



**TOWN OF CICERO  
TOWN COUNCIL MEETING MINUTES  
Tuesday, February 6, 2018  
At 7:00 PM**

**Call To Order:** President Rusty Miller called the meeting to order, led the Pledge of Allegiance and Mr. C.J. Taylor 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  
Chris Lutz  
Rusty Miller  
Craig Penwell

**Absent:** Brett Foster

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  
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. Cambre asked to table the fulltime employee item under New Business. Mr. Lutz asked to add under Miscellaneous a discussion for a date for employee benefits. Mr. Penwell made a motion to approve the amended Agenda. Mr. Lutz seconded, motion passed.

**Approval of Prior Minutes:**

**Town Council Meeting Minutes, January 16, 2018, 7:00 PM –  
Town Council Retreat Minutes, January 27, 2018, 7:00 PM –**

Mr. Amos made a motion to approve the Town Council Meeting Minutes, January 16, 2018 and the Council Retreat on January 27, 2018. Mr. Penwell seconded, motion passed.

**Approval of Claims:**

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

**Petitions by Citizens:**

1. Greg and Kathie Bowman to discuss Lights Over Morse Lake. Ms. Kathie Bowman addressed the Council for support of Lights Over Morse Lake stating that they were asking for \$2,500 from the Festival Fund for programs and setup for programs and \$500 donation from the Town. Mr. Penwell made a motion to approve the \$2,500 for the programs and a \$500 donation from the Town. Mr. Lutz seconded, motion passed.

**President's Report:**

1. Mr. Miller stated that he has not seen anyone scheduled to meet with Mr. Culp on February 13<sup>th</sup>. This is a reminder that he will be in Town for our convenience.
2. President Miller informed everyone of a meeting with Ms. Brenda Myers, Hamilton County Visitors Bureau, in Atlanta on February 27<sup>th</sup> @ 8:30 AM. There will be breakfast and an overview of where they are at with the train. Currently they are planning to run the train the first year between Atlanta and Arcadia and then to Noblesville in the future.

**Council Committee Reports:**

1. MSRP/Façade Improvement – Ms. Kmicikewycz stated that there are final designs for the building facades being passed around the Council. Ms. Kmicikewycz will be putting these on the website, so the public can see them. This evening Ms. Kmicikewycz needs approval to proceed with the advertisement for bidders for the project. The Council agreed that the advertisement was ready for publication by consensus.
2. Ms. Kmicikewycz stated that she needed Mr. Miller as president to sign the document for the procurement for the design release on the Façade project.

**Legal Counsel Report- Aaron Culp:**

1. Cell Tower Lease – Mr. Culp stated that he was going to contact AT&T regarding their request and inform them they should contact Crown Castle regarding their lease on the Buckeye Street antenna.
2. Mr. Culp informed the Council that there is a property owner off Wellworth Drive that would like to build on his property but does not have access to a road. Wellworth is a private road and was never accepted by the Town. The road owner is willing to dedicate it to the Town. The owner of the property wanting to build needs street access, would like to have Cicero utilities and is willing to petition for voluntary annexation. Mr. Comer stated that they plow it as a courtesy to Stillwater residents. Mr. Culp asked if the Town was interested in accepting Wellworth Drive? Mr. Culp stated if the Town did accept it we should get a survey completed and the cost should be the requester's. Mr. Lutz stated that he wanted to keep it private. Mr. Penwell was concerned if we did not take it now it would be something the Town might want later, and it would not be available. Mr. Comer inquired about who would keep up the easements that have landscaping and Mr. Culp state that would be spelled out in the agreement. Mr. Lutz stated that he wanted to talk to the constituents. Mr. Taylor stated that he could not address the property they are wanting to build on as it is land locked. Mr. Lutz stated that they could approach the owner of the road. The discussion continued, and it was decided that the Town needs to do more research.
3. Mr. Miller asked Mr. Culp to address a letter to the Port Authority regarding the Jackson Street Crossing asking them what they plan to do as it needs repair. Mr. Lutz asked Mr. Culp who is responsible for the railroad crossings in Town. Mr. Culp stated that it is the Port Authority as they are the title owner.

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

1. Mr. Taylor stated that he had nothing this evening.
2. Mr. Strong informed the Council that there was nothing new on MI Homes.

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

1. Mr. Bryant stated that he had with him this evening the completed Application Form for the Wastewater State Revolving Fund Loan Program (WWSRF) for the I & I Project. Mr. Bryant stated that this is preliminary and that there will be time to make changes, but he wants the Town to get in line for funding. Mr. Bryant asked if the Council was ready to sign the application this evening. Mr. Penwell stated that he is ready to move forward.

Mr. Bryant stated that they still have not heard back from IDEM on the Town's proposal for repairs. There is a blank for bond council and Mr. Bryant stated that could be added later. Mr. Amos made a motion for Mr. Miller to sign the completed Application Form for the Wastewater State Revolving Fund Loan Program. Mr. Penwell seconded, motion passed. Mr. Culp inquired if the Council would like to interview Bond Council before contracting one. Council asked Mr. Culp to do research. Mr. Culp stated that he would report back on March 6<sup>th</sup>. Mr. Bryant suggested that Mr. Culp also talk to Deen Rogers with Umbaugh.

## **Old Business:**

### **Council To Discuss Cleaning of the Causeway Street Lights.**

There was a discussion about cleaning the street light on the Causeway. They thought the cost was around \$900.00. In addition to the lights they cleaned the railing, the trail and the restrooms. The Council asked Mr. Cambre to get some cost estimates. Major Hunter stated that there are very few companies that have the ability to do this. This is to be moved to the February 20<sup>th</sup> agenda for a decision.

### **Council To Consider Lease Agreement For The Cicero Sports Complex.**

Mr. Miller stated that the committee has worked on this a long time and he is good with the lease as written. Mr. Penwell made a motion to approve the Lease for the Cicero Sports Complex Real Estate and Certain Personal Property to Ultimate Tournament Series. Mr. Amos seconded, motion passed.

### **Council To Consider Which Project They Want To Move Forward For The Tourism's Destination Development Grant.**

Ms. Kmicikewycz informed the Council that she met with Mr. Penwell and one of the items for her to work on will be the Tourism's Destination Development Grant. Ms. Kmicikewycz asked the Council if they would like to move forward with the Cicero Sports Complex or the Marina and the pavilion. Ms. Kmicikewycz stated that with either there would need to be a budget, construction plans and an overall vision. These items will take some time and planning. Mr. Amos inquired of Ms. Kmicikewycz what would have the best chance of being funded. Ms. Kmicikewycz stated that the bigger chance would be the sports complex. This is a chance to bring in more people to the town with a larger economic impact. Mr. Cambre stated that the Marina is in dire need of repair, but he understood that the best chance was the sports complex. Mr. Lutz stated he thought it would be a tough go to tout the pavilion and the marina as tourism. Mr. Amos was on board with the sports complex. Mr. Miller stated that the old fields need a restroom and concession stand and is on board with the sports complex. Mr. Penwell also stated that the sports complex made the most sense. He stated that we want to be a destination for restaurants and this would bring visitors to town. Mr. Penwell suggested that we get a proposal to have the planning and design completed. Then the Town could go for some sponsorships if we have that vision and design. Mr. Miller showed the drainage being installed at the sports complex. The total grant could be \$200,000. \$100,000 from Tourism and \$100,000 from the Town. Application would need to be started in October/November and most likely need to be submitted by December. Last years applications have not been awarded yet this year. Ms. Unger inquired as to what the

Council had in mind for the Town's match. Mr. Miller stated it could be from funds raised from the lease agreement, TIF Funds or other funding.

## **New Business**

### **Council To Consider Purchase of Gator For Utilities Department.**

Mr. Comer informed the Council that he has checked with Mr. Culp and a gator can be used on the Town's streets. The cost of the John Deere gator is \$22,389.83 without any tools. Mr. Penwell stated that he did not want to purchase the gator unless the expectation was to plow the trails. Mr. Penwell said if they are not going to plow the trails he thought they should purchase a less expensive golf cart. Mr. Lutz stated that the principle purpose was a utility vehicle to be used by the utilities department and shared with the parks department. Mr. Comer stated that tools could be purchased in the future if Council find them to be necessary. Mr. Lutz stated the main purpose is for department use. Mr. Lutz inquired as to what the expectations would be from the Council if the gator was purchased. Mr. Penwell stated he expected the trails and the causeway to be cleared but not the downtown sidewalks. Mr. Amos stated the use of the gator was for Mr. Comer's and Mr. Cambre's departments to use and share. There was an extensive discussion. Mr. Cambre expressed concern about using the gator on the causeway as the railing is made of aluminum and a slight bump would cause damage and be expensive to repair. The path on the causeway is 10 feet wide, the plow is 6 feet 6 inches. Mr. Amos made a motion to purchase the gator without the plow. Motion died. Mr. Penwell made a motion to purchase the gator with a plow. Mr. Lutz seconded, motion passed.

### **Council To Consider Purchase Of Traffic Cones From The Festival Fund.**

Mr. Penwell made a motion to allow the purchase of traffic cones out of the Festival Fund in the amount of \$2,088.72. Mr. Amos seconded, motion passed.

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

Mr. Lutz made a motion to table. Mr. Penwell seconded, motion passed.

### **Council To Discuss Mr. Strong's Position With The Town.**

Mr. Strong stated that one of the issues is insurance both liability and work comp. Mr. Strong has talked to Mr. Culp and it seems like the best thing to do is to have Mr. Strong continue as a part-time employee. Mr. Culp stated that Mr. Strong could continue as a member of the BZA and if there was a petition that came up that Mr. Strong was involved in during his employment he could recuse himself from that vote. Ms. Unger stated that she was under the understanding that the Council wishes to pay his wages from the Council budget instead of the Plan Commission at this time. Ms. Unger also stated that she needs a title for Mr. Strong and an amount. The Council decided on Project Coordinator at \$15.00 per hour. Ms. Unger said she will bring the amendment to the February 20<sup>th</sup> Town Council Meeting.

### **Council To Consider Ambulance Payoff.**

Chief Overholser stated that he would like to payoff the current ambulance that was transferred to the Town from the Volunteer Corporation. The pay off amount is \$33,938.54 and he has the money in his budget to do this. This will save the Town \$2,162 in interest and this would allow them to finance the new truck for 5 years instead

of 7 years for additional savings. Ms. Unger was okay with this. Mr. Lutz made a motion to payoff the existing ambulance in the amount of \$33,938.54. Mr. Amos seconded, motion passed.

**Miscellaneous**

1. Ms. Unger asked for permission to dispose of a 2008 Oce` Copier by trashing it. It has been replaced, will no longer work property and cannot be repaired. Ms. Unger would like to see if there is any government agency that is interested in the toners and ink cartridges that are left if okay by the Council. Mr. Amos made a motion to discard the 2008 Oce` Copier by trashing it and if no one want the toners and ink they can be discarded also. Mr. Lutz seconded, motion passed.
2. Mr. Lutz stated that he would like to set a date to further discuss the time off issue. It was decided to meet on February 21, 2018 at 5:30 PM at the Cicero Town Hall.

**Comments By Citizens**

There were none.

**Motion To Adjourn:**

Mr. Amos made a motion to adjourn. Mr. Lutz 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 February 20, 2018, at 7:00 PM at the Cicero Town Hall.**