



**TOWN OF CICERO**  
**TOWN COUNCIL MEETING MINUTES**  
**Tuesday, August 1, 2017**  
**At 7:00 PM**

**Call to Order:** President Chad Amos called the meeting to order. Mr. Amos led the Pledge of Allegiance and Ms. Unger said the prayer. Mr. Amos called for the roll call. The members of the Town Council were present or absent as follows:

**Present:** Chad Amos  
Chris Lutz  
Rusty Miller  
Craig Penwell

**Absent:** Brett Foster

Mr. Amos declared a quorum present.

**Others Present:** Jan Unger, Clerk Treasurer  
Charlie Cambre, Park Superintendent  
Pat Comer, Street & Utilities Director  
Dave Hildebrand, Police Chief  
C. J. Taylor, Cicero/Jackson Township Plan Commission Director  
Aaron Culp, Town Attorney  
Keith Bryant, Town Engineer  
Dan Strong, Cicero/Jackson Township Plan Commission President

**Approval of Agenda:**

Mr. Amos added the opening of bids for the Trailblazer, Jeff Rednour's contract for pier lighting and open house for pier. Mr. Lutz made a motion to approve the agenda as amended. Mr. Miller seconded, motion passed.

**Approval of Prior Minutes:**

Cicero Town Council Executive Meeting Memorandum, July 18, 2017, 6:30 PM –  
Town Council Meeting Minutes, July 18, 2017, 6:30 PM –  
Cicero Town Council Executive Meeting Memorandum, July 31, 2017, 6:30 PM –  
Mr. Lutz made a motion to approve Executive Memorandum on July 18, 2017,  
Council Meeting Minutes from July 18, 2017 and Executive Memorandum from  
July 31, 2017. Mr. Penwell seconded, motion passed.

**Approval of Claims:**

Mr. Penwell made a motion to approve the claims as presented. Mr. Miller seconded, motion passed.

**Petitions by Citizens:**

1. There were none.

**Council To Open Bids For Trailblazer:**

1. Adam Carey bid \$1,550
2. Prater and Sons Concrete, Inc. bid \$1,001.
3. Ready Higginbotham bid \$1,551.50
4. Jim Brockey bid \$4,250.

Mr. Miller made a motion to approve the bid by Jim Brockey. Mr. Lutz seconded, motion passed.

### **President's Report:**

1. President Amos thanked the fire and police departments for their assistance on Frogs Leap on Monday.  
President Amos stated that there would be an executive session on August 8<sup>th</sup>, 2017 at 7:00 PM.

### **Council Committee Reports**

1. EDC – Mr. Lutz informed the Council that the sandwich shop will not be coming to Cicero as it has found a different location. Mr. Lutz stated that the EDC would not be meeting on August 2<sup>nd</sup> as scheduled.
2. OTC – Mr. Miller stated that he would report at the next Council Meeting.

### **Legal Counsel Report- Aaron Culp:**

1. Mr. Culp informed the Council that NRG was completely down. Mr. Amos inquired about the removal of debris. Mr. Culp stated that the owner wanted to know what else needed to be completed to meet the order by the Council. Mr. Amos asked Mr. Taylor and Mr. Strong to follow up. Mr. Comer stated that there are three sewers that need to be capped off. It was stated that there need to be fence installed on the east side of the property. There was a discussion about keeping the property mowed and cleaned up, including weeds in the fence line.

### **Cicero/Jackson Township Plan Commission Report – C.J. Taylor/Dan Strong**

1. Mr. Taylor stated that he has distributed a written monthly report to the Council.
2. Mr. Lutz inquired about the Short Street demolition. He wanted to make sure that the property not have any storm water violation with dirt flowing into the drains and that the vegetation would be kept mowed and trimmed. Mr. Comer stated that it should be good with regard to the storm water as a seeder was used which imbeds the seeds.
3. Mr. Strong stated that as far as MI Homes is concerned there was nothing new at this point.

### **Town Engineer Report-Mr. Keith Bryant:**

Mr. Bryant reported on the following:

1. I & I Agreed Order with IDEM – Mr. Bryant distributed a copy of the required report to IDEM. Mr. Bryant reviewed the report. Mr. Lutz stated that there has been a large decrease in violations from previous years with the repairs that have been made but because of the heavy rains we have received there are still violations but not as frequent. Mr. Lutz has several questions regarding the baseball park lift station which Mr. Bryant answered. Mr. Lutz inquired if they would continue the study with the flow meters and Mr. Bryant said they would because the more information they receive the better. Mr. Bryant stated that United would be preparing a plan for improving the I & I to be submitted to IDEM within the next 60 days. United plans to have this ready for Council's review in a few weeks and have Council's input as to how they should precede in the next few weeks. Mr. Penwell inquired about the increase in solids and Mr. Bryant said that was a separate issue and not addressed in this document. Mr. Penwell made a motion to approve the report prepared by United for IDEM and gave Mr. Amos permission to sign the cover letter. Mr. Lutz seconded, motion passed.
2. Mr. Bryant distributed copies of the report that was requested by the Storm Water Management Board for Stormwater Impact Evaluation Impervious Area Exhibits. Mr. Bryant also had copies for the Storm Water Management. He stated that unless anyone had any questions there was no reason to review at this time. The Stormwater

Management Board could review. Ms. Unger stated that they should be having a meeting the last week of August.

## **Old Business:**

### **Council To Consider Contract With Aaron Culp For Legal Services.**

Mr. Penwell made a motion to approve the Agreement for Legal Services with Aaron Culp for the remainder of 2017. Mr. Lutz seconded, motion passed 3-1 with Mr. Miller voting nay.

### **Council To Consider Contract With SPS For Municipal Building Study.**

There was a brief discussion on this in which the Council thought they had already approved it. Ms. Unger and Mr. Strong both stated that the Council approved SPS in June and they thought there would be a formal contract with SPS and were waiting on the document. All that really needed to be signed was the approval of the proposal which the Council has before them this evening. Mr. Culp stated since it was approved in June all Mr. Amos had to do was to sign.

### **Council To Approve Contract With Jeff Rednour For Pier Lighting Installation.**

Mr. Miller made a motion to approve the contract for \$7,795 for the Pier lighting. Mr. Lutz seconded, motion passed.

### **Council To Discuss Property at 331 E. Jackson Street.**

Mr. Culp stated that the Agreement the Council approved has not been approved by the property owner. "The Agreement stated that the seller shall pay all general and special taxes and assessments assessed for any prior calendar year and the remaining unpaid at the time of closing. Buyer shall also pay all general and special taxes and assessments for the Real Estate going forward. Taxes, including property taxes for 2017, payable in 2018, shall be split between the parties on pro rated bases." Mr. Culp stated that the owners want the Town to pay all the taxes. Mr. Culp stated that additionally the owners want the Town to pay all closing costs. The Agreement calls for the closing costs to be split. There was a discussion on the timeline. Mr. Culp stated that at this point, since the agreement has not been signed, there are no timelines started. Mr. Amos stated that the Council would discuss these issues at a later date.

## **New Business**

### **Council To Consider Resolution 08-01-2017-1 Transfer of Funds For Police Department.**

Mr. Penwell made a motion to approve Resolution 08-01-2017-1 Transfer of Funds for the Police Department. Mr. Miller seconded, motion passed.

### **Council To Consider Resolution 08-01-2017-2 Transfer Of Unused And Unencumbered Funds In The Fire Apparatus Fund To The General Fund.**

Mr. Penwell made a motion to approve Resolution 08-01-2017-2 Transfer Of Unused And Unencumbered Funds In The Fire Apparatus Fund To The General Fund. Mr. Lutz seconded, motion passed.

### **Council To Consider Purchase Of Backhoe For Utilities Department.**

Mr. Comer distributed information to the Council regarding a 5 year lease of a CAT backhoe to replace the current backhoe owned by the Utilities Department. Mr. Comer reviewed the information presented stating that he would prefer to go with lease option #2 for \$16,177.96 per year for five years with a \$1.00 balloon payment at the end. This amount may change a little after Mr. Comer checks on some options. There was a discussion. Council stated that they were good with it. Mr. Comer stated that he would have the lease documents reviewed by Mr. Culp and bring to the next meeting.

### **Miscellaneous**

1. Mr. Amos stated that on Saturday September 23<sup>rd</sup>, 2017 they would have a grand opening and ribbon cutting for the new pier. Mr. Cambre stated that he would let everyone know the time as soon as it was confirmed.
2. Mr. Lutz inquired about the e-mail sent by Ms. Unger regarding the pay dates. Ms. Unger stated that e-mail referred to Council pay only not claims.

### **Comments By Citizens**

There were none.

The Council took a five minute break and then reconvened.

### **Council To Discuss Police Budget For 2018.**

Chief Hildebrand informed the Council that there was couple of items that he thought the Council needed to consider. First was whether or not the cars should come out of his budget or out of CCD and second, if they would allow the hiring of an additional person. Chief Hildebrand reviewed some of the changes that were made in his budget including re-appropriating some of the fuel money to other line items. Chief Hildebrand stated that the air condition went out at the police station and that was the reason for transfer earlier this evening. Chief Hildebrand stated that the HVAC in the original portion of the station was very old and would probably need to be replaced sometime in the near future. He stated that he thought perhaps the Council should have a separate fund for major repairs like HVAC items, roofs, etc. for all departments to use. Chief Hildebrand then discussed the 2 vehicles he wishes to replace in 2018. There was a discussion about the rotation of the vehicles and the need for replacing and what fund should pay for these. The consensus of the Council was at this time to leave the vehicles in the Police budget.

The discussion continued regarding the additional personnel. Chief Hildebrand explained that he would like to have at least two fulltime on each shift. Now he is using reserves which are getting harder to get and keep. The reserves for the police department are not allowed to be paid per state law. Additionally, it is harder to cover vacations, sick time and paid time off. The Council discussed this at length. Chief Hildebrand stated that this has been talked about for a few years but now that growth has started the need is increasing. There was a discussion regarding if the proposed development would progress. The Council would like to wait and see. There was a discussion about assistance and if the County could help out. Chief Hildebrand stated that most of their assistance came from Arcadia and vise versa. Chief Hildebrand stated that he wanted to

keep this on the radar. The Council said they would get back with him after review of the final budgets on August 10<sup>th</sup>.

Mr. Amos discussed the extra projects Chief Hildebrand takes on for the Town. When Chief Hildebrand retires next year, Mr. Amos stated that projects would most likely be assigned to the departments affected.

There was a discussion on cell phones stipends. Chief Hildebrand was asked to look into the cost if the Town provided phones for those that needed them.

Chief Hildebrand informed the Council that the Town was able to get Office 365 through the fire department which will give us a lot of flexibility. This process is in progress and more information will be forthcoming.

**Signatures on Official Documents!**

**Motion To Adjourn:**

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

***Signatures of Cicero Town Council***

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Chad B. Amos, President

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Robert J. Miller, Vice-president

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Christopher J. Lutz

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Brett S. Foster

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Craig S. Penwell

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

**The next Cicero Town Council Meeting will be on August 15, 2017, at 7:00 PM at the Cicero Town Hall.**