We have recently been contacted by the IDEM SRF staff to set up a pre-planning meeting with them, our office and the Town representatives. They have suggested traveling to Cicero to have this meeting. They will be wanting to meet during the day (likely 10:00 – 2:00 window for them). I would suggest that we have one or two Council members, Jan, Pat and Matt attend as a minimum. Others are also welcomed. Once the attending Council members are identified, please coordinate schedules for the next couple of weeks with me or Pat and we will get the meeting scheduled.

2. **MI Homes / Tamarack Development:** United provided comments on the Developer / Town draft agreement on February 9, 2019.

3. **East Jackson Street Walk Path & Street Lights:** As requested we have assembled project cost estimates (note they vary depending upon Town personnel possible work scope) and a Task Order for design, bid and construction phase services. Please share any questions or comments that you may have. As always, feel free to contact our office to discuss any project or other needs.

**Keith Bryant, PE**

2. Mr. Comer stated that Mr. Bryant would like to schedule a meeting with IDEM to discuss the SRF Funding. He would like to do it in the next week or so. The meeting needs to be between 10 AM and 2PM. Mr. Amos and Mr. Penwell stated they would be available on March 6<sup>th</sup>. Mr. Miller stated that he could be a backup if needed. Mr. Comer will relay that information to Mr. Bryant and see if that will work.
3. Mr. Amos stated that he has received information from Mr. Bryant on the cost for the East Jackson Street. Mr. Amos would like permission from the Council to have Mr. Bryant revise his Task Order to be limited to preliminary drawings only. Council was okay with moving forward in this direction.

**Old Business:**

**Council To Discuss Cost Of Cleaning of the Street Lights.**

Mr. Cambre stated that he was still working on getting estimates. He should have them at the next meeting.

**Council To Consider Ordinance 02-20-2018-1 An Amendment To 2018 Salary Ordinance 09-19-2017-3.**

Mr. Foster made a motion to approve Ordinance 02-20-2018-1 An Amendment To 2018 Salary Ordinance 09-19-2017-3 establishing the position of Project Coordinator at the rate of \$15.00 per hour and not to exceed \$15,000. Mr. Penwell seconded, motion passed.

**Council To Hear Update On Ambulance Purchase.**

Fire Chief Overholser informed the Council that the Towns application for the ambulance funding has been approved by the Indiana Bond Bank at a rate of 3.239%. We are waiting on the commitment from U.S. Bancorp for financing. Chief Overholser asked for permission to proceed with the process. Mr. Amos made a motion to approve moving forward. Mr. Penwell seconded, motion passed.

## **New Business**

### **Council To Consider Resolution 02-20-2018-2 Transferring Funds For Town Council, Plan, And Local Roads And Streets.**

Mr. Miller read Resolution 02-20-2018-2 Transferring Funds for Town Council, Plan Commission, and Local Roads and Streets. These transfers are within line items in each budget. Mr. Amos made a motion to approve the transfers. Mr. Penwell seconded, motion passed.

### **Council To Discuss Possibility Of Hiring A Fulltime Staff Person For Parks Department.**

Mr. Foster stated that he has spoken with Mr. Cambre and he is satisfied with moving forward hiring a fulltime staff person for the park. Mr. Penwell stated that he was comfortable with one fulltime instead of several part-time. Mr. Amos stated that his questions have been answered and that he talked with Mr. Cambre and previous Council members. Mr. Amos stated that the Council should keep in mind that other departments, particularly fire and police have asked for additional staff and will most likely be asking again for next years budget. Mr. Miller stated that Mr. Cambre was not asking for more money to converting a part-time position to a full-time position. He is doing it within his budget. Mr. Foster made a motion to approve. Mr. Amos seconded, motion passed.

### **Mr. Amos Discuss 911 Executive Board.**

Mr. Amos distributed a "Statement to the E-911 Board" to the Council from northern Towns and Townships that received dispatch services from the County. Mr. Amos stated that currently all the Mayors in the county cities make up the E-911 Board. Every entity received calls from the call center. The State provides approximately 5 million per year. The remaining 6 million is divided by each call of service and is currently paid by the County, Westfield, Carmel, Fishers and Noblesville. They are wanting the townships and towns to start paying their portion now. The estimated cost to Cicero would be \$116,000 out of the Town's budget. The Town can not afford that without alternate income sources. This letter stated that each entity in Northern Hamilton County will pay \$2,500 except for Cicero which will pay \$5,000 because they have fire and police. When an alternate source of revenue is found this can be adjusted. Mr. Amos was asking for permission from the Council to move forward with this "Statement to the E-911 Board". Mr. Morrow inquired where the money for 911 service on his land lines were going and was told that money goes to the State. Mr. Amos stated that this was an offer only to the E-911 Board. Mr. Foster made a motion to approved of this process. Mr. Penwell seconded, motion passed.

## **Miscellaneous**

1. Mr. Cambre provided a slide show of the drainage and tile work that started on February 5<sup>th</sup> at the Sports complex. The project is completed now except for moving dirt. The drainage is working, water is being moved to the detention ponds. Mr. Foster inquired if the water in the detention ponds was a safety issue and was told that the water is being directed to a storm drain which goes to the lake. Mr. Comer stated that we have just had a lot of rain lately, but it is continually draining.
2. Ms. Unger stated that she had the bill for Xtreme Excavating for the Sports Complex drainage project and asked the Council if they would like to pay that bill for \$43,308 this week. Mr. Amos made a motion to pay Xtreme Excavating on this week. Mr. Foster

seconded, motion passed. Mr. Cambre inquired if the remaining portion of the originally approved \$50,000 could be used for additional items at the Sports Complex and the Council agreed that it could.

**Comments By Citizens**

There were none.

**Motion To Adjourn:**

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

**Signatures on Official Documents!**

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Robert J. Miller, President

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Christopher J. Lutz, Vice-president

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Chad B. Amos

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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 March 6, 2018, at 7:00 PM at the Cicero Town Hall.**