



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

PC-# 0322-01-Parks
Temporary Permit Moratorium
Annual Elections/Appointments

Plan Commission Meeting Minutes

March 9, 2022

7:00 p.m.

Red Bridge Community Center
697 W Jackson Street
Cicero, IN 46034

Roll Call of Members

Present:

- ☐ Dan Strong
- ☐ Marc Diller
- ☐ Chris Lutz
- ☐ Harrison Massonne
- ☐ Liz Foley-Nelson
- ☐ Dennis Schrumpf
- ☐ Glen Schwartz
- ☐ Aaron Culp-Legal Counsel
- ☐ Frank Zawadzki- Plan Director
- ☐ Terri Strong - Recorder

Absent:

Corey Burkhardt
Greg Gary

1. **Declaration of Quorum:** President Strong declared a quorum with 7/9 members present.
2. **Approval of Minutes:**
Mr. Schrumpf made motion to approve Minutes from PC Meeting: December 8, 2021, as presented.
Mr. Schwartz second. All present in favor.
3. **Public Comment:** President Strong explained that this is the time for public comment for items not on the agenda tonight. Tonight's dockets will have public hearing portions. Petition request from Tim Robinson to address.
Tim Robinson 70 N. Peru St. Cicero, IN address Board regarding getting signage on building. Has been around 100 years, now understand have to have a review. Ask the Board to consider that the signs are the



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exact same spots as the ones previously and ask that the Board move forward and allow the signs to go up. President Strong replied, unfortunately our ordinance requires an aesthetic review for the area of your business prior to installation. Board doesn't not have the latitude to approve due to aesthetic review and not on the docket tonight. President Strong instructed Mr. Robinson to work with Mr. Zawadzki on the steps for getting docketed. President Strong continued by informing that have discussed making changes to approve without going thru aesthetic review if signs meet certain requirements but that is currently part of the process. Mr. Robinson asked if there are any differences if the signs are the same size, etc. Did not change any of the sizes. President Strong stated can work with Mr. Zawadzki on details of the ordinance. President Strong added believe you are in downtown commercial district, (Mr. Zawadzki agreed) there was a business there but because it is in the that district it requires to go thru the review process. President Strong went thru some of the elements, materials, colors, total square footage, placement that would be reviewed. Mr. Robinson stated he assumed it would be reviewed this evening, that the sign company was addressing the application. Found out today that they weren't and if in the same lines. Mr. Robinson stated he did not understand why it wasn't being approved tonight information has been given to your board probably weeks ago. President Strong stated the Board has not received any information. Clarifying that portion and would like for Mr. Zawadzki to answer the question on the aesthetic review application. Mr. Zawadzki stated he had received this application this evening from Mr. Robinson. Unfortunate situation the company putting up the sign reached out to us in January, we responded February 4th with the link to the aesthetic review application and told them what all needed to be done. Apparently, they just dropped the ball, as we received nothing until we were contacted today. Mr. Zawadzki stated he told Mr. Robinson and the sign guy that hands are tied on the process, the application and fees would need to be done before on the docket and that the ordinance was set in stone and they would not hear it. Mr. Robinson stated he did not know; isn't the way he does business been waiting about a year and hoped the Board would hear and approve this evening. President Strong asked for clarification from the town attorney on whether it could be reviewed this evening. Mr. Culp stated unfortunately cannot, ordinance is considered a law adopted by the Town Council. Part of that is because it has to be public, notification have to be done, and also so the Board can drive by to review the project. President Strong stated unfortunate situation with the sign company, but we look forward to getting the details and seeing you in next month.

Mr. Robinson thanked everyone for their time.

President Strong asked if anyone else for public comment. No one came forward.

4. Old Business: No Old Business

5. New Business:

President Strong stated this is the first meeting of the year, so elections are needed.

Mr. Schrumpf made motion to open nominations for President. Mr. Diller second. All present in favor.

Mr. Schrumpf nominated Dan Strong as President. Mr. Diller second.

Mr. Lutz made motion to close nominations for President. Mr. Schwartz second. All present in favor.



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All in favor of Mr. Strong remaining President, please say aye. All present in favor.

Mr. Schrumpf made motion to open nominations for Vice-President. Mrs. Foley-Nelson second. All present in favor.

Discussion on interest.

Mr. Lutz nominated Mr. Massonne.

Mr. Massonne nominated Mr. Schrumpf.

Mr. Schrumpf made motion to close nominations for Vice-President. Mrs. Foley-Nelson second. All present in favor.

All in favor of Mr. Massonne for VP raise right hand. 5

All in favor of Mr. Schrumpf for VP raise right hand. 2

President Strong stated Mr. Massonne would be Vice-President for 2022.

Mr. Schrumpf made motion to open nominations for Secretary. Mr. Massonne second. All present in favor.

Discussion on interest.

Mr. Lutz nominated Mr. Schrumpf.

Mrs. Nelson made motion to close nominations. Mr. Lutz second. All present in favor.

All in favor of Mr. Schrumpf for Secretary-say aye. All present in favor.

Election of Officers for 2022:

President: Dan Strong

Vice-President: Harrison Massonne

Secretary: Dennis Schrumpf

Docket# PC-0322-01 Parks

Petitioner: Town of Cicero

Property Address: 331 East Jackson Street, Cicero, IN 46034

Establishing a resolution to the Town of Cicero Town Council concerning an ordinance to amend the Cicero Parks Impact Fees.

Chuck Lehman out of Mishawaka IN presentation both PowerPoint and in writing presented. State statute regulates how often and requirements for participation. Looking at 10-year projection and impact costs to build infrastructure minus donation. For this presentation it is for the residential needs not commercial needs of recreation. The current needs show a deficiency based on current population



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and recreational infrastructure. Impact fees can not cover deficiencies, funding must come from other sources. Looking for the current, look out 10 years for the growth.

Documents are used based on building permits, used information going back to 2000. Collections of impact fees from 2008 show balance, encourage balancing fees and needs. Looked at current development and build out needs and impact to parks.

Parcel map shows where buildouts might take place in the next 10 years based on zoning requirements. Currently 2.41 persons living in households. Anticipate Stillwater Cove and Tamarack to be built out in next 10 years. Looking at potential building capacity of the areas 3100 units or 7600 people, next 10 years 48% to be built out, and adding the 100% neighborhoods would be 15-1600 units or 3700 people. Added to the current population of 5300 in 2020 by 2031 population of 9194.

One of the benchmarks: what is the population and projected population.

The projected is then broke out the 10-year timeframe. 2025-26 study would be updated for the next 10 years.

Next to review is current inventory- have 30-35 recreational elements.

Standards page was used for comparison to other communities there is no set standard. More of a helpful sheet.

2017 Ordinance was discussed which equated to \$604 impact fees for single family unit and \$369 for multi family home. Last study was not done by this company.

2017 Target for park acreage was 11 acres per 1000 people, and standard of 9/1000 used. Master plan fashion standard of 8/1000 is used. This study used 9/1000 standard for park acres shows a need of 49.62 acres, resulting in a deficiency of 4.02 acres of land. That would need to be funded outside of the impact fee. Future need for growth is 37.15 acres, that can be funded from the impact fee dollars.

Study is showing focus for need recreational elements are park shelters, neighborhood playgrounds, trails, and park acreage. Table showing need of approximately \$456000 for the deficiency elements. Reviewing the future needs impact would be \$1.9 million. Rough number would be \$1216 per build. Funding sources were added to presentation. Grants, park capital improvement plans, donations, TIF collections, etc. were discussed. Encouraged to correct deficiencies within the current ordinance timeframe. So, in this case the next five years.

Questions asked: Mr. Lutz \$1216 asked how derived. Mr. Lehman stated the four areas added up then divided by residential units. Mr. Lutz questioned the Rev share/town share. Mr. Lehman explained as the comparison of masterplan priorities and park impact priorities. State does not require masterplan to be completed but does review park impact priorities and completion.

State stature requires that new folks do not pay for deficiencies, so differences are deducted from impact fee.

Mr. Lehman shared that the committee had discussion on multi-family dwelling rate as well.

Apartment unit example per unit would be 85% of the rate. Discussion on options, resulting on the 85% rate.



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President Strong shared that the discussion was around the wastewater plant on the masterplan. If you look at the total numbers over the year look accurate but the year to year may not match due to the wastewater plant and construction.

Mr. Lehman continued with summary of rates and discussion around the process, as well as possible inflation rate. Consideration of 3% annual increase was shared.

Also shared that the BAGI checklist of impact fees studies that is checked off, have been met with this presentation.

Mr. Lutz asked if we wanted to go with the Carmel rate, we could not just arbitrarily do that, it is dictated by statute, correct? Mr. Lehman stated it is dictated by what goes into the formula. Worked with the priorities of the park department as well.

President Strong asked to briefly touch upon the acreage and the deficiencies conversation if donated land how does that work. Mr. Lehman stated developers can get impact fee credits. Example: If developer has a 200-acre tract with 20 acres park, value could be deducted from fees. Same would apply for trails, if in masterplan. Mr. Lehman stated didn't know if the town has a policy to accept land for parks, if not will recommend as part of the Masterplan.

President Strong stated someone not a developer wanted to donate land that could offset shortages. Mr. Lehman added if on the table now, it would be looked at as non-deduction.

President Strong stated does require a public hearing.

Mr. Schrumpf made motion to open public hearing. Mr. Lutz second. All present in favor. No one came forward.

Mr. Lutz made motion to close public hearing. Mrs. Nelson second. All present in favor.

President Strong verified with Mr. Culp, would be a resolution to go to the Town Council, drafted by Mr. Culp. Mr. Culp agreed. Mr. Lehman questioned adding the annual increase. President Strong stated that was a recommendation from the Advisory Committee at 3% for inflation. Brief discussion. President Strong stated looking for **recommendation to send resolution to the Town Council for Park Impact Fee Increase with an annual increase of 3%**. Looking for a motion. Mr. Culp stated can say so moved, he will draft.

Mr. Schrumpf made motion. Mrs. Nelson second. All present in favor.

Ordinance # 03-09-2022-01

An Ordinance Imposing a Temporary Moratorium on the Issuance of Permits for Commercial Solar Energy Systems.

President Strong stated this is for a recommendation to take to the Town Council for consideration.

Mr. Culp reminded that the town and zoning does not currently have any rules governing solar energy. It has come to attention that a large 5000-acre system trying to go into White River Township. The



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county placed a six-month moratorium in December in order to review standards and adopt ordinance. Because this is becoming more common, recommend a moratorium for six months as well to review and determine standards. This would only apply to large scale solar farms, larger than .25 acre. Intent is not to ban but to review and set standards for landscaping, the way it may look from the road, as well as what happens when it is no longer viable. After six months could be extended if not complete. It is a recommendation requiring a vote from the Town Council.

Mr. Lutz thanked Mr. Culp for bringing this up. Mrs. Nelson added felt ordinance is needed.
Public Hearing required.

**Mr. Schrumpf made motion to open public hearing. Mr. Lutz second. All present in favor.
No comments from public.**

Mrs. Nelson made motion to close public hearing. Mr. Diller second. All present in favor.

Mrs. Nelson the fifth "whereas" is spelled incorrectly in the document presented.

Mrs. Nelson made motion as a positive recommendation to send to Town Council. Mr. Schwartz second. All present in favor.

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Appointments:

President Strong stated need to appointment Plan Director each year. Any discussion?

Mr. Lutz made motion to appoint Frank Zawadzki as Plan Director. Mr. Massonne second. All present in favor.

6. **Plan Director's:** Mr. Zawadzki-permit revenue for Feb 2022. \$16300, YTD \$27348 Feb 2021 \$10066, YTD 2021, \$20950. Issued 26 building permits. Estimated costs over \$4 million.
President Strong shared that Mr. Zawadzki is doing a good job and ahead of where he thought he would be, even if Frank doesn't think so, nice job. Mr. Schrumpf added that people he has talked to, expressed how positive the experience.
7. **President's Report:** President Strong thanked everyone for their support. President Strong stated do need to appoint BZA representation from the Plan Commission.
Mr. Schrumpf made motion to appoint Liz Foley-Nelson to represent on the Board of Zoning and Appeals for a four-year term. Mr. Massonne second. All present in favor.
President Strong added that Mrs. Nelson does a great job adding her perspective.
8. **Legal Counsel's Report:** Mr. Culp shared that the county is in process on the west side of 31 of creating an overlay district developing special standards approximately one mile north. The idea is to encourage agricultural related businesses. The county is already announced plans to develop a regional utility district at Bakers Corner with a water and sewer plant being built. Eventually running up 31 to 276th, providing services thinking it will spur businesses and jobs. They want to ensure doesn't become a sea of residential subdivisions. This will set use and aesthetic standards, so you don't just see white boxes, similar to



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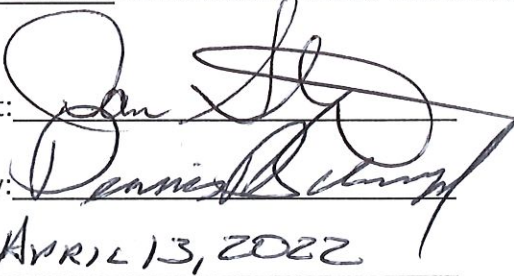
Carmel's variety. They have invited our Plan Commission to attend meetings and discussions since we control the east side, they want to share what they are looking at and thinking. If we want to duplicate, create spin, or compliment their ideas, we have the opportunity to do so. They have reached out for Dan and Frank to attend. County is trying to rush it thru, perhaps for next couple months. They are reaching out to elected officials and larger farmers in Adam's township. Mr. Strong added that Mrs. Nelson has also been invited to attend. Discussion on fire response to the area.

Mr. Strong stated he didn't feel it was a boiler plate to what we may want done on our side, but good template, and appreciate the information from their research and consulting firm. Bringing that information back to this group as we work thru the process for our area anticipate some work sessions.

9. **Board Member Comments:** Mr. Schrupf asked gave approval for duplex on main street six months or so ago. President Strong stated Mr. Zawadzki can add more but those plans have changed. Mr. Zawadzki stated got into the construction planning phase and financially changing their minds. Mrs. Nelson added thank you all to each for serving, officers, as well as Mr. Zawadzki and Aaron. Mr. Strong seconded appreciate the homework that everyone does. Mr. Massonne stated when the gentleman was speaking about land donations and impact fees and the R5 information, interesting point that we may want to look at policy to deal with land donations. Discussion ensued.

10. **Next Planned Plan Commission Meeting:** April 13, 2022, at Red Bridge Community Building.

11. **Adjournment:** Mr. Schwartz made motion to adjourn. Mrs. Nelson second. All present in favor.

President: 

Secretary: 

Date: APRIL 13, 2022

Location:
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697 W Jackson Street
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