



**TOWN OF CICERO  
TOWN COUNCIL MEETING MINUTES  
Tuesday, April 2, 2019  
At 7:00 PM**

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

**Present:** Chad Amos  
Chris Lutz  
Craig Penwell  
Jack Russell  
Dan Strong

**Absent:**

Declare a quorum present.

**Others Present:** Jan Unger, Clerk Treasurer  
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  
Keith Bryant, Town Engineer  
Bruce Freeman, Storm Water Management Board President

**Approval of Agenda:**

Mr. Lutz asked to add to Miscellaneous a follow up on the Council Retreat. Mr. Amos made a motion to approve the Agenda as amended. Mr. Russell seconded, motion passed.

**Approval of Prior Minutes:**

**Town Council/Department Head Meeting, March 14, 2019, 6:00 PM –**

**Town Council/Department Head Meeting March 19, 2019, 6:00 PM –**

**Town Council Meeting Minutes, March 19, 2019, 7:00 PM –**

Mr. Penwell made a motion to approve all the minutes presented. Mr. Russell seconded, motion passed.

**Approval of Claims:**

Mr. Russell made a motion to approve the claims as presented for April 2, 2019. Mr. Strong seconded, motion passed.

**Petitions by Citizens:**

1. There were none.

**President's Report:**

1. President Lutz reported that he had nothing this evening.

**Council Committee Reports:**

1. OTC – Mr. Russell stated the food drive was a success. OTC is currently working on Dine on the Causeway.
2. EDC – Mr. Lutz stated that he has nothing this evening. They will be meeting tomorrow, April 3<sup>rd</sup>.
3. SWU Management Board Report – Mr. Freeman inquired if the Council has a chance to review the illegal discharges. Mr. Lutz stated they would see it on April 11<sup>th</sup>. Mr. Lutz inquired if the Storm Water Management Board has met and Mr. Freeman said they would meet after the Council reviews the illegal discharges.

**Legal Counsel Report- Aaron Culp:**

1. Mr. Culp stated he has completed the final Lease Agreement with Ultimate Tournament Series. It is on the agenda later for approval.
2. Mr. Culp stated that he has been working with Chief Hunter and at the next Council Meeting they should have the ordinance for the speed limit and stop signs for the Tamarack Addition.

**Cicero/Jackson Township Plan Commission Report-Mr. Taylor**

1. Mr. Taylor distributed a copy of his monthly report:

**Director's Report**

**April 2019**

<b><u>Permit Revenue:</u></b> March 2019 = \$3,646	YTD: \$8,011
March 2018 = \$1,485	YTD: \$8,304
Difference: Month = \$2,161 / 146%	YTD: <b>\$293 / 4%</b>

We have issued a total of 12 building permits for March 2019. Eight are inside the corporate limits (of which 3 are new homes).

We have issued 4 in Jackson Township (of which 0 have been new homes.)

We have been working on Zoning Ordinance corrections and updates and will be submitting them to the planning commission for review.

2. Mr. Taylor informed the Council that MI Homes has their first model up and will be working to complete it.
3. Mr. Taylor stated that there is interest in other developers to build subdivisions. He would like to know if the Council could assign a couple of Councilman to sit in on some of these conversations with the developers. Mr. Strong and Mr. Amos stated that they would be willing to do this.

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

1. MI Homes – Mr. Bryant stated that construction continues in Section 1. United has received a reply from MI Homes regarding United’s comments on Section 2 and they will be working through that reply.
2. Hidden Bay and Morse Landing Lift stations – Mr. Bryant stated that the contractor is waiting on materials to be delivered. This could take up to three months.
3. East Jackson Street – All of the documents have been signed. Next, they need to get the submittals to INDOT for approval. He and Ms. Unger are working on that. Mr. Bryant stated that they have been working with Duke and the contractor regarding the cost of the street lights. Mr. Bryant distributed a copy of the options that have been discussed:
  - a. Lights have been deleted from agreement, they could be re-installed at the original cost of \$285,782.

- b. Change the number of lights from 31 to 18 staggering them through that stretch of Jackson street. This would be a savings of \$69,600.
- c. Just install the foundations and conduits and pull-wire only at a cost of \$149,782.
  - i. 3.a. do item 3. plus, lights and wire later. Only a \$40,000 savings.
  - ii. 3.b. potential for #2 with foundations and conduits only. Unknown savings.
- d. 4. Duke 31 – Deluxe Acorn fixtures on 17’ poles installed. Not a significant savings.
  - i. 4.a. install #4 on a 10-year lease. \$3,572 monthly plus \$234.97. Duke takes care of the maintenance.

There was a discussion. In general, the Council is not in favor of using the Duke option. Mr. Russell inquired about the maintenance on the existing lights the Town owns. Mr. Cooper and Mr. Dotson addressed this stating that they did just do some work on the Causeway lights and the materials cost around \$300. In the past, the maintenance on the lights has been completed by the utilities staff. Mr. Strong stated that he is most in favor of #1. Mr. Bryant stated that the Council does not have to decide this evening. Mr. Bryant stated that Schutt-Lookabill Co., Inc. is requesting a pre-construction meeting. The Council can think about the lighting options and decide later.

## **Old Business:**

### **Council To Approve Bid For VAC Truck And Approve Using Indiana Bond Bank For Financing.**

Ms. Unger reviewed the option from Best Equipment, which was the low bidder. The amount was \$329,653. Mr. Cooper stated that he has reviewed the bid and this truck has all the equipment requested. Mr. Amos made a motion to approve the bid from Best Equipment using the Indiana Bond Bank for financing, allowing Mr. Lutz to sign the purchase agreement. It also allows Ms. Unger to sign necessary paperwork with the Indiana Bond Bank. Mr. Penwell seconded, motion passed

### **Council To Consider Contract For Sports Complex.**

Mr. Culp stated that he has revised the structure of the lease and this is the last revision. Mr. Amos inquired if there is anything about the Town auditing their books. Mr. Culp stated that the Town can audit. There was a discussion on “audit”. It was determined that Mr. Lutz would review the books. Mr. Strong suggested that we ask for a monthly profit and loss statement. Mr. Penwell made a motion to approve the Lease with Ultimate Tournament Series. Mr. Strong seconded, motion passed.

Mr. Lutz stated that HHASA had requested to make some improvements at the baseball fields. They were told to discuss with the Plan Commission, but he has heard nothing further.

### **Brent Mather To Give Council Update On Façade Project.**

1. Mr. Mather informed the Council that the project is 40% completed.
2. Windows and doors have been ordered. They may be in next week.

3. He will discuss the completion date with Lance Stevenson at their meeting next week.
4. One (1) W. Jackson, 39 W. Jackson, 109 W. Jackson and 10 W. Jackson should be completed at the end of the month. They will close the work order on each building as it is completed.
5. They will be before the Plan Commission next week, April 10<sup>th</sup>, for the aesthetic review.
6. They have a change order for 30 West Jackson. There were some questions about the bowing. Structural Engineer has looked at it. They can not clear because Cicero is technically is the owner of the project. The Engineer proceeded at risk with proof of payment. Ms. Henderson has gone back to the state Historic Preservation Grant organization to see if there are any further funds and there are not.
7. The business owner has stated that he will pay the additional construction cost. Mr. Mathers distributed the invoice for \$5,000.
8. Mr. Culp inquired about the fee for the aesthetic review and Mr. Mather stated that it has been paid. Mr. Culp stated that he, Mr. Strong, Ms. Kmicikewycz and Mr. Mather should meet to discuss the Engineer fee. It was decided that they would meet on Monday, April 8<sup>th</sup> at 1:00 pm in Mr. Strong's office.
9. Ms. Kmicikewycz stated that the owner of 30 W. Jackson should be dropping a check off this week for the \$5,000. Mr. Amos made a motion to pay the \$5,000 invoice presented for 30 W. Jackson after payment by building owner. Mr. Penwell seconded, motion passed.

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

*(Tabled – we may not be ready to discuss this.)*

**Mr. Strong Asked For Mr. Stuary's Request To Be Connected To Town Utilities Continued On The Agenda Until Resolved.**

*(Continued)*

**New Business**

**Council To Give Permission To Proceed With The Additional Appropriations for MVH and CCD.**

Ms. Unger stated that she would be asking for \$41,000 additional for MVH for Sidewalks and \$55,000 Sidewalks/Lighting for CCD. Ms. Unger stated that both requests are regarding the E. Jackson Street project. Mr. Amos made a motion to approve Ms. Unger advertising notice to taxpayers of the aforementioned additional appropriations. Mr. Penwell seconded, motion passed.

**Miscellaneous**

1. Mr. Lutz stated that the would like to have the Council meet again in a retreat to complete issues they did not get to previously. It was decided:
  - a. They will meet with Mr. Taylor on April 11<sup>th</sup> at 6:00 pm.
  - b. They are meeting with Ms. Kmicikewycz on April 11<sup>th</sup> at 6:30 pm.
  - c. They will meet with Mr. Cooper on April 16<sup>th</sup> at 6:00 pm.

d. They will meet for a Council Retreat on April 17<sup>th</sup> at 6:00 pm.

**Comments By Citizens**

There were none.

**Motion To Adjourn:**

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

**Signatures on Official Documents!**

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Christopher J. Lutz, President

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Chad B. Amos

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Craig S. Penwell

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Richard J. Russell V

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

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

**The Next Cicero Town Council Meeting will be on April 16, 2019, at 7:00 PM at the Cicero Town Hall.**