



**TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
Wednesday, June 18, 2019
At 7:00 PM**

Call To Order: President Lutz called the meeting to order, led the Pledge of Allegiance and Ms. Unger 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	Absent:
	Chris Lutz	
	Craig Penwell	
	Jack Russell	
	Dan Strong	

Vice President Penwell 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
Aaron Culp, Town Attorney
Keith Bryant, Town Engineer

Approval of Agenda:

Mr. Amos asked to add to the Engineer Report a discussion on the Jackson and Main Streets intersection. Mr. Amos made a motion approve the agenda as amended. Mr. Penwell seconded, motion passed.

Approval of Prior Minutes:

Town Council Meeting Minutes, June 4, 2019, 7:00 PM – Mr. Penwell made a motion to approve the minutes from Town Council Meeting, June 4, 2019. Mr. Amos seconded, motion passed.

Town Council Executive Session, June 4, 2019, 8:30 PM - Mr. Amos made a motion to approve the Memorandum from the Town Council Executive Session, June 4, 2019. Mr. Strong seconded, motion passed.

Approval of Claims:

Ms. Unger asked to add Pay Application #2 for the East Jackson Street Project in the amount of \$133,102.68. Mr. Amos made a motion to approve the claims for June 18, 2019 including Pay Application #2 for the East Jackson Street Project in the amount of \$133,102.68. Mr. Penwell seconded, motion passed.

Petitions by Citizens:

1. There were none.

President's Report:

1. President Lutz scheduled the following dates for work sessions on the 2020 budgets:

- a. June 26th
 - i. 6:00 pm Council work session
 - ii. 6:45 pm Council meet with Fire Department Chief Lance Overholser
 - iii. 7:30 pm Council meet with Park Superintendent Charlie Cambre
 - iv. 8:15 pm Council meet with Police Department Chief Jim Hunter
 - b. July 2nd
 - i. 6:00 pm Council meet with Street & Utilities Director Terry Cooper
 - ii. 6:30 pm Council meet with Plan Commission Director C.J. Taylor
 - c. July 11th Council to discuss budgets at the Department Head Meeting.
2. President Lutz stated that there will be a meeting of the Northern Hamilton County Municipal Entities 911 Executive Board tomorrow evening. Their intent at that meeting is to make a proposal in writing to the County Commission. Obviously, the Commission has already sent out their letter stating that the Town will now pay 20% of the Cicero's service fee, making the amount of \$33,710.00 payable for the year 2020. Mr. Culp stated that the letter has been drafted. There was a discussion on the 911 issue and the possibility of the Northern County communities moving forward with a proposed Public Safety LIT which would be one tenth of one percent. Mr. Amos wanted to make sure what would be covered with the LIT.

Council Committee Reports:

1. OTC – Mr. Russell said he had nothing this evening.
2. EDC – Mr. Lutz stated that the last EDC meeting had been cancelled due to weather.
3. SWU Management Board Report – Mr. Freeman had called Ms. Unger to say that he would not be present this evening.
4. Façade Update – Brent Mathers with R and B Architects addressed the Council. He presented a PowerPoint showing before and after photographs of each building in the Façade Project which included what was completed and what was left to complete. They would be completing the punch list in 2-3 weeks and then present a certificate of substantial completion. That would start the warranty period. The warranty materials would be given to the Town in one binder and in digital format as the Town still owns the easement on the fronts of the buildings. The Town is retaining 10% which should be returned before the end of the warranty. Mr. Mathers stated that Ms. Henderson would then be completing the closeout paperwork for OCRA. Mr. Mathers stated that Ms. Kmicikewycz suggested a celebration event after completion. Mr. Mathers stated that they would be 90% complete by July 4th and complete by July 15th. Mr. Strong inquired about the paint on the west side of 99 W. Jackson. Mr. Mathers stated that there is no budget for that in the project, but that the property still has some work they want to do. It may get taken care of at a later date. Mr. Strong inquired if a property sold. Would the new owner be able to make any changes? Mr. Mathers stated that they could probably change the paint color, but any changes to the improvements made with this project would cause potential reimbursement to the State. Mr. Mathers stated that the State does do monitoring along with the Grant Administrator for 5-7 years.

Legal Counsel Report- Aaron Culp:

1. Mr. Culp informed the Council that the Town has received a settlement demand on the NRG property. It is his recommendation that the Council decline with no counteroffer.

Mr. Strong made a motion to decline the settlement demand letter. Mr. Penwell seconded, motion passed.

2. Mr. Culp stated that he has prepared an agreement between the Town and Mr. Terry Pickett concerning his resignation effective September 15, 2019. The Council has received a copy of the letter, if they are okay with the letter, they can move to approve this evening. After both parties have signed, Mr. Cooper would be free to move forward with hiring. Mr. Strong made a motion to approve. Mr. Amos seconded, motion passed.

Cicero/Jackson Township Plan Commission Report-Mr. Taylor

1. Mr. Taylor was not available.
2. Mr. Strong informed the Council that MI Homes has submitted the plat for the second phase of Section 1. It has been approved contingent on Mr. Culp and Mr. Taylor's review.

Town Engineer Report-Mr. Keith Bryant –

Mr. Bryant reviewed the following:

1. East Jackson Street Project – Mr. Bryant stated that they are making good progress. So far, they have not had a complete road closure.
 - a. Mr. Lutz inquired about the light post in front of Iris Rubber and the Methodist Church. He wanted to know if someone has spoken with them to see what their plans are. As he understood, the lights belong to them. Mr. Strong stated that Mr. Cambre would like to put a couple lights in the Pocket Park. Chief Hunter said he would talk to both.
 - b. Mr. Bryant stated that there could be additional service cost from Duke. He is still waiting to hear back from Duke.
2. Tamarack – Mr. Bryant stated that the force main at Jackson failed the hydrostatic disinfect test. Additionally, two of the sanitary service lines failed. They will have to have resubmittal of the pump control and resubmittal on Town projects.
3. I & I – Mr. Bryant stated that on July 17th the Council will open bids for this project.
 - a. Mr. Culp stated that Jim Shanahan with Taft Law has contacted him regarding putting together the documents. The Council contracted with him for \$10,000 for this bond project. Mr. Shanahan should have these documents to the Council by July 15. Baker Tilly will most likely schedule closing in late August.
4. Jackson and Main Streets intersection – Mr. Bryant distributed a preliminary design and construction cost estimate to the Council. The Council discussed the aspects of the design. They inquired about the center island, Mr. Bryant said it was budgeted but not on the drawing. They went on to review each of the features. Mr. Strong stated he is surprised by the cost of the striping at \$17,000. Mr. Bryant stated that is based on the cost of the Jackson Street project. Mr. Amos inquired about the raised cross walks. Are they concrete with brick inlays and the meet ADA specifications? Mr. Lutz is concerned about the distance between the two cross walks. We wondered if this would also cause a backup of traffic at certain times. Mr. Bryant stated that it would certainly slow traffic down. Mr. Bryant will get back with Mr. Lutz on this. There was a question about plowing snow and Mr. Bryant did not think so because of the design.
 - a. Ms. Kmicikewycz has inquired about this project qualifying for Community Crossings Matching Grant funds and was told that it would not as a stand-alone project. There was some discussion on how we may include it with another project.

Old Business:

Council To Discuss Utility Connections For Kent Stuary's Property, 7670 E. 236th 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 Ratify The Council's Consensus To Continue With Walker Hughes Insurance From June 2019 To June 2020 Made At The Department Head Meeting On June 13, 2019.
Mr. Amos made a motion to approve the Liability Insurance policy from Walker Hughes for June 2019 through June 2020. Mr. Strong seconded, motion passed

Council To Consider Ordinance Number 06-18-2019-1 Appropriation Money Received From The Community Crossing Matching Grant.

Ms. Unger informed the Council that they were appropriating the funds received from CCMG for the E. Jackson Street Project. Mr. Penwell made a motion to approve Ordinance Number 06-18-2019-1 Appropriation Money Received from the Community Crossing Matching Grant. Mr. Amos seconded, motion passed.

Council To Consider Resolution Number 06-18-2019-2 Transferring Funds Town Council And Ambulance/Emergency Service Funds.

Ms. Unger stated that this is cleaning up some accounting for funds. Mr. Strong made a motion to approve Resolution Number 06-18-2019-2 Transferring Funds Town Council and Ambulance/Emergency Service Funds. Mr. Penwell seconded, motion passed.

Council To Consider Ordinance Number 06-18-2019-3 An Ordinance Amending Chapter 72 of Title VII of the Cicero Municipal Code of Ordinances.

Ms. Unger stated that this is the revised bicycle ordinance. Mr. Penwell made a motion to approve Ordinance Number 06-18-2019-3 An Ordinance Amending Chapter 72 of Title VII of the Cicero Municipal Code of Ordinances. Mr. Strong seconded, motion passed.

Miscellaneous

1. Mr. Lutz stated that the Redevelopment Commission met earlier this evening and discussed some potential new TIF Districts. They will work on this in hopes of completing before January 1st.
2. Kiosk – There was a discussion on the location, either at the Pocket Park or at the Baseball Fields. Mr. Lutz stated that he was shocked at the cost of \$200 a month for software maintenance. Mr. Amos inquired if the Town could still back out. Mr. Lutz will check with Ms. Kmicikewycz. Mr. Lutz will also ask her to inquire about possible other

software companies. Mr. Russell thinks the Kiosk should be at the baseball fields. Mr. Russell will discuss with Westfield.

3. Mr. Amos inquired of Mr. Cooper if the wastewater plan has had to bypass. Mr. Cooper stated, yes, this is the first time.
4. Mr. Cooper informed the Council that he has a quote for the alleys east and west between Big Dawgs and the golf cart business.
5. Chief Hunter informed the Council that he and Mr. Cooper have ordered signs regarding littering on the causeway and they will have them installed when they arrive. Mr. Lutz asked if there should be trash cans and the answer was yes. Mr. Russell will get with Mr. Cambre.

Comments By Citizens

There were none.

Motion To Adjourn:

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

Signatures on Official Documents!

Christopher J. Lutz, President

Chad B. Amos

Craig S. Penwell

Richard J. Russell V

Dan Strong

Attested: _____
Jan Unger, Clerk Treasurer

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