



**TOWN OF CICERO
TOWN COUNCIL MEETING MINUTES
TUESDAY, SEPTEMBER 3, 2024 at 7:00 PM**

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

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

Absent:

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

Others Present: Rhonda Gary, Clerk Treasurer
Jeff Rednour, Police Chief
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. Ms. Pearson seconded, motion carried 5-0.

Approval of Prior Minutes:

Town Council Meeting Minutes, August 20, 2024, 7:00 PM

Mr. Cox inquired about the miscellaneous entry then made a motion to approve the minutes from August 20, 2024. Mr. Hayden seconded, motion carried 5-0.

Approval of 9/3/2024 Claims: Mr. Johnson made a motion to approve the claims dated 9/3/24 as presented. Mr. Cox seconded, motion carried 5-0.

Council Committee Reports:

1. OTC Report – Ms. Pearson had no report.
2. EDC Report – Mr. Cox had no report.
3. SWU Management Board Report – SWU President Freeman had nothing new to report.

Legal Counsel Report – Mr. Culp had nothing at this time.

Cicero/Jackson Township Plan Commission – Director's Report - August 2024

Permit Revenue: August 2024 = \$8,394, YTD: \$40,782

August 2023 = \$5,135 YTD: \$66,900

Difference: Month = +\$3,259 YTD: -\$26,118

A total of 22 building permits were issued in August of 2024. Sixteen were within the corporate limits (of which 4 were new homes).

Six permits were issued in Jackson Township (of which, none was for a new home).

Estimated Cost of projects permitted \$2,152,535.

Town Engineer Report –

1. Tamarack – Mr. Bryant has had no response yet from MI Homes concerning Section 4 punch list. Today, he also emailed Jonathon Isaacs with MI Homes in hopes of receiving a response.
2. Water – Mr. Bryant had no changes to discuss.
3. Wastewater – Mr. Bryant relayed that Reynolds continues with the oxidation ditch and that the UV Bypass Plan has been submitted for review. Mr. Bryant stated that Reynolds has submitted Pay Application No. 1 in the amount of \$419,029.51 and asked council to approve payment. Mr. Hayden made a motion to approve and allow payment of Pay Application No. 1. Ms. Pearson seconded, motion carried 5-0. Construction continues. Mr. Hayden asked about the oxidation ditch undercut noted in the Reynolds progress report that Mr. Bryant had emailed to the Council. Mr. Bryant confirmed that they found some soft soil that did not have adequate bearing compacity and had to be undercut and replaced with compacted stone. This would be covered by the contingency fund.
4. Tollgate Road – Mr. Bryant asked the Council to approve payment for Pay Application No. 6. A brief discussion concerning clean up and final payment of the project – the payment is 75% CCMG. To be clear, this is not the final pay application as a minimum the retainage being held would be released. Afterwards, Mr. Hayden made a motion to approve Pay Application No. 6. Mr. Cox seconded, motion carried 5-0.
5. Brinton Street Storm Water Rehab Project – Closeout Monitoring Form 1 & Update Disclosure Report – Mr. Bryant stated that the project is finished once these documents from Mendenhall and Associates are signed and submitted. Mr. Hayden made a motion to approve and allow President Lutz to sign. Ms. Pearson seconded, motion carried 5-0.
6. Jackson Street CCMG – President Lutz inquired about the lighting on West Jackson Street. Mr. Bryant relayed that it would cost roughly \$30,000.00 more to install the same lights that are on East Jackson Street, but Mr. Bryant will check on that cost. Conversation moved to outdoor seating. Mr. Hayden made a motion to remove the Town Hall Parking signs at Town Hall to add three additional public parking places. Ms. Pearson seconded, motion carried 5-0. Discussion continued as to provide two or four outdoor areas for seating, Ms. Pearson made a motion to approve two areas for outdoor seating. Mr. Cox seconded, motion carried 4-1 with Mr. Hayden voting nay. The Council also decided to install both of the seating areas on North Byron Street. Mr. Johnson made a motion to designate the two outdoor seating area locations on North Byron Street next to Bronko's and Dark Side Roasters. Ms. Pearson seconded, motion carried 5-0.

Old Business: Encroachment Agreement – Mr. Culp gave a brief explanation as it is the agreement that was discussed at the last council meeting. Mr. Hayden made a motion to approve the agreement and allow President Lutz to sign. Mr. Cox seconded, motion carried 5-0.

New Business: Resolution 09-03-2024-01 Transfer of Equipment – Chief Overholser gave an update along with Mr. Culp in regards to purchasing Ballistic Equipment from Noblesville Fire Department. Mr. Hayden made a motion to approve the resolution transfer of equipment. Mr. Cox seconded, motion carried 5-0.

Miscellaneous:

- a. Gas Pumps – Superintendent Hunter asked that this be added to the next staff meeting agenda but wanted the Council to be thinking about replacing the gas pumps at the marina.
- b. Festival Funds – Superintendent Hunter asked Council’s blessing to use the remaining funds (\$4,700.00) to purchase a Gator for park use. He added that Friends of the Park has donated \$5,000.00 for the purchase. Council was ok with that. Mr. Johnson made a motion to allow Superintendent Hunter to use \$4700.00 festival funds to purchase a Gator. Ms. Pearson seconded, motion carried 5-0.
- c. Sewer Ordinance 09-03-2024-02 – Mr. Hadler, Baker Tilly Rep, was present to talk about the additional rate increase for the years 2028 and 2029. He said that it is necessary to have those rates in place to work with Indiana Bond Bank. Using Indiana Bond Bank is in the town’s best interest for savings of approximately \$500,000.00. Mr. Culp presented the ordinance for a first reading as required. He said that there will be a second reading and public hearing at the next council meeting which will be held at the library. At that time, the council can approve and adopt the sewer ordinance. Mr. Hayden made a motion to move to the second reading. Mr. Johnson seconded, motion carried 5-0.
- d. Well Site Agreement – Mr. Hayden made a motion to approve and allow President Lutz to sign the well site agreement prepared by Mr. Culp. Mr. Johnson seconded, motion carried 5-0.

Comments by Citizens: There were none.

Motion to Adjourn: Ms. Pearson made the motion. Mr. Johnson seconded, motion carried 5-0.

Signatures on Official Documents!

Signatures of Cicero Town Council

AYE		NAY
_____	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 on September 17, 2024 at 7:00 PM at Cicero Town Hall.