



**TOWN OF CICERO**  
**TOWN COUNCIL MEETING MINUTES**  
**Tuesday, June 19, 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  
Pat Comer, Street & Utilities Director  
Jim Hunter, Police Chief  
Lance Overholser, Fire Chief  
C. J. Taylor, Cicero/Jackson Township Plan Commission Director  
Keith Bryant, Town Engineer  
Aaron Culp, Town Attorney  
Dan Strong, Cicero/Jackson Township Plan Commission President

**Approval of Agenda:**

Mr. Amos made a motion to approve Agenda. Mr. Foster seconded, motion passed.

**Approval of Prior Minutes:**

**Town Council Special Meeting Minutes, June 5, 2018, 6:00 PM –**

Mr. Lutz explained on page 3 of these minutes where he stated that he thought the Council should do the branding for the Town, he welcomed the assistance the Council would receive from an outside company. Mr. Lutz also wanted to clarify that on page 4 item e. that the Town would apply for the Community Crossings Matching Grant this year for the project to be completed in 2019 and in 2019 apply for a grant for the Jackson Street/Main Street intersection to be completed in 2020. He did not think the minutes needed to be amended.

**Town Council Meeting Minutes, June 5, 2018, 7:00 PM –**

**Town Council/Department Head Memorandum, June 14, 2018, 7:00 PM**

Mr. Lutz made a motion to approve the Town Council Special Meeting Minutes, June 5, 2018, the Town Council Meeting Minutes, June 5, 2018 and the Town Council/Department Head Memorandum, June 14<sup>th</sup>. Mr. Foster seconded, motion passed.

**Approval of Claims:**

Mr. Miller stated that he would like to discuss the claim for Purkey's participation in the Façade Grant. Mr. Jeff Purkey has requested that his mother's funds be refunded as they are withdrawing from the program. There was a discussion and Mr. Miller stated that he, Tina Henderson and Ms. Kmicikewycz met with representatives from OCRA on Monday

and have requested additional funding. The Town should have OCRA's response by the end of the week. It was decided that the Council would remove Purkey's claim at this time and defer this claim to the July 3<sup>rd</sup> Council Meeting after the Town has heard back from OCRA. Mr. Amos made a motion to approve the Claims as amended. Mr. Lutz seconded, motion passed.

**Petitions by Citizens:**

1. There were none.

**President's Report:**

1. Mr. Miller informed the Council that he received a call from Mark Reynolds. He stated that Ashok Sethi had given the Council 20 days to decide if they wanted the NRG property or not and there is only one day left. Mr. Miller informed Mr. Reynolds that Mr. Sethi's attorney has a copy of the Memorandum of Understanding (MOU.) There was a lengthy discussion regarding who should be in contact with Mr. Sethi. Most of the Council thought that it should be Mr. Culp with Mr. Sethi's attorney.
2. Mr. Miller reiterated that he, Tina Henderson and Ms. Kmicikewycz met with representatives from OCRA on Monday and have requested additional funding. The Town should have OCRA's response by the end of the week.

**Council Committee Reports:**

1. OTC – Mr. Miller reported that the Department Heads took the suggested placement for the bike racks and walked the downtown area. Mr. Strong stated that it appears that the placement suggested by OTC will work.
2. Mr. Miller stated that Dine on the Causeway tickets are still available.

**Legal Counsel Report- Aaron Culp:**

1. Letter of engagement from CCHA/Libby Roberts for legal services. Mr. Culp stated that this is for a disciplinary hearing. Mr. Culp will represent the Town Council and Ms. Roberts will represent the Police Commission. Mr. Amos made a motion to approve the agreement and allow Mr. Miller to sign. Mr. Penwell seconded, motion passed.
2. Mr. Culp stated the Letter of Engagement from Taft listed him as the signee. He has requested that be changed to Mr. Miller. There was a discussion as to where this would be paid from and how much it could potentially cost. Mr. Culp stated that there needs to be some contingencies discussed with Taft. Additionally, Mr. Culp stated that Taft suggested that the Council schedule an executive session to discuss the potential acquisition of property. The meeting times suggested are July 24<sup>th</sup> or 31<sup>st</sup> at 6:30 pm. It was also suggested that Mr. Strong and Ms. Kmicikewycz attend the meeting. Mr. Lutz made a motion to approve the Letter of Engagement, allow Mr. Miller to sign and to have Mr. Culp discuss the contingencies with Taft. Mr. Penwell seconded, motion passed.

**Cicero/Jackson Township Plan Commission Report-C. J. Taylor/Dan Strong:**

1. MI Homes – Mr. Strong stated that MI has applied for their permit and that equipment has been moved into the area. They can move dirt only at this point.
2. 150 W. Jackson Street – Mr. Strong informed the Council that all the utilities have been disconnected. He will be contacting Casey-Bertram Construction, Inc. to discuss dates. Mr. Strong stated that he will talk to the fire department as to when they want to do training.
3. Mr. Lutz inquired about putting an announcement on the Town's webpage regarding the new development. Mr. Strong stated that he was waiting for information from Mr. Issacs and he will follow up.

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

1. I & I – SRF – Mr. Bryant stated that the Preliminary Engineering Report has been submitted to the State Revolving Fund and they have begun to review it. He has two documents that need to be addressed this evening.
  - a. First, for the Council to approve and give Mr. Miller permission to Sign Cost & Effectiveness Certificate Form. Mr. Foster made a motion to approve and give Mr. Miller permission to sign. Mr. Penwell seconded, motion passed.
  - b. The second item is for the Council to approve Authorized Representative Resolution. This will give permission for Mr. Miller to sign all documents regarding the SRF Bond. Mr. Foster made a motion to approve the Authorized Representative Resolution. Mr. Lutz seconded, motion passed.
  - c. Mr. Bryant stated that there is a third document but that it will be to need be signed after the public hearing which will be after we hear back from SRF. There will then be a technical review and the environmental study.
  - d. Mr. Bryant gave a copy of the Preliminary Engineering Report to Ms. Unger to keep in the office.
2. Jackson Street and Main Street Intersection – Mr. Bryant stated that the preliminary report has been reviewed with the Council. They would like to get some peak traffic counts which they plan to do in August.
3. Mr. Bryant stated that the MI Homes Storm Water Plan is approved and United is in the process of reviewing the entire MI Homes packet. Mr. Bryant stated that as of right now MI Homes has not requested the upgrade on the Morse Landing lift station or for the one at Hidden Bay. When they make that request the Town will need to move forward with those improvements. Mr. Bryant stated that he is under the impression that the Council decided to replace the Morse Landing lift station. He inquired if that was still the case. There was a discussion about where the money would come from. Mr. Comer inquired if the Council was going to replace or upgrade? There was a discussion regarding this and it appeared that the best thing was to replace. Council ask Ms. Unger to investigate possible funding options.

### **Old Business:**

**Council To Hear Report From Tina Henderson Regarding Bids For Façade Project And Award Bid If Acceptable.** *(Remained tabled)*

**Council To Consider Ordinance 05-15-2018-3 An Ordinance To Amend Chapter Twenty-three Of Article Seven Of The Cicero/Jackson Township Zoning Ordinance Regarding The Storage Or Parking Of Recreational Vehicles, Boats And Trailers.**

Mr. Foster made a motion to untable. Mr. Amos seconded, motion passed. Mr. Culp stated that the document containing the definitions would need to be put in ordinance form and this ordinance would be separate from the RV ordinance. The RV ordinance would refer to the definitions of RV with in the ordinance. Mr. Culp will work on this and have for the July 3<sup>rd</sup> meeting. Mr. Amos made a motion to table. Mr. Lutz seconded, motion passed.

**Council To Consider Engagement Letter With Umbaugh For Fiscal Plan.**

Mr. Amos made a motion to approve the engagement letter with Umbaugh for the Fiscal Plan relating to the annexation of the MI Home Development.

**New Business**

**There was none.**

**Miscellaneous**

1. Mr. Lutz stated that he would be on vacation the week of July 16<sup>th</sup> and would not be at the Council Meeting.
2. Ms. Rhonda Gary, deputy clerk, informed the Council that the Town had a Public Employees Retirement Fund (PERF) audit this week and everything was in order.

**Comments By Citizens**

1. 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 July 3, 2018, at 7:00 PM at the Cicero Town Hall.**