



TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
Tuesday, December 18, 2018
At 7:00 PM

Call To Order: Vice-president Lutz called the meeting to order and lead the Pledge of Allegiance. Mr. Brett Foster gave the prayer. Mr. Lutz 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
Jack Russell

Absent: Craig Penwell

Mr. Lutz declared a quorum.

Others Present: Jan Unger, Clerk Treasurer
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
Bruce Freeman, President of Stormwater Management Board

Approval of Agenda:

Ms. Unger asked to add Encumbrances under Misc. Mr. Amos made a motion to approve the Agenda as amended. Mr. Foster seconded, motion passed.

Approval of Prior Minutes:

Town Council Special Meeting December 4, 2018, 6:00 PM –
Town Council Meeting Minutes, December 4, 2018, 7:00 PM –
Town Council Executive Session, December 13, 2018, 6:00 PM –
Town Council Staff Meeting Minutes, December 13, 2018, 7:00 PM –

Mr. Russell stated that he would be abstaining from the vote on the minutes. Mr. Foster made a motion to approve the four listed minutes above. Mr. Amos seconded, motion passed.

Approval of Claims:

Mr. Amos made a motion to approve the claims as presented. Mr. Russell seconded, motion passed.

Petitions by Citizens:

1. There were none.

President's Report:

1. Vice President Lutz stated that at this time he would like to make some recognition presentations:
 - a. First, Mr. Lutz asked Mr. Mike Murphy to come forward. Mr. Lutz thanked Mr. Murphy for his 12 years of service to the Town by serving on the Storm Water

Management Board. Mr. Murphy served as President in 2018. Mr. Murphy has attended numerous meetings including the White Rive Alliance, IDEM, Morse Lake Waterways Association and other storm water meetings. Mr. Murphy has been an active educator to our youth about storm water at school field trips and programs. He has educated the public and has often been at events where he has setup information and demonstrations of what storm water is, where it goes and how it affects our environment. He helped with establishing the rain barrel program. Mr. Murphy has tested water quality from Big and Little Cicero Creeks. While Mr. Murphy has been on the board, the Town has received several Certificates of Recognition for going above the requirements of the MS 4. Mr. Lutz presented Mr. Murphy with a plaque recognizing his service.

- b. Mr. Lutz then asked Mr. Brett Foster to step forward. Mr. Lutz stated that Mr. Foster has served on the Council for 16 years three of those as President. Mr. Lutz stated that Mr. Foster had to have a lot of patience over the years as one year he had four new Council members. Mr. Lutz stated that he looked to Mr. Foster for leadership and respected the knowledge he had from his time on the Council. Mr. Foster has been involved in many projects for the Town of Cicero. Mr. Lutz thinks is one of the best is the Jackson Street Pedestrian Walkway. Mr. Foster was also instrumental in getting the Stringtown Pike path, the baseball complex and many more projects. Mr. Lutz presented Mr. Foster with a plaque recognizing his service to the Town. Mr. Lutz asked Mr. Foster if he would like to say anything and Mr. Foster expressed his thanks to the community by reading a letter.
- c. Mr. Lutz asked Mr. Pat Comer to come forward. Mr. Lutz stated that Mr. Comer has worked for the Town for 27 years and has served as the Street & Utility Director for the past 12 years. Mr. Lutz stated that Mr. Comer would be retiring on January 2nd, 2019 and thanked Mr. Comer for his service. Mr. Lutz stated that he has a lot of respect for Mr. Comer and that he is one of the guys that gets things done. Once, Mr. Lutz asked Mr. Comer to investigate a drainage problem at the baseball park. Later, he was talking with Mr. Cambre and asked if Mr. Comer has checked on this yet and Mr. Cambre said that he had checked on it and resolved the problem. While Mr. Comer has been here, there have been upgrades to the wastewater treatment plant along with a new UV filtering system, upgrades on the stormwater problems on Brinton Street and replacement of the waterline in Hidden Bay to mention a few. Mr. Lutz stated that Mr. Comer takes care of the streets, makes sure they are plowed and has been instrumental in three Community Crossing Matching Grants where the Town has received over \$1.3 million dollars in paving funds. Mr. Lutz gave Mr. Comer a plaque recognizing he serviced to the town and thanked him again.

Mr. Lutz called for a 15 minutes recess to have some social time for the attendees to give their thanks to the three that will be leaving the town's employment. Mr. Lutz called the meeting back to order at 7:35 am.

Council Committee Reports:

1. OTC Report – Nothing.
2. EDC Report – Nothing

3. Storm Water Management Board – Mr. Bruce Freeman stated that with Mr. Murphy leaving the Board the Council President would need to appoint a new member. Mr. Freeman stated that they will have a recommendation at the next Council Meeting.

Legal Counsel Report- Aaron Culp:

1. Mr. Culp informed the Council that the attorneys handling the pending litigation would be filing a motion to dismiss. Mr. Sethi will have 20 days to respond. Mr. Culp will be keeping the Council informed on the process.

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

1. Nothing this evening.

Town Engineer Report - Mr. Keith Bryant

Mr. Bryant was not available but sent the following report:

**Town of Cicero
December 18, 2018 Town Council Meeting
Engineer's Report**

1. **SRF – I & I Reduction Project:** As discussed at the prior meeting, we have responded to IDEM's comments on the Preliminary Engineering Report (PER). A copy of the response letter is attached. Following the SRF concurrence, we can proceed with project survey and design
2. **MI Homes / Tamarack Development:** The project is under construction. Mass earthwork and some storm drainage system installation has occurred. The proposed lift station excavation has progressed. A portion of the water main has been installed along Jackson Street. Some road base has been installed. Sanitary Sewer installation continues.
3. **Morse Landing Section 1 / Hidden Bay Front Lift Station Improvements:** Contractors have been contacted and the project is out for a rebid with bids being received at the February 5, 2019 meeting.
4. **East Jackson Street Project:** The Task Order is being revised to reflect the new scope of work for Council consideration. To present in January 2019 so that plans and specifications can be developed to obtain bids as soon as possible.

Old Business:

Council To Discuss Interlocal Agreement Between Hamilton County, Indiana and the Town of Cicero, Indiana, Regarding A Service Agreement Concerning E-911 And Emergency Dispatch Services Presented To Cicero By The County.

Mr. Foster made a motion to untable. Mr. Amos seconded, motion passed. Mr. Culp stated that he has had a conversation with Mr. Heirbrandt regarding this issue. Mr. Heirbrandt was under the impression that Cicero was not going to participate at all and Mr. Culp stated that in the letter prepared by Mr. Lutz that the northern portion of the county still has some questions that have not been answered, but that in the letter Mr. Lutz proposed a year 10% participation by Cicero with the understanding that if the LIT safety tax was implemented the agreement would be void. Mr. Heirbrandt may support but wasn't sure. Mr. Culp stated that Arcadia, Sheridan, Jackson and White River Townships still have some concerns and have all tabled awaiting answers to their questions. Mr. Amos stated that he has also spoken with Mr. Heirbrandt and that Mr. Heirbrandt is upset over the northern communities not signing the agreement. Mr. Amos stated to Mr. Heirbrandt that the northern communities were told that the LIT would be passed to cover the cost of E 911. It was not and there has been no communication with the northern communities until they received the agreement from Mr. Snowden to be signed by December 4th. There was little time to get a meeting together, which they were able to, but Mr. Snowden was unable to attend. Mr. Heirbrandt was not sure where the ball was dropped. The agreement was for one year, Mr. Amos stated that there was

nothing in the agreement that stated that the amount would increase until the northern communities would be paying it all. Mr. Amos was not happy with the agreement. Mr. Heirbrandt was to get back with Mr. Amos and he had heard nothing. Mr. Amos made a motion to table. Mr. Foster seconded, motion passed.

Council To Discuss Illegal Discharge Of Stormwater Onto Town Streets.

Mr. Lutz stated that there are two items which the Council is awaiting information. One is the ordinance from Chief Hunter, which they have received. Second, is the list of violation locations. Ms. Unger apologized stating that she has the list she just has not yet distributed it. Mr. Amos stated that all the violators should be put on notice and given a copy of the ordinance. The cost to correct the situation on Shoreline is \$3,848 for the shore side which is what Mr. Comer recommended. The question is who should pay. Mr. Amos inquired if the Storm Water Management Board was ware of the situation and Mr. Freeman stated that they are, and they are having a meeting on December 28th and could discuss. Mr. Amos made a motion to table. Mr. Foster seconded, motion passed.

Council To Discuss Funds For Lift Stations Upgrades.

Ms. Unger informed the Council that due to the cost of the first lift stations upgrades bid she has re-evaluated the Wastewater budgets. Ms. Unger is recommending the following:

1. That you don't purchase any vehicles out of the Cash Operating fund in 2019. This will free up \$20,000 that could be transferred to the Improvement Fund.
2. That we increase the transferred amount from Cash Operating to the Improvement Fund to \$9,000 monthly. This is will increase that amount from \$36,000 to \$84,000.
3. Not meter purchases from Wastewater in 2019 unless necessary. This will allow another \$30,000 in to stay in the Improvement Fund.
4. In the Improvement Fund there is \$60,000 budgeted. \$30,702 of that is committed to United for Task Orders. I recommend that this budget amount be reduced by \$20,000.
5. This will give a total of \$154,000 additional money in the Improvement Fund.

Ms. Unger stated that she has reviewed this with Mr. Lutz and Mr. Comer and she will send the spread sheet out to the rest of the Council for their consideration.

New Business

Council To Consider Resolution 12-18-2018-1 Transfer Funds In Fire, Town Council and Wastewater.

Ms. Unger stated that there are a couple of additions to the Transfer Resolution since she distributed it. One was for salary for Mr. Cambre and one for the Police Secretary. Mr. Amos made a motion to approve Resolution 12-18-2018-1. Mr. Foster seconded, motion passed.

Council To Consider Fire Investigator Position.

Ms. Unger stated that the Council needs to approve this in a Council meeting and that she would do the Salary amendment in January. Mr. Amos made a motion to approve adding the position of Fire Inspector on an as needed basis. Mr. Foster seconded, motion passed.

Council To Consider Utilities and Street Director.

Mr. Strong stated that the committee to find a replacement for Mr. Comer interviewed 8 individuals. Four internal and four external individuals. Mr. Strong stated that at this time the committee would recommend hiring Mr. Terry Cooper. He has the requirements and skills need for the position. His starting date would be January 2nd, 2019. Mr. Amos made motion to approve the offer to Mr. Cooper. Mr. Foster seconded motion passed.

Miscellaneous

1. Ms. Unger informed the Council that she would be encumbering \$11,863 for a fire vehicle which she has a purchase order for and has not been fulfilled. Additionally, she will be re-encumbering \$5,000 for software in Computer Maintenance for the Plan Commission. This was originally encumbered from 2017 but has not been completed as of today.

Comments By Citizens

None.

Signatures on Official Documents!

Motion To Adjourn:

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

Signatures on Official Documents!

Christopher J. Lutz, Vice-president

Chad B. Amos

Brett S. Foster

Craig S. Penwell

Richard J. Russell V

Attested: _____
Jan Unger, Clerk Treasurer

The Next Cicero Town Council Meeting will be on January 2, 2019, at 7:00 PM at the Cicero Town Hall.