



**TOWN OF CICERO  
TOWN COUNCIL MEETING MINUTES  
Wednesday, May 21, 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 stated that due to canceling the Staff Meeting he would like to add under Miscellaneous a discussion of the Project List and the Budget. He also added to the agenda after the Plan Commission Report to open bids for the Chevy Tahoe. Mr. Penwell made a motion approve the agenda as amended. Mr. Amos seconded, motion passed.

**Approval of Prior Minutes:**

**Town Council Meeting Minutes, May 8, 2019, 7:00 PM –**

Mr. Penwell made a motion to approve the minutes from Town Council Meeting, May 8, 2019. Mr. Amos seconded, motion passed.

**Approval of Claims:**

Mr. Amos made a motion to approve the claims for May 21, 2019. Mr. Russell seconded, motion passed.

**Petitions by Citizens:**

Lisa Smith, 860 Nantucket Drive, addressed the Council. On April 26<sup>th</sup> there was a lot of rain and it backed up in her basement. She's concerned about the town's ability to be able to keep up with the drainage needs once the new subdivision is built. There was a brief discussion. Mr. Lutz told Ms. Smith that he was unaware that there was a problem but would get her contact information and follow up with her. Mr. Cooper stated that the

Town is addressing the I & I issues. Mr. Bryant stated that they are planning to bid in June or July and get the project built this year.

**President's Report:**

1. President Lutz stated that there was a meeting of the 911 Executive Board last week. They discussed software, budget and stats but nothing in detail.
2. President Lutz stated that there would be a meeting of the northern Hamilton County communities on May 30<sup>th</sup>. President Lutz inquired if the Interlocal had been revised. Mr. Culp stated that it was, and it now included Wayne Township. Mr. Culp stated that the Council needs to need to approve the amendment. Mr. Penwell made a motion to approve the amended Interlocal Cooperation Agreement Concerning Representation of Various Northern Hamilton County Municipal Entities on the Hamilton County E911 Executive Board. Mr. Russell seconded, motion passed.
3. Mr. Lutz added that the Northern Hamilton County Chamber met in Arcadia on May 9<sup>th</sup> for the State of the Towns. Council Presidents of Arcadia, Atlanta, Sheridan and Cicero all presented information from their respective Towns. Representative Tony Cook was in attendance. It was a good meeting.

**Council Committee Reports:**

1. OTC – Mr. Russell said that they hope to digitalize the newsletter.
2. EDC – Nothing to report.
3. SWU Management Board Report – Mr. Freeman stated that they are in a holding pattern at this point. They are looking into several options.

**Legal Counsel Report- Aaron Culp:**

1. Mr. Culp had nothing at this time.

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

1. Mr. Taylor informed the Council that Emily Russell's replacement would be in on May 28<sup>th</sup> to start training with Ms. Russell.

**Council To Open Bids For the 2011 Chevrolet Tahoe.**

1. Mr. Amos opened a bid from Aaron Spicer in the amount of \$9,272.00.
2. Mr. Strong opened a bid from Lawrence Police Dept in the amount of \$3,500.00, which did not meet the minimum bid requirement.
3. Mr. Russell opened a bid from Jackson Township Fire Department in the amount of \$11,000.00.
4. Mr. Penwell opened a bid from Paul Vondersaar in the amount of \$9,100.00.

Mr. Amos made a motion to award the bid to the highest bidder, Jackson Township Fire Department, contingent on review by Mr. Culp. Mr. Penwell seconded, motion passed.

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

1. East Jackson Street Project – Mr. Bryant stated that the contractor would begin on the watermain. On May 28<sup>th</sup>, they will probably cross Jackson Street and the street will be closed for a period of time.
  - a. Regarding the lighting receptacles, they plan to place them higher on the light posts.
  - b. The first pay application has been submitted and approved by United.

- c. Mr. Russell inquired if we should do a press release. Someone will prepare one and send to Ms. Unger for publication.
2. Tamarack – Mr. Bryant stated that MI is working this addition. They have put down lime stabilizer for the streets and will be rolling that next week. The hole on 236<sup>th</sup> has been covered while they discuss an unexpected issue. The Hidden Bay lift station is on hold until the equipment is delivered. The same goes for the Morse Landing lift station.
3. I & I – They are finishing the design work and will be submitting to SRF for approval. Once they get the approval back, they hope to go out for bid in June or July. Bids will be reviewed, and the contract should be signed in 30-60 days. After that, they will be in contact with the Baker-Tilly and Taft to proceed with the bond.

### **Old Business:**

**Council To Discuss Utility Connections For Kent Stuary’s Property, 7670 E. 236<sup>th</sup> Street.**  
*(Continued from 2-5-2019)*

**Council To Consider Ordinance 05-08-2019-3 An Ordinance Amending The Deposit Fees.**  
*(Remain Tabled 5-8-2019)* Remained tabled but Mr. Culp stated that there would be a webinar in June that Ice Miller would be conducting discussing HB 1347.

**Council To Consider Ordinance 05-08-2019-4 An Ordinance Amending The Reconnection Fee For Water Shutoff For Non-payment.**  
*(Tabled 5-8-2019)*

### **New Business**

**Council To Consider Ordinance 05-21-2019-1 An Ordinance Amending Chapter 72 Of Title VII Of The Cicero Municipal Code of Ordinances Addressing Parking On Lawns.**

There was a discussion on the probability of this ordinance. Mr. Amos stated that if you drive around town you will find a number of vehicles parked in yards, up to around 100. Mr. Amos stated that he is not in favor of the ordinance as written but this is a start. He stated there are several issues that would have to be resolved. Mr. Penwell stated he is not in favor as currently written and not particularly in favor in general but is willing to discuss. Mr. Russell stated that they may want to address additional items and to see what other communities do. Not against but needs work. Mr. Strong stated that he is not against but the he is also not in favor as written. He has some concerns. Mr. Lutz stated that he has mixed feelings about it. He is concerned that it may be hard to enforce. It may be too complicated to enforce. Long term verses short term. Should the HOA get involved? Not every subdivision has an HOA. Mr. Amos stated that he understands the issues and he will get with Chief Hunter and discuss further.

**Council To Consider Approval Of Fire Ordinance.**

Chief Overholser informed the Council that he is not looking for final approval this evening but would like the Council’s approval to move forward and send to the State Fire

Marshall. The current Fire Ordinance is 15 years old. Mr. Strong stated that some of the Town ordinances may have to be modified to comply. Assistant Fire Chief Smith stated that this Ordinance would repeal all other previous Fire Ordinances. Mr. Culp stated that the Town's and Plan Commission's ordinance would need to meet this ordinance. Assistant Chief Smith stated that the State is looking for conformity with the Fire Ordinances. Mr. Lutz ask that the ordinance be gone over with Mr. Taylor and Mr. Cooper before submission. The consensus of the Council was to move forward.

### **Miscellaneous**

1. Mr. Culp stated that the bid from Jackson Township Fire Department is acceptable.
2. Mr. Lutz stated that he had planned to go over the tracking document at the Staff meeting. Since that meeting was canceled, he would like to do that now. Mr. Lutz went over the items individually and made updates and additions as needed. The Tracker Document can be seen on SharePoint in 365 and is attached below.  
Mr. Penwell inquired about the fire truck and Mr. Lutz stated that he thought this was resolved.
3. Ms. Unger gave a brief update on the budget. She is working on a document that she will share as soon as it is ready. Mr. Lutz ask Ms. Unger to prepare a calendar. Ms. Unger stated that she does not think the information will be ready at the end of May for the department to have their proposed budgets to the Council.
  - a. There was a discussion on the Max Levy Appeal. Ms. Unger thought this was already completed.
4. Mr. Amos inquired about allowing Chief Hunter to purchase the lighted signs for \$5,000. Ms. Unger stated that she would look into to the funding.
5. Mr. Amos stated that the alley by Big Dawgs needs to be paved and asked Mr. Cooper to get a quote from the paving company who will be doing Jackson Street.

Item #	Placed on Date	Owner	Description	Update status	Update Date	Closure	Display "No"
1	2/9/19	Amos / Lutz/Dan	Contract for Koteewi possibilities - get with Chief Overholser	Chief Overholser has spoken with Mr. Lutz. Mr. Strong has also had conversation with Chief Overholser.	5/21/19		
2	2/9/19	Lutz	Check into trail grants with Shae	This is not done. Mr. Russell stated that the County is funded for the Steve Nation trail from Atlanta to Cicero and Cicero to Koteewi.	5/21/19		
3	2/9/19	Russell	MPO - Review option for usage on West; county plan from 2016	Mr. Russell stated that he was discussing the Tollgate/236th Street intersection.	5/21/19		
4	2/9/19	Russell	Downtown Arts Project - Shae/Chris/Jack - discussion - Jack will take the lead	Mr. Russell is working with Nickel Plate Arts and Ms. Kmicikewycz. Looking for grants. Ham. Co. Tourism may have some money available.	5/21/19		
5	2/9/19	Council	Needs to make decision on CCMG next project	Possibly Jackson and Main	5/21/19		
6	2/9/19	Amos	SR 19 Discussion on improvements- Pole lights - Investigate if there will be any grants available	Waiting to see if there is a possibility of a Duke grant. Jackson - side Street ie. Washington. Mr. Strong stated Mr. Cooper may have some information.	5/21/19		
7	2/9/19	Strong/Amos	Should EDC get involved in Ingerman drain situation	Mr. Strong stated that he has talked with the EDC and they are aware of the situation. Mr. Amos is working on this also. Mr. Taylor ask to be included.	5/21/19		
8	2/9/19	Russell / Strong	Annexation SR 19 South or West 236th - Mixed thoughts - Council should put action plan together. Study options ideas on annexation West - EDC has contact available and EDC is willing to be involved	Mr. Strong stated that he is working with the EDC on this. They are checking on Utilities. The annexation would help protect the town.	5/21/19		
9	2/9/19	Amos	Will review options for annexation on SR 19 and will review with property owners	This is about the Ingerman Drain	5/21/19		
10	2/9/19	Council	Council retreat: Fire: Is there any interest in evaluating needs. Discuss during fire retreat	Mr. Lutz stated that this could be closed.	5/21/19	5/21/19	
11	2/17/19	Lutz	Ask Mr. Bryant about maintenance on pedestrian walkway	There was a discussion and Mr. Bryant was ask to evaluate the need for maintenance on the walkway. The cement was sealed initially. Have to be very care if sealing again because of the water.	5/21/19		
12	2/17/19	Unger	Post various studies to SharePoint	Ms. Unger said that one is posted. And she will work on the rest. Ms. Unger inquired if there were any departments that had plans she may not have to contact her.	5/21/19		
13	2/17/19	Russell	Will take the lead on the hiring of a Park Superintendent.	Mr. Russell will look at other job discription and asked that Ms. Unger send him the current discription.	5/21/19		
14	5/21/19	Amos/Strong	Jackson and Main Street project				
15	5/21/19	Russell/Strong	Water/Sewer Treatment plants				

### Comments By Citizens

There were none.

### Motion To Adjourn:

Mr. Amos made a motion to adjourn. Mr. Russell 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 June 4<sup>th</sup>, 2019, at 7:00 PM at the Cicero Town Hall.**