



**TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
Tuesday, July 17, 2018
At 7:00 PM**

Call To Order: President Rusty Miller called the meeting to order and lead the Pledge of Allegiance. Mr. Brett Foster gave the prayer. President Miller called for the roll call and the members of the Town Council were present or absent as follows:

Present: Chad Amos
Brett Foster
Rusty Miller
Craig Penwell

Absent: Chris Lutz

Mr. Miller declared a quorum.

Others Present: Jan Unger, Clerk Treasurer
Pat Comer, Street & Utilities Director
Jim Hunter, Police Chief
Lance Overholser, Fire Chief
C. J. Taylor, Cicero/Jackson Township Plan Commission Director
Keith Bryant, Town Engineer
Aaron Culp, Town Attorney
Dan Strong, Cicero/Jackson Township Plan Commission President

Approval of Agenda:

Mr. Amos made a motion to approve Agenda as presented. Mr. Foster seconded, motion passed.

Public Hearing On Wastewater Preliminary Engineering Report (PER)

Mr. Amos made a motion to open the Public Hearing. Mr. Penwell seconded, motion passed. Mr. Keith Bryant with United Consultants presented the following minutes for the Public Hearing:

July 17, 2018

Cicero – 2018 Inflow & Infiltration Reduction Project

SRF / PER Public Hearing

A Public Hearing was held on July 17, 2018 at Town Hall, 70 North Byron Street, Cicero, Indiana 46034. The following people were in attendance:

- Rusty Miller Town Council President
- Chad Amos Town Council
- Brett Foster Town Council
- Craig Penwell, Jr. Town Council
- Jan Unger Town of Cicero, Clerk Treasurer
- Rhonda Gary Town of Cicero
- Shae Kmicikewycz Town of Cicero Community Development Coordinator

- Aaron Culp Aaron P. Culp, Attorney at Law – Local Counsel
- Patrick Comer Town of Cicero Utilities Director
- Jim Hunter Town of Cicero Police Chief
- Lance Overholser Town of Cicero Fire Chief
- C.J. Taylor Town of Cicero Plan Commission Plan Director
- Dan Strong Town of Cicero Plan Commission President
- Greg Gary Citizen
- Keith Bryant United Consulting

The objective of the meeting was to review the proposed Inflow & Infiltration (I & I) project for the Town of Cicero. This hearing is a requirement of the State Revolving Fund (SRF) program. During the meeting, the following information was discussed:

1. Mr. Keith Bryant began by stating the purpose of the hearing and informed the attendees that the hearing is required by the SRF program. He also stated there would be an opportunity for question following the presentation.

2. Mr. Bryant summarized the topics he would discuss, including background, the proposed project, and funding. Mr. Bryant also told the attendees that a copy of the Preliminary Engineering Report (PER) is available at the Utility Office through July 24 and to send any questions or comments to Ms. Jan Unger.

3. Mr. Bryant provided background on the current situation. Historically, there have been wet weather related collection system and treatment plan problems. Past projects have reduced the wet weather impact, but during extended and / or severe precipitation events there are still plant violations and unpermitted bypasses / overflows.

4. Mr. Bryant stated that these violations have prompted an Agreed Order (AO) with the Indiana Department of Environmental Management (IDEM). The AO was finalized on April 6, 2016. The Compliance Plan was submitted on September 26, 2017 and was approved on April 2, 2018. The Compliance Plan requires construction to be completed by January 2, 2020.

5. Mr. Bryant discussed the project alternatives that were considered in the PER – no action, wastewater treatment plant (WWTP) improvements or new construction, Cicero 2018 Inflow & Infiltration Reduction Project SRF / PER Public Hearing Minutes July 17, 2018.

- a. Mr. Bryant indicated that the no action alternative, while required to be reviewed as part of the PER, is not feasible because it does not comply with the enforcement action of the AO.
- b. Constructing a new WWTP is not necessary because the Town of Cicero already has a WWTP. Improvements to the existing WWTP are not currently necessary because addressing I & I sources in the collection system will address the issues at the WWTP.
- c. Conventional replacement of the identified collection system would cost approximately \$2.6 million. Approximately 12,000 feet of pipe would be replaced.
- d. Rehabilitation and replacement of the identified collection system would include rehabilitating approximately 10,700 feet of pipe and replacing approximately 1,300 feet of pipe.

6. Mr. Bryant stated it would cost \$1 million more to conventionally replace the pipe in the identified collection system than using a combination of rehabilitation and replacement. No

action does not comply with the enforcement action. A new WWTP is unnecessary because the Town of Cicero has one. Improvements to or expansion of the WWTP is unnecessary because addressing the issues in the collection system will address the issues at the plant.

7. Mr. Bryant stated that the selected plan is the combination rehabilitation and replacement of the identified collection system. The total cost of the project is estimated to be \$1.6 million. Funding will come from the SRF loan program in the form of a 20-year loan. The loan period may be extended up to 35 years upon consideration of a rate study to evaluate reducing the rate and evaluating the impact that would have on the budget.

8. Mr. Bryant opened the floor for questions and/or comments. There were no public questions or comments. The problems and project have previously been discussed at several meetings; the public was well aware and informed.

9. Mr. Bryant introduced the next steps in the process:

- a. PER Acceptance Resolution following the hearing.
- b. Submit documents pertaining to this hearing to IDEM.
- c. Receive feedback on environmental reviews.
- d. Receive project ranking.
- e. Proceed with design and bids. The bid process will occur in January/February 2019.
- f. A rate study / financial evaluation will be conducted.
- g. Close the loan.
- h. Construction will begin and be completed most likely in 2019.

10. The Public Hearing was closed.

Approval of Prior Minutes:

Town Council Meeting Minutes, July 3, 2018, 7:00 PM –

Town Council/ Department Head Meeting on July 12, 2018, 7:00 PM –

Mr. Amos made a motion to approve the Minutes for the Town Council Meeting on July 3, 2018 and the Town Council/ Department Head Meeting on July 12, 2018. Mr. Penwell seconded, motion passed.

Approval of Claims:

Mr. Foster made a motion to approve the Claims for July 17, 2018 as presented. Mr. Penwell seconded, motion passed.

Petitions by Citizens:

1. There were none.

President's Report:

1. Mr. Miller informed the Council that he is presenting the State of Cicero at the Hamilton North Chamber of Commerce "State of the Town" meeting in Arcadia on July 17, 2018.

Council Committee Reports:

1. OTC Report – Mr. Miller stated that he will give a report at the next meeting.
2. EDC Report – Mr. Foster stated that he would also give a report at the next meeting.

Legal Counsel Report- Aaron Culp:

1. Mr. Culp stated that Taft is scheduled to meet with the Council on July 31st at 6:30 pm. Mr. Culp stated that he has not discussed with Taft the pricing or estimated time involved with this meeting. Mr. Amos inquired about using the TIF Funds for their bill and Mr. Culp stated that he was not sure at this time.

2. Mr. Culp inquired if the Council is interested in joining a class action law suit that Taft is putting together against Opioid manufactures. Mr. Culp stated that there is no upfront cost and that all the other communities in the county have joined. Mr. Amos stated that he would like to see the agreement in writing. The Council agreed.

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

1. Mr. Taylor and Mr. Strong stated that they did not have anything this evening. Mr. Strong stated that MI Homes will be covered by Mr. Bryant.

Town Engineer Report - Mr. Keith Bryant

1. I & I – SRF – Mr. Bryant stated that the I & I issue has been discussed during the Public Hearing.
2. MI Homes – Mr. Bryant stated that MI Homes has presented a resubmittal to his office for the Tamarack Section 1 Development Review. United has drafted a response back to MI Homes in hopes that this can be worked out quickly.
3. Mr. Bryant has requested that the SRF Loan Program Preliminary Engineering Report (PER) Acceptance Resolution be passed this evening during the Public Hearing. Mr. Amos made a motion to approve the PER Acceptance Resolution. Mr. Foster seconded, motion passed.

Old Business:

Council To Hear Report From Tina Henderson Regarding Bids For Façade Project And OCRA's Decision.

This item remained tabled.

New Business

There was no New Business.

Miscellaneous

1. Nothing

Comments By Citizens

1. There were none.

Motion To Adjourn:

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

Signatures on Official Documents!

Robert J. Miller, President

Christopher J. Lutz, Vice-president

Chad B. Amos

Brett S. Foster

Craig S. Penwell

Attested: _____
Jan Unger, Clerk Treasurer

The Next Cicero Town Council Meeting will be on August 7, 2018, at 7:00 PM at the Cicero Town Hall.