



**TOWN OF CICERO  
TOWN COUNCIL MEETING MINUTES  
Tuesday, November 21, 2017  
At 7:00 PM**

**Call to Order:** President Chad Amos called the meeting to order and led the Pledge of Allegiance. Mr. Foster 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  
Brett Foster  
Chris Lutz  
Rusty Miller  
Craig Penwell

**Absent:**

Mr. Amos declared a quorum present.

**Others Present:** Jan Unger, Clerk Treasurer  
Charlie Cambre, Park Superintendent  
Pat Comer, Street & Utilities Director  
Jim Hunter, Police Major  
Lance Overholser, Fire Chief  
C. J. Taylor, Cicero/Jackson Township Plan Commission Director  
Aaron Culp, Town Attorney  
Dan Strong, Cicero/Jackson Township Plan Commission President  
Paul Utterback, Storm Water Management Board President

**Approval of Agenda:**

Mr. Amos added reports from the EDC and OTC Committees. Mr. Lutz made a motion to approve the agenda as amended. Mr. Foster seconded, motion passed.

**Brent Mather with R&B Architecture to give a brief update on the Façade Improvement progress.**

Mr. Mather congratulated the Council on receiving the Façade Improvement Grant for the Downtown Revitalization Project. Mr. Mather then distributed a copy of the proposed schedule moving forward. Schedule can be found in the project file. January 22, 2018 bids requests will be advertised and will be due on March 6<sup>th</sup>. They are planning to get one contractor for the entire project. Project should be mobilized by May 1, 2018.

**Approval of Prior Minutes:**

**Town Council Meeting Minutes from November 7, 2017 –**

Mr. Miller made a motion to approve the Town Council Minutes for November 7, 2017. Mr. Penwell seconded, motion passed.

**Approval of Claims:**

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

**Petitions by Citizens:**

There were none.

**President's Report**

1. President Amos thanked the employees for their hard work and for another great year. President Amos distributed Christmas cards to the department heads.
2. President Amos then asked the Council members to consider how they would like to handle the liaisons for 2018 and who they would like to nominate for president and vice-president.

**Council Committee Reports:**

1. EDC – Mr. Lutz stated that he was still unclear on how Mr. Foster wanted to handle the branding for the Town, EDC or Town Council. Mr. Foster stated that he would like EDC to work on the process and advise the Town Council.
2. OTC – Mr. Miller stated that the Friends of the Park have been working with OTC. The Arts and Designs is a great event. The Tree lighting will be December 2<sup>nd</sup>, there will be Santa's House and Pizza House will be selling pizza that night. If you are interested in the Light Your House event, applications need to be in by December 10<sup>th</sup>. Judging will be between December 13<sup>th</sup> and 15<sup>th</sup> and will be awarded on December 16<sup>th</sup> at Santa's House.

**Legal Counsel Report- Aaron Culp:**

Mr. Lutz asked of Mr. Culp if the Town could still file a claim on the ambulance that was involved in an accident. Mr. Penwell inquired if it has been over three years since the accident and it has been. Mr. Penwell stated that it may be possible to file a claim against the Town's insurance company. Chief Overholser stated that at the time of the accident the ambulance was owned by the Volunteers, but the Town had it insured. Currently the Town owns the ambulance. There was a brief discussion and Mr. Amos asked Mr. Culp to get with Chief Overholser and Ms. Unger to collect any details needed and then contact the Town's insurance company.

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

1. Mr. Taylor informed the Council that Mr. Comer and Mr. Utterback have looked at the fence situation in the easement between Hidden Bay and Stillwater regarding Mr. Compton's request to have it reinstalled. Mr. Compton reviewed the circumstances of the developer installing the fence when Stillwater was first development as it stated in the covenants and the request from the Plan Commission to have it removed since it was in an easement. The fence was removed and now those lots are being built on that back up to Hidden Bay. The owners of the first home in Stillwater, when you pass through from Hidden Bay, read in the covenants where it states that there will be a fence between the two subdivisions. They contacted Mr. Compton and wanted the fence reinstalled. Mr. Compton stated that the developer and the owners of the property are willing to sign an agreement to be recorded with the deed that states if the fence needs to be removed for work to be done by the Town they will remove it at their expense. Mr. Comer stated that this was a unique situation in that the easement is wooded. He is okay with the fence being installed, with the agreement in place that the owners will remove it at their cost, if they install it on the south side out of the flow line. Mr. Compton requested that they meet and walk the area Mr. Comer

suggests. The final location to be approved by the Plan Commission and Utilities department. Mr. Utterback stated that he did not like to see anything in the easements but in this case he would defer to Mr. Comer. Mr. Lutz made a motion to approve the installation of the fence contingent on the final approval of Mr. Comer. Mr. Foster seconded, motion passed.

2. Mr. Strong informed the Council that there is nothing new with MI Homes at this time. They are in the process of reviewing the documents and making changes as needed. Mr. Amos inquired if this would be completed by the end of the year and Mr. Strong was hopeful that it would be.

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

1. Mr. Bryant stated that they still have not heard anything back from IDEM on the Town's proposal for correcting the I & I issue. There was a discussion on funding. Mr. Bryant suggested that the Town move forward with the application for the State Revolving Fund (SRF). Mr. Penwell stated that he was open to SRF but not sure how much we would be funding. Mr. Bryant stated that we could start the process and that it could be amended if needed. The consensus of the Council was to start the process. Mr. Bryant will bring information to the next meeting.

**Old Business:**

**Council To Consider Contract With Mendenhall & Associates, L.L.C. For Adminstrating The Façade Improvement Grant (Downtown Revitalization Project).**

Mr. Lutz made a motion to approve the contract with Mendenhall & Associates, L.L.C. Mr. Miller seconded, motion passed.

**Council To Consider Contract With by R&B Architects For Downtown Revitalization Project.**

Mr. Lutz made a motion to approve the contract with R&B Architects for the Downtown Revitalization Project. Mr. Penwell seconded, motion passed.

**New Business**

**Council To Consider Budget For Water And Wastewater for 2018 Ordinance Number 11-21-2017-1.**

Mr. Foster made a motion to approve the 2018 Budget for Water and Wastewater. Mr. Lutz seconded, motion passed.

**Council To Consider Transfers Fire Resolution 11-21-2017-2.**

Mr. Penwell made a motion to approve Resolution 11-21-2017-2 Transfers for the Fire Department. Mr. Foster seconded, motion passed.

**Council To Consider 2018 ALS Contract With White River Township.**

Mr. Foster made a motion to table. Mr. Lutz seconded, motion passed.

**Miscellaneous**

**Council To Discuss Graziani’s Water Situation As Presented November 7<sup>th</sup>, 2017.**

1. Mr. Lutz reported that he wanted to back charge the contractor that for the cost of labor and materials to repair the leak they caused on Casco Bay. Mr. Comer stated that it was a subcontractor of Duke that caused the leak and that we are not sure exactly when this happened. Mr. Lutz still wants to pursue. Mr. Amos asked Mr. Culp to send the letter.
2. Mr. Lutz then stated that he received detailed information from the Utilities Office that he reviewed and they discussed with Mr. Graziani. Mr. Graziani concluded that he did use the water and that he would like to make monthly payments of \$150 (which would include the current bill) until he has paid the arears in full. Mr. Penwell thanked Mr. Lutz for resolving this issue.

**Comments By Citizens**

1. There were none.

**Signatures on Official Documents!**

**Motion To Adjourn:**

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

***Signatures of Cicero Town Council***

\_\_\_\_\_  
Chad B. Amos, President

\_\_\_\_\_  
Robert J. Miller, Vice President

\_\_\_\_\_  
Christopher J. Lutz

\_\_\_\_\_  
Brett S. Foster

\_\_\_\_\_  
Craig S. Penwell

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

**The next Cicero Town Council Meeting will be on December 2, 2017, at 7:00 PM at the Cicero Town Hall.**