



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

Call To Order:

Present: Chris Lutz
Craig Penwell
Jack Russell
Dan Strong

Absent: Chad Amos

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. Strong asked to add to Miscellaneous a discussion on the Town Hall and the Emergency Management Plan for the July 4th celebration. Mr. Penwell made a motion to approve the agenda as amended. Mr. Russell seconded, motion passed.

Presentation by Nickel Plate Express.

Toni Dickover, Nickel Plate Heritage Railroad Board President and Dagny Zupin, Communications Coordinator presented their proposal to the Council concerning their Cicero "Christmas Town" event. Last year, they held the Reindeer Ride Express which departed from Atlanta and returned to Atlanta. At this time, Atlanta does not have the business and restaurants to support such an event and Ms. Dickover stated that they believe Cicero does. The event would take place December 21st through December 23rd. They would use the baseball park as the loading and unloading area. They would like to include the Cicero Council, Cicero Parks department and OTC in the partnership. They believe that this would be a great economic development opportunity for Cicero. The Committee would like to have an agreement with the Council in July, have a planning team together in August, September and October finish their plan and begin marketing. They would like to have all of the final details completed in November. Mr. Strong and Mr. Russell have been conversing with Ms. Dickover and Ms. Zupin. Ms. Kmicikewycz has been involved in the discussions as well. The consensus of the Council is to move forward. Mr. Culp suggested that they have a Memorandum of Understanding instead of a contract/agreement. Details will be worked out. At this time, the Council is good with moving forward.

Approval of Prior Minutes:

Town Council/Department Head Meeting Minutes, June 13, 2019, 6:00 PM –

Town Council Special Meeting Minutes, June 13, 2019, 7:00 PM –

Town Council Meeting Minutes, June 18, 2017, 7:00 PM –

Mr. Penwell made a motion to approve the three sets of minutes listed above. Mr. Russell seconded, motion passed.

Approval of Claims:

1. Add Mendenhall and Associates Invoice \$2,500.

Mr. Penwell made a motion to approve the claims as presented for July 2nd and to include Mendenhall's invoice. Mr. Strong seconded, motion passed.

Petitions by Citizens:

Terri Strong, with Our Town Cicero, address the Council concerning placing signs around town advertising Dine on the Causeway. They would like to install the signs this week to take advantage of visitors to town with the Lights Over Morse Lake events. One in each park, one at 10 West and one on the railing of the Causeway. Mr. Penwell stated that originally the Council was concerned about the length of time the signs would be displayed but they were okay with six weeks. Consensus of the Council is they are okay with the signs.

President's Report:

1. Police Chief Hunter introduced Officer Holdan Sanford. Chief Hunter stated that Officer Sanford began in October of 2018 and has now completed his training. He is now working full time.
2. President Lutz informed the Council that he met with the County Commissioners and presented the information and concerns the northern communities have regarding paying for the 911 service. The position of the Commission is that it is the responsibility of each entity to pay for their portion of the service. They will continue to invoice each entity incrementally each year until they are making the full payment. Cicero will pay \$13,414 in 2019 and \$33,710 in 2020. The end figure will be somewhere around \$166,000 or 100% of the Town's calls that the Town will have to pay for in the future. President Lutz stated that the northern entities are realizing that the LIT is probably the way in which this could be resolved.
3. Mr. Lutz inquired if everyone has reviewed the e-mail concerning Solarize Hamilton County. He stated if anyone wants to pursue this, they are welcome to do that.
4. President Lutz informed the Council that members of the Councils to the south of Cicero get together quarterly for lunch and the next luncheon will be July 9th. He inquired if Mr. Penwell or Mr. Strong would like to go. Mr. Penwell suggested that Mr. Strong go. President Lutz suggested that some talking points might be the Public Safety Communications LIT and the traditional LIT.
5. President Lutz stated that he thinks the Baseball Park is a success this year. He inquired if Ms. Unger has received a recent payment and she said no. There was a discussion about possibly doing RFP's for next year. The current lease is for one year.
6. President Lutz informed the Council that while at the Commissioners meeting, they inquired if Cicero would be willing to provide some support for the Judge Nation Trail. Mr. Bryant has e-mailed them the plans for East Jackson Street and the Council would be willing to provide a letter of support.

Council Committee Reports:

1. OTC – Mr. Russell stated that they received approval to install the banners earlier in the meeting. Chief Hunter informed the Council that the Event Committee met with the

organizer of the Fall Festival for OTC. The event is planned to take place on September 14th. OTC is asking for Jackson Street to be closed from approximately 4 pm to 9 pm. Mr. Penwell made a motion to approve the road closure. Mr. Strong seconded, motion passed.

2. EDC – Mr. Lutz informed the Council that the EDC plans to have a float in the July 4th Parade announcing the On Ramp free Wifi. They will be giving cards out with information to connect.
3. SWU Management Board Report – Mr. Freeman stated that he had nothing at this time and that they are planning to have a meeting in July.
4. Façade – Tina Henderson with Mendenhall and Associates presented the following:
 1. FINANCIAL UPDATE:
 - a. CDBG grant – After tonight’s claim, the balance of this fund will be \$0. Sending the Town into Administrative Closeout within 45 days.
 - b. Local Match: \$104,770.74
 - i. HRP Grant: \$71,108.00 Ms. Henderson is currently working on final claims on buildings that are 100% and their July quarterly reports.
 - ii. Business Owners Local Match: \$33,662,74
 1. *Gymies has not paid their final payment in the amount of \$1,330. Ms. Henderson has been in contact with Stan and Bryon Widows. They understand their payment is due to the Town of Cicero by July 1, 2019.
 2. CHANGE ORDER #6: This replaces change order #3 and relates to 99 W. Jackson (Booker’s.)
 - a. Mofab is the beam restoration for the front of the building.
 - b. The owner has approved and paid this change order
 - c. Tonight, we seek Council approval on Change Order #6.
 - i. Mr. Penwell made a motion to approve Change Order #6. Mr. Russell seconded, motion passed.
 3. PAY APPLICATION #8: This pay application is in the amount of \$55,474.00.
 - a. Final CDBG Grant – \$44,275.50
 - b. Local Match – Façade Restoration Fund \$11,198.71
Mr. Strong noted that 1/6th of the amount is left. There was a discussion and Mr. Culp stated that he has seen this before where the bond payment was wrapped into the quote.
Mr. Strong inquired about the performance bond. Ms. Henderson stated that would begin at the end of construction and would continue for 12 months.
Mr. Penwell made a motion to approve Pay Application #8 and give Mr. Lutz permission to sign. Mr. Russell seconded, motion passed.
 4. FINAL GRANT ADMINISTRATION INVOICE - \$2,500
 - a. This was approved earlier under Claims and will be paid through the Town’s portion of the \$19,500
 5. Ms. Henderson stated that she would be wrapping up everything in the next 45 days and getting all of the business owners to sign off on their buildings.

Legal Counsel Report- Aaron Culp:

1. Mr. Culp reviewed the Webinar presented last week by AIM on HB 1347.
 - a. Landlords can no longer be made accountable for their tenants.
 - b. There is no clear resolution to the problem.

- c. May be able to have a contract
 - d. Need to review our deposit policy
 - i. May want to look at what the IURC does
 - ii. May have to do credit checks
 - iii. Need to address missed payments
 - e. May need to get our financial advisor included in making some of the decisions as far as time and cost
 - f. May have to have a larger disconnect/reconnect fee
 - g. Town needs to at least have the spirit of the law
 - h. This law may be readdressed in 2020 with more stringent restrictions toward cities and towns
- Mr. Culp stated that the we need more time to research.

Cicero/Jackson Township Plan Commission Report - C. J. Taylor, Plan Commission Director/Dan Strong, Plan Commission President.

1. Mr. Taylor’s Monthly Report:

**Director's Report
July 2019**

<u>Permit Revenue:</u>	June 2019 = \$7,414	YTD: \$37,086
	June 2018 = \$4,383	YTD: \$34,457
	Difference: Month = \$3,031 / 69%	YTD: \$2,629 / 8%

As you can see above, we are now ahead of last year’s revenue to date.

We have issued a total of 26 building permits for June 2019.

17 have been inside the corporate limits (of which 4 have been new homes).

We have issued 9 in Jackson Township (of which 0 have been new homes).

We have been working on code enforcement on various properties.

MI Homes has completed their first model home and is open for showing.

MI Homes has submitted 2 new building permit applications for spec. homes

2. Mr. Taylor stated that MI Homes has pulled 11 permits.
 - a. Mr. Lutz inquired about a Salesperson saying Section 3 homes would not be as large as originally planned. Mr. Penwell stated that he had heard the same thing. Mr. Strong stated that MI had made a presentation as such but that it was turned down.

Town Engineer Report-Mr. Keith Bryant –

1. Discussion with Keith Bryant, Town Engineer and Deen Rogers, Baker and Tilly, to discuss the I & I project.
 - a. Mr. Bryant stated that the I & I project is out for bid and the bids will be opened on July 17th.
 - b. Mr. Bryant explained that Cicero was unfunded as this point through the SRF Bond funding. Mr. Bryant explained the process the SRF went through and initially Cicero was just outside the funding list. Normally some will drop out which will bring in those close. Mr. Bryant stated that they have received authorization to bid which is what they did. However, Cicero is not in their funding approval at this time.
 - c. The option is to wait until September and apply to the Pooled Funds. The bids will be good for 90 days.

- d. Mr. Deen Rogers and Mr. Scott Hadler with Baker and Tilly addressed the Council. Mr. Hadler stated that in 2018 the SRF had \$100,000.00 and that this year they had \$75,000,000. Cicero is now number 27 on the list and will most likely not be funded this year. Currently, July 1st is their fiscal year and their rate is 2%. Mr. Rogers stated that the Town has a couple of options.
 - i. One is to apply to the pooled funds, which gives the Town a AAA rating though the SRF, in September.
 - ii. Two is to pass and wait 9 months, April of 2020. There would be no guarantee the Town would be funded then either.

Mr. Rogers recommended going to the Pool Fund.

There was a lengthy discussion which involved what the interest rate might be. Mr. Rogers stated that it could be 3.05% but he could not say for sure. Mr. Culp also stated that he recommends that the Town go into the pooled funding. They discussed the open market which may have even higher interest rates. Mr. Rogers stated that he thinks the Town could handle the higher rate with the 2013 Bond payment dropping from \$290, annually to \$105,000 annually next year. Mr. Lutz stated that there are other items on the horizon which include the need to increase the size of the wastewater treatment plant. In the end, the Council consensus was to move forward with the Pooled Funds. Mr. Rogers and Mr. Bryant will let the SRF know. Mr. Rogers will keep things moving forward.

2. East Jackson Street – Mr. Bryant stated that the watermain is almost completed. Next they will start on the sidewalks and curbs. Right now, they are trying to clean up for the 4th.
3. Tamarack – Mr. Bryant stated that the sewer has passed inspections and so has the water. The model homes have water. MI is pumping the sewer at this time as the pumps are not installed.
 - a. Mr. Taylor stated that the first Certificate of Occupancy has been issued for the model.
 - b. Mr. Bryant stated that they are still waiting on the Town's lift station equipment to be delivered. After that, they will have a pre-construction meeting.
 - c. Mr. Strong inquired about the fire hydrant markers as he didn't see them. Mr. Bryant stated that they should get them completed later as they are on the construction drawings.

Old Business:

Council To Discuss Utility Connections For Kent Stuary's Property, 7670 E. 236th Street.

Mr. Strong made a motion to remove this item from the agenda. Mr. Penwell seconded, motion passed.

Council To Consider Ordinance 05-08-2019-3 An Ordinance Amending The Deposit Fees.

Mr. Penwell made a motion to remove this item from the agenda. Mr. Strong seconded, motion passed.

Council To Consider Ordinance 05-08-2019-4 An Ordinance Amending The Reconnection Fee For Water Shutoff For Non-payment.

Mr. Penwell made a motion to remove this item from the agenda. Mr. Russell seconded, motion passed.

Council To Consider The Amended Interlocal Cooperation Agreement Concerning Representation of Various Northern Hamilton County Municipal entities On The Hamilton County E911 Executive Board.

Mr. Lutz explained that that at the last Northern Hamilton County entities meeting there were a couple of changes requested to the document. There was a discussion regarding getting all entities to sign the document and return to Ms. Unger. As of now, she has not received any. Mr. Strong 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. Penwell seconded, motion passed.

Council To Discuss Resolution 07-02-2019-1For Public Safety Communications LIT.

Mr. Culp stated that this should be set for hearing on August 6th. There was a discussion regarding the purpose or use of the funds. Mr. Lutz would like to study the Indiana Code further concerning the Public Safety Communications LIT. Mr. Culp stated that the Resolution was written exactly as the Department of Local Government Finance recommended. Mr. Lutz would like for everyone to study the Code, so they are familiar with it.

New Business:

There was none.

Miscellaneous

1. Council set July 11, 2019 at 6:30 pm for the Redevelopment Commission to consider Tom Pitman’s agreement for services as Special Counsel to the Cicero Redevelopment Commission.
 - a. There was a discussion on the Staff meeting scheduled for July 11th. Three of the department heads are going to be on vacation. It was determined that the Council would use this time for a Budget Work Session.
2. Council to give permission to Mr. Lutz to sign sidewalk replacement document for Ms. Hartley. There was a discussion as to how long the owner has to replace the sidewalk as Ms. Hartley had written in as weather permitted. Mr. Culp suggested that he change that to “with the consent of the Street Director”. Mr. Penwell made a motion to approve Mr. Lutz signing the Sidewalk agreement. Mr. Strong seconded, motion passed.
3. Town Hall – Mr. Strong stated that he has received a quote from Nick Harris in the amount of \$1,550 to address the brick entrance to the Town Hall and the exterior southwest corner of the building that has some separation. Mr. Penwell made a motion to approve. Mr. Strong seconded, motion passed.
4. Emergency Management Plan for the July 4th celebration – Chief Overholser turned the floor over to Assistant Chief Smith to review the plan. Assistant Chief Smith discussed some of the coding and gave a quick review highlighting the maps and the different sections relating to Incidents. Assistant Chief Smith stated that he would like to have an education meeting in the fall to review the document in more detail. Mr. Russell, as well as Mr. Strong, thanked them for their work on this document.

Comments By Citizens

Signatures on Official Documents!

Motion To Adjourn:

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

CICERO TOWN COUNCIL

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NAY

_____	Christopher J. Lutz	_____
_____	Chad B. Amos	_____
_____	Craig S. Penwell	_____
_____	Richard J. Russell, V	_____
_____	Dan Strong	_____

Attested: _____
Janice L. Unger, Clerk Treasurer

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