



**TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
Tuesday, August 21, 2018
At 7:00 PM**

Call To Order: President Rusty Miller called the meeting to order and lead the Pledge of Allegiance. Mr. Brett 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

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
Aaron Culp, Town Attorney
Dan Strong, Cicero/Jackson Township Plan Commission President

Approval of Agenda:

Mr. Miller added the Hoosier Broadband contract to Mr. Culp's discussion. Mr. Amos added a discussion on the Post Employment Health Plan (PEHP.) And Ms. Unger asked to add a budget discussion under Miscellaneous. Mr. Foster made a motion to approve Agenda as amended. Mr. Penwell seconded, motion passed.

Approval of Prior Minutes:

Town Council Meeting Minutes, August 7, 2018, 7:00 PM –
Town Council Budget Meeting, August 13, 2018, 6:30 PM –
Town Council/Department Head Meeting, August 16, 2018 –

Mr. Amos made a motion to approve the Minutes for the Town Council Meeting on August 7, 2018, the Town Council Budget Meeting August 13, 2018 and the Town Council/Department Head Meeting on August 16, 2018. Mr. Penwell seconded, motion passed.

Approval of Claims:

Mr. Foster a motion to approve the Claims for August 21, 2018 as presented. Mr. Amos seconded, motion passed.

Petitions by Citizens:

1. There were none.

President's Report:

1. Mr. Miller informed the Council that he has had a conversation with Mark Heirbrandt, County Commissioner, regarding the proposed access by the County to Cicero's sanitary line for Koteewi/White River Campground. Mr. Heirbrandt will put together a proposal and then get back with the Council.
2. Mr. Miller stated he has had a conversation with members of the Catholic Church and it may be the Diocese that owns land on the corner of Tollgate and 236th Streets. They would be willing to sell some of their land along the road frontage for business.

Council Committee Reports:

1. OTC Report – Mr. Miller stated that Dine on the Causeway event is September 8th. Tickets are still available. Mr. Miller inquired if Mr. Cambre has scheduled to clean the lights and Mr. Cambre stated that he has not but will get that going.
2. Mr. Brett Morrow stated that the Hamilton County Commissioners have agreed to purchase some of the Zagster Bikes that can be rented. OTC would like to do this also, possibly next year.
3. EDC Report – Nothing

Legal Counsel Report- Aaron Culp:

1. Mr. Culp stated that he has had quite a bit of interaction with Mr. Sethi. The conversation seems to go in circles. He is wondering how to move forward. The Council stated that they would just let it go for a while and see how things go with the state.
2. Mr. Culp stated that he suggested to the Council that they address Hoosier Broadbands contract as it has expired and their installation on the water tower. The Council asked Mr. Culp to send a letter to Hoosier Broadband stating that they need to clean up their installation on the water tower and make it acceptable within 30 days, if not resolved then their contract would be eliminated, and their equipment would need to be removed. If it was cleaned up, then the Council would address implementing a revised lease.
3. Mr. Amos stated that he would not want to move forward with anything on NRG until Taft has been consulted. Mr. Penwell stated that he would not be in favor of negotiating anything on NRG until further testing has been completed.

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

1. Sewer discussion north of 236th Street – Mr. Strong stated that MI Homes is planning to install a sewer line across 236th Street on the north side in front of the property owned by the Roman Catholic Diocese and Mr. Steury's properties. He asked the Council if they want any language in the agreement regarding possible connection and annexation to the Town in the future. Mr. Strong stated that Mr. Fred Day has also expressed interest in connecting to the Town. Mr. Day stated to Mr. Strong that he will talk to the other businesses along 236th Street to see who else would be interested and if they would be willing to be annexed. There was a discussion by the Council. Mr. Strong stated that this is for sewer only and water would have to be bored under 236th Street. The Council asked Mr. Culp to develop the verbiage for future connection and annexation.
2. 150 W. Jackson Street – Mr. Strong stated that Casey Bertram is working at 150 W. Jackson and that the building should be down by the end of the week. Process is slowed because of sorting drywall, bricks and blocks. Mr. Strong informed the Council that under the Plan Commission offices there was a crawl space, not a slab; therefore, they are planning to remove the slab under the remaining portion of the office.
3. Municipal Building Sign – Mr. Strong distributed copies of a proposed temporary sign for 331 E. Jackson Street municipal building. He asked if the Council would be okay

with this for a temporary fix on the sign until the branding project for the Town is completed. There was a discussion on the branding project and Mr. Amos thought that we should wait since it was coming soon. Ms. Unger stated that the next step for the branding is agreement for the contract, then they would work the ideas and finally present a proposal for the final idea. Ms. Unger thought this would take at least six months and ask if the Council could move forward with Mr. Strong's idea for now. The sign can always be changed. The cost is \$1,000 and would greatly improve the appearance of the front of the new building. Council was good with moving forward.

Town Engineer Report - Mr. Keith Bryant

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

**Town of Cicero
August 21, 2018 Town Council Meeting
Engineer's Report**

1. **SRF – I & I Reduction Project:** The report was completed and submitted. Follow up minutes from the public hearing were submitted to the SRF Group on June 27, 2018. Following the SRF concurrence, we can proceed with project survey and design later this fall for Spring of 2019 loan closure and construction commencement.
2. **East Jackson Street Walk Path & Street Lights:** Final scope for the Community Crossing application to be discussed by the Council per the agenda. We can assist further as needed.
3. **Jackson & Main Street Intersection Evaluation:** The draft report and evaluation was reviewed with the Council at the special project meeting on June 5, 2018. The Council needs to decide if they wish us to recount and model the traffic during August to better determine peak periods. The cost for this would be \$2,600
4. **MI Homes / Tamarack Development:** The project is under construction. Primarily storm system components are being built. Tamarack has not received IDEM Wastewater or Water approvals to proceed. Easements acquisition is still being pursued for some areas by MI Homes.
5. **Morse Landing Section 1 / Hidden Bay Front Lift Station Improvements:** We have performed field work, preliminary plan preparation, design, pump material evaluation and other services for this project. Design will continue in order to upgrade these stations to accommodate the Tamarack and other future flows.

Mr. Miller stated that that Mr. Bryant has requested the Council to decide on item #2 above: The Council needs to decide if they wish us to recount and model the traffic during August to better determine peak periods (at Main & Jackson Streets). The cost for this would be \$2,600. The Council stated that they may be going a different direction at this time and would prefer to spend the \$2,600 for signs.

Old Business:

Council To Hear Report From Tina Henderson Regarding Bids For Façade Project And OCRA's Decision.

Mr. Amos made a motion to untable the Façade Project. Mr. Penwell seconded, motion passed. Ms. Henderson reviewed the following: The total cost of Construction for 13 buildings: \$610,324.00, Professional Fees: \$77,000.00, the total cost of Construction with Professional Fees: \$687,324.00. The total Grant Funds Secured: OCRA Main Street Grant: \$403,000.00, DNR Historic Preservation Owner Grant: \$142,216.00, total Grant Funding: \$545,216.00. Total Local Funds Committed To Date: Owners: \$95,674.00 Town: \$19,500.00, total Local Match Commitment to date: \$115,174.00. At this time and based on DNR's approval of the Historic Restoration Grant, the additional funds needed from each participating building: \$2,245.00- from each owner (except Booker's

as their bid was underbid.) The above fee is needed from each business owner to complete their portion of the building. We are anticipating construction commencing late September. The contractor is already discussing winter conditions and preparing for that with the architect.

Brent Mather with R&B Architects discussed the project moving forward. He stated that we have an apparent low bidder. We will move forward with the language for the contract. He is not asking for approve of the bid currently, hopefully in the next four weeks. No construction schedule has been established yet. This will be part of the contract. Mr. Mathers asked permission to work with Mr. Culp on the language of the contract at this time. Council was good with Mr. Mathers working with Mr. Culp. Mr. Mathers stated that he will be meeting with the contractors and business owners. After the contract is implemented, they will ask for a release of funds.

Council To Discuss Community Crossings Matching Grant And Moving Forward With Application.

Ms. Unger informed the Council that she and Mr. Lutz have gone over the numbers from MVH to determine exactly what funds are available for the East Jackson Street Project. Ms. Unger had not previously included the Special LIT Distribution that was received in 2016 to be used for infrastructure. That money had been transferred to the Community Crossings Matching Grant Fund to be used as the Town's Match. She has approval to transfer that back into the Special LIT Distribution to use for other infrastructure. Ms. Unger reviewed the numbers she had prepared with Mr. Lutz. Between MVH and the remaining Special LIT distribution, the funding needed by the Town for East Jackson Street project can be covered except for \$57,190. This could come out of the GO Bond if necessary. Mr. Amos made a motion to approve Ms. Kmicikewycz moving forward with the CCMG application. Mr. Foster seconded, motion passed.

Council To Discuss MI Homes Annexation.

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

Council To Discuss Sick Leave Policy.

Mr. Penwell stated that he was not in favor of a payout of an estimated \$100,000 to purchase sick time back to 45 days. Mr. Amos stated that his preference would be Option 3 presented at an earlier meeting. Five sick days per year, maximum 90 day accumulations, pay out at full PERF retirement with at least 20 years of service at \$100 a day. Mr. Foster was in favor of the buydown to 45 days at \$100 a day. Mr. Amos stated that we could leave the current employees at 90 days of accumulation and all new hires effective January 1, 2019 would only be allowed 45 days accumulation. Chief Hunter was concerned that 5 sick days for new hires would not be enough if they had an injury. Mr. Amos stated that the days allotted each year could remain ten. There was a discussion about separating the public safety employee handbook from the civilian employee handbook. Mr. Amos suggested that Ms. Unger contact Barbara Lamb at Carmel and ask for a copy of their handbooks for review. The discussion continued. Mr. Amos asked Chief Overholser to get a hold of PEHP (Public Employees Health Plan) and setup a meeting with the Council.

Council To Discus County's Request To Connect To The Town's Wastewater System From Koteewi Park/White River Campground.

Mr. Miller had given the Council an update under President's Report. Mr. Penwell made a motion to table. Mr. Foster seconded, motion passed.

New Business

Council To Consider Resolution 08-21-2018-1 Transfer Of Funds For MVH And Town Council.

Mr. Amos made a motion to approve Resolution 08-21-2018-1 Transfer of Funds For MVH and Town Council. Mr. Penwell Seconded, motion passed.

Council To Consider Ordinance 08-21-2018-2 Reduction Of Appropriations For CCI And CCD.

Mr. Penwell made a motion to approve Ordinance 08-21-2018-2 Reduction of Appropriations For CCI And CCD. Mr. Foster seconded, motion passed.

Council To Consider Resolution 08-21-2018-3 Transferring \$147,903 Out of MVH To CCMG For The 2019 CCMG Match.

Mr. Amos made a motion to approve Resolution 08-21-2018-3 Transferring \$147,903 Out of MVH To CCMG For The 2019 CCMG Match. Mr. Foster seconded, motion passed.

Council To Consider Resolution 08-21-2018-4 Transferring \$163,615.50 Out of CCMG To The 257 LOIT Special Distribution Fund.

Mr. Foster made a motion to approve Resolution 08-21-2018-4 Transferring \$163,615.50 Out of CCMG To The 257 LOIT Special Distribution Fund. Mr. Penwell seconded, motion passed.

Council To Consider Ordinance 08-21-2018-5 An Ordinance Creating A Separate Non-Reverting Ambulance Fund For the Receipt and Disbursement Of ALS Money Associated With The Cicero Ambulance Service.

Mr. Amos made a motion to approve Ordinance 08-21-2018-5 An Ordinance Creating A Separate Non-Reverting Ambulance Fund for the Receipt and Disbursement of ALS Money Associated with The Cicero Ambulance Service. Mr. Penwell seconded, motion passed.

Miscellaneous

1. Ms. Unger stated that she had distributed the budgets for 2019 via e-mail and the Council has a copy in front of them. She would like permission to move forward with updating the budget in Gateway in preparation for her meeting with the DLGF on August 30th. Ms. Unger stated that the Council would still have time to adjust the budget before approval. Mr. Foster made a motion to approve Ms. Unger moving forward with the 2019 budget in Gateway. Mr. Penwell seconded, motion passed 3-1 with Mr. Amos voting nay.
2. Mr. Cambre stated that the Parks Department would be having the dedication for the Canoe/Kayak Launch on September 15th at 10 AM. The Legion and the Friends of the Park are having a kid fishing day with the Legion providing hot dogs and the Friends of the Park providing fishing poles and bait.
3. Mr. Amos asked if Mr. Foster could meet him after the meeting at the Jackson and Main Street intersection to discuss some ideas for improving safety in that area. Mr. Foster stated he would.

Comments By Citizens

1. There were none.

Motion To Adjourn:

Mr. Amos made a motion to adjourn. Mr. Foster 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 September 4, 2018, at 7:00 PM at the Cicero Town Hall.