



TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
Tuesday, May 1, 2018
At 7:00 PM

Call To Order: President Rusty Miller called the meeting to order and lead the Pledge of Allegiance. 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
Chris Lutz
Rusty Miller
Craig Penwell

Absent:

Mr. Miller declared a quorum.

Others Present: Jan Unger, Clerk Treasurer
Charlie Cambre, Park Superintendent
Jim Hunter, Police Chief
Lance Overholser, Fire Chief
C. J. Taylor, Cicero/Jackson Township Plan Commission Director
Aaron Culp, Town Attorney – 7:30 PM
Keith Bryant, Town Engineer
Dan Strong, Cicero/Jackson Township Plan Commission President

Approval of Agenda:

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

Approval of Prior Minutes:

Town Council/Department Head Meeting, April 12, 2017, 7:00 PM –
Special Town Council Meeting Minutes, April 16, 2018, 7:00 PM –
Town Council Meeting Minutes, April 17, 2018, 7:00 PM –

Mr. Lutz asked to remove the Town Council Meeting Minutes for April 17th and put it on the May 15th agenda. Mr. Amos made a motion to approve the Town Council/Department Head Meeting Minutes for April 12th and the Special Town Council Meeting Minutes, April 16th. Mr. Foster seconded, motion passed.

Approval of Claims:

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

Petitions by Citizens:

1. Larry Seacat, 709 Shoreline Place (Drive), addressed the Council concerning getting their road paved. It is a short street off Shoreline Drive and has been told it is a private drive to five homes by the lake. Mr. Seacat stated that they pay more in taxes than non-waterfront homes and yet they do not get their drive plowed or any

maintenance on their street. Mr. Amos addressed the issue stating that he and Mr. Penwell also lived on a private street and that they and the other homeowners had to pay to have their private drive paved. Mr. Amos stated that it would be the homeowners' responsibility.

2. Mathew McInnis, 1040 Eagles Ridge Drive, addressed the Council concerning installing a six-foot cedar privacy fence in an easement in their rear yard which backs up to the cemetery. Chief Hunter, a member of the cemetery board, had some concerns with it as he was not sure that it would match up with the other fences in that row and that it would be a totally different style as the others are chain link. There was a lengthy discussion about the placement and style of the fence. Chief Hunter stated that Mr. Steckley, owner of the subdivision and homeowners' association currently, has approved the fence. Chief Hunter stated that in the future he would like to have the plan commission consider an aesthetic review for fences. Mr. Miller stated that there is nothing in place now and that Mr. Steckley has signed off on the fence so the only issue the Council and cemetery board has is if we will allow it in the easement. Chief Hunter said he was okay with it. Mr. Amos made a motion to allow the fence in the easement to go no further back than the rest of the neighbors' fences and for the McInnis' to sign the Waiver of Liability concerning easement encroachments by fences and/or landscaping. Mr. Foster seconded, motion passed.

President's Report:

1. Mr. Miller read a thank you note from retired Police Chief Hildebrand:
"Council, Just a note of thanks for the generous retirement gift and for the recognition plaque. Both were beyond expectation. Thanks to those of you who were able to attend the open house. The response was humbling and a bit overwhelming. It has been an honor and a privilege to be a member of and then lead the Cicero police department and to serve the citizens of Cicero for so many years, a privilege that I've never taken for granted. Thanks again and thank you for the support you have given me.
Dave Hildebrand"
2. Mr. Miller then introduced Jim Hunter as the new Police Chief.

Council Committee Reports:

1. MSRP/Façade Improvement – There was no report.

Legal Counsel Report- Aaron Culp:

1. Indiana Academy letter – Mr. Culp stated that he had sent the letter to Mr. Bryant, Mr. Comer and Ms. Unger for review. They made some suggestions which have been incorporated into the last letter he sent to the Council. Mr. Culp also stated that the current agreement with the Indiana Academy (IA) for sewer service has expired. The intent is to continue with this service, but the IA will need to address their inflow of stormwater into the Town's sanitary sewer to assist the Town with meeting their responsibility to IDEM. There was a discussion. The Council was good with proceeding with the letter and Mr. Lutz stated that he would contact the IA regarding the situation.
2. Libby Roberts Agreement – Mr. Culp stated that he had an engagement letter from Church Church Hittle and Antrim for Liberty Roberts to work with the Council on some changes in the leave time policy for the employees. Ms. Roberts fees is \$175.00 per hour and did not think the review would take too long. Mr. Amos made a motion to approve the engagement letter with CCHA. Mr. Penwell seconded, motion passed.

3. Mr. Lutz inquired of Mr. Culp if he was close to getting the agreement with OnRamp completed. Mr. Culp stated that he was.

Cicero/Jackson Township Plan Commission Report-C.J. Taylor/Mr. Strong.

1. Mr. Strong stated that he has received a signed copy of the MI Homes Sanitary Sewer and Water Service for the Tamarack Subdivision agreement. Mr. Strong stated that there is a TAC Meeting scheduled for May 9th at 1:30 pm. Mr. Strong stated that he has invited Mr. Higgins, water superintendent, and Mr. Dotson, wastewater superintendent, to attend the TAC meeting.
2. Mr. Strong stated that he distributed the Casey-Bertram quote for the demolition for 150 W. Jackson Street for their review to be discussed at the next staff meeting.
3. Mr. Strong stated that Danny Summers with the Cicero Fire Department would like to do some fire training when the Town is ready to demo 150 W. Jackson Street and is asking for permission. The Council is okay with that.
4. Mr. Taylor informed the Council that he e-mailed them the May 1st Plan Commission Director's Report. He wanted to bring attention to the note stating that he and Mr. Strong will be making a presentation to the E.D.C. this month regarding zoning and the variance process. Their intention is to partner with the committee to provide a more positive experience for potential business. Council thinks this is a good idea.

Town Engineer Report-Mr. Keith Bryant –

1. SRF – Mr. Bryant stated that United is continuing to work on the preliminary report contingencies for the application.
2. East Jackson Street – Mr. Bryant distributed copies of the construction costs for the sidewalks and lighting on East Jackson Street; one without the town doing any work for \$416,195 and one with the Town doing some of the work for \$373,867. Additionally, he distributed copies of the construction costs for the sidewalks, lighting and road restoration. Without the Town doing any work the cost is estimated at \$928,049. If the Town does some of the work the estimated cost is \$881,963. The last two estimates were requested in the discussion that the Town may apply for the Community Crossing Matching Grant. Mr. Amos inquired about the installation of the lighting, at the time of the sidewalks or can they come later. Mr. Bryant stated it would be better to put the conduit in at the time of the sidewalks. Mr. Cambre inquired if trees could be installed between the sidewalk and the road. Conduit would have to be up against the sidewalk. Mr. Cambre stated that he was thinking that the Town could donate a tree to each homeowner. Mr. Bryant stated that this information is for the Council to consider and does not expect an answer this evening.
3. Mr. Lutz inquired about the timeline for the Jackson/Main Street Study. Mr. Bryant stated that the traffic study is complete, and they hope to wrap it up by the end of the month. Mr. Penwell inquired if he could get a copy of the traffic study and Mr. Bryant stated that he would look into distribution of that information.

Old Business:

Council To Consider Agreement With Umbaugh For Proposed Municipal Advisory and Accounting Services – Proposed Sewage Works Revenue Bonds of 2018.

Mr. Scott Miller with Umbaugh addressed the Council concerning the Municipal Advisory and Accounting Services – Proposed Sewage Works Revenue Bonds of 2018.

Mr. Miller informed the Council that the service includes; reviewing the rate structure; the financial information; and the ability for the Town to repay the bond. Mr. Miller stated that affective July 1, 2018 those applying for SRF would have to provide a Capital Asset Plan. This plan would have to be completed prior to closing and Umbaugh would assist with that. Umbaugh included this in their proposal. Umbaugh would also follow the complete process through from now to closing. Mr. Foster made a motion to approve the Agreement with Umbaugh for the Municipal Advisory and Accounting Services for the Proposed Sewage Works Revenue Bonds of 2018. Mr. Penwell seconded, motion passed.

Mr. Lutz stated that the Town has a new neighborhood coming and will need to have a fiscal plan for the annexation. Mr. Miller stated that Deen Rogers with Umbaugh is an expert in this area. Ms. Unger stated that she believes that Mr. Rogers and Mr. Strong have touched base on this issue.

New Business

Council To Consider Interlocal Agreement By And Among The City Of Fishers, Indiana, The City of Noblesville, Indiana, The City Of Carmel, Indiana, The Town of Sheridan, Indiana, They Town of Cicero, Indiana and Hamilton County, Indiana Regarding Police Services.

Mr. Miller inquired of Chief Hunter regarding this Interlocal Agreement. Chief Hunter stated that this is an all-county agreement for mutual aid. Chief Hunter stated that this outlines each participants' responsibility, liability and terms. Mr. Foster made a motion to approve the Interlocal Agreement. Mr. Amos seconded, motion passed.

Miscellaneous

1. Mr. Lutz wanted to clarify the issue of replacing the plexiglass in the Parks' sign boards. Ms. Unger was under the impression that the Economic Development Committee (EDC) was working with Mr. Cambre and the Parks are going to pay for the plexiglass. Mr. Lutz stated that in fact the EDC is going to pay for the plexiglass out of their budget.
2. Mr. Culp stated that he would like to request an Executive Session at 6:00 PM on May 15th to discuss possible real estate acquisition.
3. Mr. Amos discussed the possibility of consolidating the E. Jackson Street project and the Jackson/Main Street intersection into one project for the Community Crossing Matching Grant application. Mr. Strong has sent Ms. Kmicikewycz an e-mail to see if she thinks both projects could be counted as one since they are on the same street. Mr. Amos stated that if the Town was not going to do the E. Jackson Street project this year he would like to have Mr. Comer bring in some dirt and fill the holes where the trees were removed.

Comments By Citizens

There were none.

Motion To Adjourn:

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

Signatures on Official Documents!

Robert J. Miller, President

Christopher J. Lutz, Vice-president

Chad B. Amos

Brett S. Foster

Craig S. Penwell

Attested: _____
Jan Unger, Clerk Treasurer

The Next Cicero Town Council Meeting will be on May 15, 2018, at 7:00 PM at the Cicero Town Hall.