

**STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE
Room 1058, IGCN – 100 North Senate
Indianapolis, IN 46204**

IN THE MATTER OF THE REQUEST)
OF TOWN OF CICERO,)
HAMILTON COUNTY, FOR AN) **A23-027**
EXCESS LEVY DUE TO)
THREE-YEAR GROWTH)

The Department of Local Government Finance (“Department”) has reviewed an appeal by Town of Cicero (“Town”) for an excess levy in the amount of \$100,000 to its civil maximum levy due to three-year growth. Indiana Code 6-1.1-18.5-13 allows the Department to grant permission to a civil taxing unit to increase its maximum levy if the Department finds that the quotient determined under Step Six of the following formula is equal to or greater than one and two-hundredths (1.02):

Step 1: Determine the three calendar years that most immediately precede the ensuing calendar year:
2023, 2022, and 2021

Step 2: Compute separately, for each of the calendar years determined in Step 1, the quotient (rounded to the nearest ten-thousandth (0.0001)) of the sum of the civil taxing unit's total assessed value of all taxable property divided by the sum determined under this Step for the calendar year immediately preceding the particular calendar year.:

Town assessed values for 2020, 2021, 2022, and 2023, respectively:

2020: 264,871,280
 2021: 297,290,805
 2022: 321,408,404
 2023: 373,178,847

Step 2 quotients:

2021/2020: 1.1224
 2022/2021: 1.0811
 2023/2022: 1.1611

Step 3: Sum the results of Step 2 and divide by three:

1.1215 ([1.1224+1.0811+1.1611]/3)

Step 4: Compute separately, for each of the calendar years determined in Step 1, the quotient (rounded to the nearest ten-thousandth (0.0001)) of the sum of the total assessed value of all taxable property in all counties divided by the sum determined under this Step for the calendar year immediately preceding the particular calendar year.

Statewide average quotients for 2021, 2022, and 2023, respectively:

1.0392; 1.0541; 1.1481

Step 5: Add the Step 4 results and divide by three:
1.0804 ([1.0392; 1.0541; 1.1481]/3)

Step 6: Divide the Step 3 results by the Step 5 results:
1.0380 (1.1215/1.0804)

The maximum amount that the Department may award is the amount by which Step 3 exceeds the maximum levy growth quotient (“MLGQ”) as calculated according to IC 6-1.1-18.5-2 (this amount is 1.04 or 4% for 2024; since 1.0380 is greater than 1.020, the Town is eligible for a three-year growth appeal):

0.1781 (17.81%) (1.2181-1.0400)

The Town’s 2023 maximum civil levy is \$1,754,891. This is the most recent civil maximum levy that the Department can use as the basis for an adjustment. Multiplying this figure by the 17.81% growth factor calculated above results in a figure of \$143,080, which is the maximum for which the Town could qualify under the statutory formula. Under IC 6-1.1-18.5-12(a), the Town must also show that it is unable to perform its government functions without this increase.

The Town states in its appeal that continued growth in the Town has created a need for more public safety. The Town states that despite this need, there has been a shortfall in public safety, adding that it maintains borderline staffing and relies on reserve police officers and fill-in firefighters. The Town states that additional funding is needed to comply with the Fair Labor Standard Act and to fill needed positions. The Town seeks an excess levy to hire an additional police officer or firefighter, which would cost the Town approximately \$100,000 in wages, benefits, and insurance.

The Town’s petition indicated that this excess levy would also increase the operating balances of its funds for the pay-2024 budget year. The Budget Form 4B submitted by the Town for 2024 indicates a decrease of \$930,848 in the General Fund and \$100,000 in the Rainy Day Fund.

The Town stated on its Budget Form 3 that it seeks an excess levy appeal of \$100,000 for its General Fund. Finally, the Town received a permanent excess levy of \$34,216 for pay-2022.

After a review of the petition, the Department, following IC 6-1.1-18.5-12 and 13, and in consideration of all evidence provided, finds as follows:

APPROVED WITH MODIFICATION:

The Town’s excess levy appeal is approved in the amount of **\$100,000**. This figure reflects the amount for which the Town qualifies under the statutory three-year growth formula and does not exceed the amount for which the Town advertised and petitioned the Department. This is a one-time, permanent increase.

STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE

WITNESS MY HAND AND SEAL of this Department on this 9 day of
November, 2023.

A handwritten signature in black ink, appearing to read 'D Shackle', written over a horizontal line.

Daniel Shackle, Commissioner