



**TOWN OF CICERO  
TOWN COUNCIL MEETING MINUTES  
Wednesday, January 2, 2019  
At 7:00 PM**

**Call To Order:** President Lutz called the meeting to order and lead the Pledge of Allegiance. Mr. C.J. Taylor gave the prayer. Mr. Lutz called for the roll call and the members of the Town Council were present or absent as follows:

<b>Present:</b>	Chad Amos	<b>Absent:</b>
	Chris Lutz	
	Craig Penwell	
	Jack Russell	
	Dan Strong	

Declare a quorum present.

**Others Present:** Jan Unger, Clerk Treasurer  
Charlie Cambre, Park Superintendent  
Terry Cooper, Street & Utilities Director  
Jim Hunter, Police Chief  
Lance Overholser, Fire Chief  
C.J. Taylor, Cicero/Jackson Township Plan Commission Director  
Aaron Culp, Town Attorney  
Bruce Freeman, Storm Water Management Board President

**Approval of Agenda:**

Mr. Lutz stated that he would add under Miscellaneous a discussion of the Fire Department 4<sup>th</sup> man rotation. Mr. Amos made a motion to approve the agenda as amended. Mr. Penwell seconded, motion passed.

**Election of Officers**

**President of the Council** – Mr. Lutz called for nominations for Council President.

Mr. Penwell nominated Mr. Lutz. There were no other nominations. Mr. Lutz called for a vote by show of hands. Vote passed 5-0.

**Vice President of Council** – Mr. Lutz called for nominations for Vice President.

Mr. Amos nominated Mr. Penwell. There were no other nominations. Mr. Lutz called for a vote by show of hands. Vote passed 5-0.

**Council To Appoint 2019 Department Heads**

**Fire Chief** – Mr. Amos made a motion to re-appoint Lance Overholser as Fire Chief.

Mr. Penwell seconded, motion passed, 5-0.

**Police Chief** – Mr. Penwell made a motion to re-appoint Jim Hunter as Police Chief.

Mr. Russell seconded, motion passed.

**Street/Utilities Director** – Mr. Lutz stated that this was taken care of with the hiring of Terry Cooper in December 2018.

**Plan Commission Director** – Mr. Strong made a motion to re-appoint C.J. Taylor as Plan Commission Director. Mr. Russell seconded, motion passed.

**Park Superintendent** – Mr. Amos made a motion to re-appoint Charlie Cambre as Park Superintendent. Mr. Penwell seconded, motion passed.

## **Other Appointments**

**The Cicero Metropolitan Police Commission** – Mr. Amos made a motion to table.  
Mr. Strong seconded, motion passed.

### **Appointment To Storm Water Management Board –**

Mr. Freeman introduced Mr. Ted Lenze to the Council. He stated that Mr. Lenze is a firefighter for Carmel and a volunteer firefighter for Cicero. Mr. Freeman stated that Mr. Lenze is civic minded and has expressed an interest in being involved in the community by being on the Storm Water Management Board. Mr. Lutz thanked Mr. Lenze for his interest and appointed him to a three-year term beginning 1-1-2019 through 12-31-21.

### **Cicero Redevelopment Commission – 1-year term**

Mr. Amos made a motion to appoint Dan Strong and Jack Russell to the Cicero Redevelopment Commission. Mr. Penwell seconded, motion passed.  
Mr. Lutz appointed Chad Amos, Craig Penwell and himself to the Cicero Redevelopment Commission.

### **Cicero/Jackson Township Plan Commission Appointments 2019-2022.**

Mr. Amos made a motion to appoint Dennis Schrupf, Jack Russell and Dan Strong to the Cicero/Jackson Township Plan Commission. Mr. Penwell seconded, motion passed.  
Mr. Lutz appointed Mark Diller, Steve Zell and Greg Gary to the Cicero/Jackson Township Plan Commission. Mr. Lutz stated that there is still a vacancy which will be filled later.

### **Cicero/Jackson Township BZA Appointment:**

Mr. Amos made a motion to appoint Brad Baker to the Cicero/Jackson Township BZA. Mr. Strong seconded, motion passed.

### **Presidential Appointments To Cicero Economic Development Commission.**

Mr. Lutz stated that he is working with Mr. Joe Cox to find replacements for Mr. McConnell and Mr. Decatur. Mr. Penwell made a motion to table. Mr. Russell seconded, motion passed.

### **Council Appointment To The Hamilton County Emergency Management Advisory Council.**

Mr. Amos made a motion to re-appoint Fire Chief Lance Overholser to the Hamilton County Emergency Management Advisory Council. Mr. Strong seconded, motion passed.

### **Approval of Prior Minutes:**

**Town Council Meeting Minutes, December 18, 2018- 7:00 PM** – Mr. Lutz requested that under the Interlocal Agreement with Hamilton County for E-911 service that there be a couple of corrections in the wording. Mr. Penwell made a motion to approve the minutes as amended. Mr. Amos seconded, motion passed.

**Town Council Meeting Minutes, December 28, 2018, 4:00 PM** – Mr. Amos made a motion to approve the December 28, 2018 minutes as presented. Mr. Penwell seconded, motion passed.

### **Approval of Claims:**

There were none.

### **Petitions by Citizens:**

There were none.

**President’s Report:**

Mr. Lutz consulted with the full Council to make appointments for Department Liaisons.  
Police – Chad Amos  
Fire – Chris Lutz  
Parks – Jack Russell  
Street & Utilities – Dan Strong  
Plan Commission – Craig Penwell

**Council Committee Reports:**

1. OTC Report – Mr. Lutz asked Mr. Russell to attend the OTC Meetings and serve as the Council liaison for OTC.
2. EDC Report – Mr. Lutz asked Mr. Penwell if he would share the liaison duties with him for EDC. Mr. Penwell stated that he would.
3. SWU Management Board Report – Mr. Lutz asked Mr. Strong if he would serve as the liaison for the SWU Management Board and he said that he would.

**Legal Counsel Report- Aaron Culp:**

Mr. Culp stated the Town has received a response from the property owner at 792 N. Peru regarding the condition of the building. Mr. Culp stated that the owner has requested an extension of time to demo the building. He is asking for an extension to April 15, 2019. There was considerable discussion on this issue. Mr. Taylor read the e-mail response. Mr. Culp stated that he has had 18 months to address this issue and that he did not think the Council should extend further. After another discussion, the Council was in consensus with Mr. Culps recommendation.

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

1.

**January 2019 – Director’s Report**

<b>Permit Revenue:</b>	December 2018 = \$2,514	YTD: \$58,812
	December 2017 = \$3,433	YTD: \$67,108
	Difference: Month = \$919 / 27%	YTD: \$8,296 / 12%

We have issued a total of 8 building permits for December 2018.  
6 have been inside the corporate limits (of which 2 have been new homes).  
We have issued 2 in Jackson Township (of which 0 have been new homes).  
We have been working with some property owners to clean up their properties.  
The property owner of 792 N. Peru emailed me requesting an extension to comply. Since that is now a legal matter, I forwarded that email to Aaron Culp as that will be a Town Council Decision.

2. Mr. Culp informed the Council that with Mr. Strong’s assistance the MI Home Annexation was fully recorded.

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

Mr. Bryant was not available but submitted the following written report:

**Town of Cicero  
January 2, 2019 Town Council Meeting  
Engineer’s Report**

1. **SRF – I & I Reduction Project:** The SRF group has approved the Preliminary Engineering Report (PER) –approval letter attached. We will prepare the agreement for design, bid and construction phase services for Town Council consideration in the near future.
2. **MI Homes / Tamarack Development:** The project construction continues. 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 revised Task Order as emailed to everyone on December 20 is attached. This Task Order should be approved at the meeting tonight to allow the project to continue and to meet the Community Crossings timetable.

Ms. Unger stated that Mr. Bryant would like for the Council to consider item #4 this evening so United can continue with the East Jackson Street Project. Ms. Unger stated that she has given the Council a copy of the Engineer's Report, the original task order and the revised task order for their review, they should have also received an e-mail with that information. Mr. Amos made a motion to approve the Revision to Engineering Services Task Order No. 2018-01 – December 20, 2018, East Jackson Street Walk Path Project – Design, Bid and Construction Administrative Services. Mr. Penwell seconded, motion passed.

### **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. (Remained tabled)**

**Council To Discuss Illegal Discharge of Storm Water Onto Town Streets.**

Mr. Strong made a motion to untable. Mr. Penwell seconded, motion passed. Mr. Lutz stated that Mr. Comer has provided a list of five properties that have illegal discharge. Mr. Lutz stated that he thinks that each issue is somewhat different. Mr. Amos stated that one of the issues would be taken care of with the East Jackson Street project. Mr. Taylor stated that there are 9-10 illegal discharges. There was a discussion on how to handle moving forward. Mr. Russell stated that whatever the Council decides they should be consistent. Mr. Taylor stated that he could provide a presentation for the Staff Meeting if the Council would like. They agreed. Mr. Strong stated that he is not in favor of the Town paying for the compliance projects on these properties. Mr. Amos agreed with Mr. Strong. Mr. Freeman inquired as to where the Storm Water Management Board fit in the process. He stated that they discussed this at their meeting on December 28<sup>th</sup>. They would like to partner with the Council and or Utilities to address the problems. Mr. Amos made a motion to table until they see the presentation and discuss at the Staff meeting. Mr. Russell seconded, motion passed.

### **New Business**

**Council To Consider Ordinance 01-02-2019-1 An Amendment To Salary Ordinance 09-18-2018-3 Adding The Position Of Fire Investigator To Be Funded From The Fill-in Help Appropriation.**

Mr. Amos made a motion to approve Ordinance 01-02-2019-1. Mr. Penwell seconded, motion passed.

### **Miscellaneous**

1. Mr. Lutz to discuss the Fire Department 4<sup>th</sup> man Rotation – Mr. Lutz stated that he is in favor of readdressing this issue at the Staff Meeting on January 10<sup>th</sup>. He stated that he would like for Chief Overholser to prepare the Fill-in expenditures and appropriations for the years 2016, 2017 and 2018. Mr. Lutz would also like to know what the cost will be for the year for the 4<sup>th</sup> man rotation for five days a week from 8 am to 4 pm. Mr. Overholser asked Mr. Lutz to meet with him prior to the meeting. Mr. Lutz agreed.

**Comments By Citizens**

There were none.

**Signatures on Official Documents!**

**Motion To Adjourn:**

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

***Signatures of Cicero Town Council***

\_\_\_\_\_  
Christopher J. Lutz, President

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Chad B. Amos

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Craig S. Penwell

\_\_\_\_\_  
Richard J. Russell

\_\_\_\_\_  
Dan Strong

Attested: \_\_\_\_\_  
Jan Unger, Clerk Treasurer

**The Next Cicero Town Council Meeting will be on January 15, 2019, at 7:00 PM at the Cicero Town Hall.**