



**TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
TUESDAY, MARCH 19, 2024 at 7:00 PM**

Call to Order: President Lutz called the meeting to order and led the Pledge of Allegiance. Mr. Zawadzki gave the prayer. Mr. Lutz called for roll call. Members of the Cicero Town Council were present or absent as follows:

Present:	Joseph Cox	Absent:
	Eric Hayden	
	Dennis Johnson	
	Christopher Lutz	
	Emily Pearson	

Declare a Quorum Present: President Lutz declared a quorum with all members present.

Others Present: Lance Overholser, Fire Chief
Frank Zawadzki, Cicero/Jackson Township Plan Commission Director
Terry Cooper, Street & Utilities Director
Jim Hunter, Parks Superintendent
Aaron Culp, Town Attorney
Keith Bryant, Town Engineer
Bruce Freeman, Storm Water Management Board President
Dan Strong, Project Coordinator

Approval of Agenda: Mr. Cox made a motion to approve the agenda as amended. Mr. Hayden seconded; motion carried 5-0.

Approval of Prior Minutes:

Town Council Executive Session Memorandum, March 5, 2024, 6:30 PM

Town Council Meeting Minutes, March 5, 2024, 7:00 PM

Mr. Cox made a motion to approve the minutes listed above. Ms. Pearson seconded; motion carried 5-0.

Approval of 3/19/2024 Claims: Mr. Johnson made a motion to approve the claims dated 3/19/24 as presented. Mr. Cox seconded; motion carried 5-0.

Public Hearing – Wastewater Treatment Plant –

Mr. Bryant addressed the council and presented the recommended project, which will include expansion and upgrades to the existing Cicero Wastewater Treatment Plant. Mr. Byrant stated copies of the Preliminary Engineering Report (PER) are available at the Cicero Utility Office, 331 E Jackson Street, Cicero, IN for public viewing March 9th through March 24th for those interested. Mr. Bryant stated this Public Hearing was advertised as required.

Mr. Hayden made a motion to open the Public Hearing. Mr. Cox seconded; motion carried 5-0. President Lutz asked if there was anyone in the public that would like to comment at this time.

Mr. Rick Hahn stepped forward and stated his name and address for the records. Mr. Hahn asked if a rate study had been done. President Lutz answered his question with explaining potential rate increases and the process. President Lutz stated there could be some significant increases needed. Mr. Hayden added this is not development driven and is an IDEM requirement.

With no one else stepping forward, President Lutz asked for a motion to close the Public Hearing. Mr. Hayden made the motion and Mr. Cox seconded; motion carried 5-0.

Council Committee Reports:

1. OTC Report – Ms. Pearson gave a brief update on the OTC that they are working to renew their Non-Profit status. Ms. Pearson also spoke about OTC’s Festival and Parade.
2. EDC Report – Mr. Cox stated the EDC is in support of the Community Crossing Matching Grant as long as costs are in line.
3. SWU Management Board Report – SWU President Freeman had nothing to report.

Legal Counsel Report –

- a. Mr. Culp did a brief update on the BOT (Build, Operate, Transfer) agreements and design 1B that was chosen and approved for the wastewater treatment plant design. Mr. Culp also updated the council that the BAN (Bond Anticipation Note) would take approximately 3 months to complete. Mr. Culp would like to move forward with the BAN process and asked the council for approval to do so. Mr. Hayden made the motion to move forward with the BAN and Tom Pitman attorney with Barnes & Thornburg. Ms. Pearson seconded; motion carried 5-0.
- b. Agreement For Purchase of Real Estate - Mr. Culp informed the council the property had been inspected and they had an agreement with the property owner. Mr. Culp asked the council to approve the Agreement for the Purchase of Real Estate located at 160 West Jackson Street and allow President Lutz to sign. Mr. Hayden made the motion to approve the agreement and allow President Lutz to sign for the property located at 158 and 160 West Jackson Street with funds from CCD. Mr. Johnson seconded; motion carried 5-0.

Cicero/Jackson Township Plan Commission - Mr. Zawadzki had nothing to report.

Town Engineer Report –

1. Tamarack – Mr. Bryant stated that United is working with Terry Cooper and his staff to inspect Section 4 and establish a punch list for MI Homes prior to acceptance of the infrastructure by the Town.
2. Water – Mr. Bryant had no updates to provide at this time.
3. Wastewater – Mr. Bryant noted that the SRF (State Revolving Fund) PER hearing was conducted earlier in the meeting. Reynolds is coordinating and ordering equipment and as Mr. Culp discussed, the project financing (BAN) is moving forward.
4. Tollgate Road – Mr. Bryant stated that the contractor, Midwest Paving, plans to remobilize to the site in April when the asphalt plants reopen for the season.

5. Brinton Street Storm Water Rehab Project – Mr. Bryant noted that the additional work change order approved at the prior Council meeting was sent to the contractor, Insituform. We are awaiting a schedule for the work to be performed.

Old Business:

- a. Jackson Street Improvements -Mr. Zawadzki presented changes to Jackson Street as part of the CCMG that the Council had identified at the last meeting for consideration. The Council had questions and addressed some concerns with the current proposal. Resident Mr. Ted Lenze shared some concerns about trees and what he has seen in Carmel with some of the proposed changes. Mr. Lenze invited the Council to tour Carmel with him or go to Carmel and see what has already been done and the reality of what is being proposed. Mr. Lutz asked the Council to be ready to revisit this at the April 2nd meeting.
- b. Structure/Easement - The response from the Council is they are not in favor of extending deviations from the current standards.
- c. E-Billing - Mr. Lutz asked if there were any updates. Mr. Strong said there was no additional information at this time.

New Business:

- a. Mr. Byrant presented to the Council SRF Loan Program PER Acceptance Resolution and asked for approval, conditional upon any written comments being received from the public which extends until March 24th. Mr. Johnson made a motion to approve Resolution #03-19-24-01 as stated and allow President Lutz to sign. Ms. Pearson seconded; motion carried 5-0.
- b. Mr. Bryant presented the SRF Loan Program Signatory Authorization Resolution and asked the council for approval. Mr. Hayden made the motion to approve Resolution #03-19-24-02 and to allow President Lutz to sign. Mr. Johnson seconded; motion carried 5-0.
- c. Mr. Bryant then presented the Cost & Effectiveness Certification Form to the Council for approval. Mr. Cox made the motion and to allow President Lutz to sign. Ms. Pearson seconded; motion carried 5-0.

Miscellaneous:

- a. Agreement For Legal Representation with Fletcher Van Gilder, LLP. Mr. Cox made the motion to approve the agreement and allow Mr. Lutz to sign. Ms. Pearson seconded; motion carried 5-0.
- b. President Lutz spoke in response to a response he had received from County concerning the ARPA funding for the sewer plant. The County ARPA committee previously voted in favor of providing \$1million funding for the Cicero sewer plant. President Lutz expressed, his concerns that he has received concerning Cicero upholding and agreeing to the MOU presented to Cicero. He is hopeful the ARPA committee continues to support the project and noted Cicero is preparing with additional information for future ARPA meeting. Asked people to attend the ARPA meetings to see what happens.

Comments by Citizens: There were none.

Motion to Adjourn: Mr. Cox made motion to adjourn. Mr. Johnson seconded; motion carried 5-0.

Signatures on Official Documents!

Signatures of Cicero Town Council

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_____	Christopher J Lutz	_____
_____	Joseph R Cox	_____
_____	Eric C Hayden	_____
_____	Dennis D Johnson	_____
_____	Emily K Pearson	_____

Attested: _____
Rhonda Gary, Clerk Treasurer

The Next Cicero Town Council Meeting will be April 2, 2024, at 7:00 PM at Cicero Town Hall.