



**TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
Tuesday, August 6, 2019
At 7:00 PM**

Call To Order:

Present: Chris Lutz
Chad Amos
Craig Penwell
Jack Russell
Dan Strong

Absent:

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
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. Penwell made a motion to approve. Mr. Russell seconded, motion passed. Mr. Amos then asked to discuss the Jackson and Main Streets intersection under Miscellaneous. Mr. Penwell made a motion to approve as amended. Mr. Russell seconded, motion passed.

Approval of Prior Minutes:

**Town Council Executive Session, July 16, 2019, 6:00 PM -
Town Council Meeting Minutes, July 16, 2019, 7:00 PM –
Town Council Special Meeting, July 11, 2019, :700 PM –**

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

Approval of Claims:

Ms. Unger stated she would like to add pay application #9 for RenCon in the amount of \$73,321.00 to the Claims. Mr. Penwell made a motion to approve the claims including the RenCon for August 6th. Mr. Amos seconded, motion passed.

Petitions by Citizens:

1. Tiffany Lunsford to discuss fence issue. Ms. Lunsford stated that they would like to install a fence in their back yard and part of it would be in a drainage ditch in the Town's easement. She is asking form permission to do this. Ms. Lunsford stated that the neighbors are ok with the fence. Mr. Lutz and Mr. Amos stated that they have not had a chance to look at the property. Mr. Penwell inquired of Mr. Cooper and Mr. Taylor as to what their opinions are. Both stated that the easement has a swell and that there is a storm water pipe in the ground in the swell. Their recommendation was that they would

not allow it. Ms. Lunsford stated that they would put in a gate that would span the pipe. Mr. Strong inquired if there was approval from the HOA. Mr. Lunsford stated that she would go to them if the Council approved. The discussion continued. Mr. Strong was not in favor, Mr. Lutz and Mr. Amos stated that without a chance to look at the property they would not be in favor of at this time. Mr. Lutz stated that they could wait on the decision until the next council meeting or they could vote this evening. Ms. Lunsford stated that she would wait until the Council has time to assess the property.

President's Report:

1. President Lutz stated that Jeff Worrell will be holding a meeting on the 13th of August. He was not sure that he would be able to go but is planning on it at this time. He inquired if another Councilman would be interested and Mr. Strong stated he would attend if Mr. Lutz could not. Mr. Russell stated that he would also be there.
2. Public Safety LIT – Mr. Lutz stated that Mr. Culp would cover this later.

Council Committee Reports:

1. OTC – Ms. Terri Strong inquired about the Town paying for cleaning the Causeway in preparation for the Dine on the Causeway. Mr. Amos stated that it was decided at a previous meeting that the Town would clean this once a year before that event. Ms. Unger stated that with Council approval she could prepare the check and hold until the job was finished. Mr. Amos made a motion to approve and add to the Claims. Mr. Russell seconded, motion passed.
2. EDC – Nothing this evening.
3. SWU Management Board Report – Mr. Freeman stated that they had a meeting on July 31st. They discussed the storm water violations and have decided to send out notices to three of the violators that are the most serious. The hopes are that the property owners contact Mr. Cooper or come to a meeting to discuss further. Second, Mr. Freeman stated that the Council has a copy of the Storm Water Management Board's proposed budget for their consideration during the budget process. The Board worked with Mr. Cooper and Ms. Unger to complete the budget. The capital line item was increased with the additional revenues from the rate increase.
4. Façade – Ms. Unger stated that Ms. Mendenhall would not be here this evening but has requested that Mr. Lutz sign the Certificate of Substantial Completion for 30 West Jackson Street and Pay Application #9 from RenCom.
 - a. Mr. Amos made a motion to approve the Certificate of Substantial Completion for 30 West Jackson and allow Mr. Lutz to sign. Mr. Penwell seconded, motion passed
 - b. Mr. Amos made a motion to pay Pay Application #9 to RenCon and allow Mr. Lutz to sign. Mr. Russell seconded, motion passed. Ms. Unger stated that this application would be paid in two different claims as we are still waiting on some of the funding.
5. Nickel Plate Reindeer Express – Mr. Strong stated that this event will not happen in Cicero this year. There was not enough time to resolve all of the details and make certain improvements to the Sports Complex and Community Park. They are planning to continue to work on this event in Cicero for 2020. It was stated that the committee for Nickel Plate Express was very complementary of the Department Heads. Mr. Cambre also thanked Mr. Strong for his work on this event.

Legal Counsel Report- Aaron Culp:

1. Mr. Culp stated that with regard to fences in easements, he thinks the Council should discuss at a Staff Meeting to decide if they want to continue to address these situations. Mr. Culp stated that it should be discussed after there is resolution for the current petitioner as to not affect their decision on this petitioner.
2. Public Safety LIT Update - Mr. Culp stated that even though several agencies in the County and around the County are aware of the desire to move forward with the Public Safety LIT it has not be discussed with the County Auditor or the County Attorney. Mr. Culp stated that the County desires for this to be an Ordinance and not a Resolution. Mr. Howard, County Attorney, has prepared an ordinance on which he has copied the Council. Mr. Culp stated that even though he did not get everything he asked for in the ordinance he did get most of it. The one item that is not in there that he wanted was that each city/town get one vote on the Board. This could not be resolved and the need to move forward was critical. So, at this time, the Board is made up of 6 members: the County gets 1 vote, each of the four cities gets 1 vote and the four towns together get 1 vote.
 - a. Mr. Culp stated that:
 - i. August 19: Arcadia holds its public hearing and votes to approve its resolution proposing the PSAP LIT ordinance and casting Arcadia’s vote in favor of the ordinance’s adoption.
 - ii. August 21: Arcadia transmits notice of its action to the Auditor
 - iii. August 31 or Sept 2: Cicero should receive official notice of Arcadia’s proposal of the PSAP ordinance (depending on when the Auditor receives Arcadia’s notice). Cicero must then schedule its public hearing. Notice of this hearing must be published at least 10 days in advance of the hearing.
 - iv. Sept. 17 or Oct. 1: Cicero holds its public hearing and council vote (contingent on receipt of notice from Auditor, time required to meet notice requirements for advertising Cicero’s public hearing)
 - v. Sept. 18 or Oct. 2: Cicero’s Clerk-Treasurer transmits notice of Cicero’s action and the required documentation to the Auditor.
 - b. Mr. Culp also stated that Fishers is working on Rules for the Committee, which will not be completed prior to passage.
 - c. There was a discussion following Mr. Strong’s concern about what the funds would be used for up front, such as, new dispatch center. Mr. Culp stated that the intent is to use them for radios and laptops and Mr. Amos concurred. Mr. Lutz still has some concerns but is willing to move forward.

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

1. Mr. Taylor stated he has sent the July Report (see below) and that they had nothing else this evening.

August 2019

<u>Permit Revenue:</u>	July 2019 = \$10,456	YTD: \$47,542
	July 2018 = \$4,132	YTD: \$38,589
	Difference: Month = \$6,324 153%	YTD: 8,953 23%

We have issued a total of 27 building permits for July 2019.

24 of which are inside the corporate limits (of which 14 are new homes).

We have issued 3 in Jackson Township (of which 0 are new homes).

We have been working on code enforcement on various properties, with some success bringing them into compliance.

We have experienced the expected increase in plan review, permit processing and inspections.

Town Engineer Report-Mr. Keith Bryant –

1. I & I project – Mr. Bryant stated that the Council held a Special Meeting on July 17th to receive bids and there were no bids received. The project is 85% lining and 15% open cuts. Two different types of contractors and they had trouble coordinating information. United has been in contact with all of the plan holders, Mr. Bryant distributed a copy of the plan holders list to the Council. The notice has been sent out for rebid on August 20th. United will work closely with the potential bidders to make sure they are able to bid. Mr. Bryant also stated that he has been in contact with Baker Tilly and the SRF to apprise them of what is happening. The Town does have an agreed order with IDEM that will have to be addressed after the bids are received.
2. East Jackson Street –
 - a. Mr. Bryant stated that the job is 35-40% complete, water lines, storm drains are complete, and they are working on the curbs.
 - b. Lighting – United has had communication with Duke regarding the service for the streetlights and their cost is estimated by Duke Energy to be a total of \$11,286.64. This includes a 2.5 year estimated revenue credit. Mr. Bryant stated that this needs to be paid to Duke as soon as possible to keep the project moving forward. Mr. Amos made a motion to pay the \$11,286.64 out of the Southwest TIF Funds. Mr. Penwell seconded, motion passed. It was determined that this appropriation should have been made by the Cicero Redevelopment Commission. They will be meeting on the 15th and Ms. Unger was asked to add this to their agenda.
3. Tamarack – Mr. Bryant stated that there are no lift stations as of yet. Both Morse Landing and Tamarack are waiting on equipment for their lift stations. Contractor cannot do anything and is requesting an extension of time for the Morse Landing lift station. It was recommended that this not be approved as it could cause a problem later with the Hidden Bay lift station if it is completed and Tamarack is ready to move forward. Mr. Bryant stated that BBC Pumps, the equipment provider, has stated that the equipment would be delivered on August 12th. The Council thought it was best to take Mr. Bryant's advice on the extension.

Old Business:

There was none.

New Business:

Council To Consider Options For Insurance Policy.

Current options are PPO and HSA. Ms. Unger stated that the Council received a copy of the current cost associated with each plan for each option: employee, employee child, employee spouse and family. Ms. Unger informed the Council that there would be no

more than a 5% increase for 2020 in the plans. Mr. Amos made a motion to approve continuing with the current plans. Mr. Penwell seconded, motion passed.

Miscellaneous

1. Jackson and Main Street intersection – Mr. Amos stated that there was a child struck south of the intersection. The child was transported to the hospital and was home the next day. Mr. Amos suggested using old poles the Town has and use them with a rope to bring awareness to safety and hopefully keeping children and pedestrians away from the street. Mr. Strong stated that Alexanders is going to be working with a fence company that has offered to install a fence free. They will be meeting and working out details with all of the entities involved.

Comments By Citizens

1. There were none.

Signatures on Official Documents!

Motion To Adjourn:

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

CICERO TOWN COUNCIL

AYE		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 August 20, 2019, at 7:00 PM at the Cicero Town Hall.