

**TOWN COUNCIL OF LEO-CEDARVILLE  
MEETING MINUTES  
May 22, 2012**

The town council of Leo-Cedarville met in regular session on May 22, 2012 at 7:00 PM at the Town Hall of Leo-Cedarville, located at 13909 Pony Express Run, Leo, IN 46765.

**ATTENDANCE:** In attendance were John Clendenen, president; Tim Richards, vice president; Ted Garton, Paul Steffens, and Kevin Veatch, council members; John Eastes, Clerk-Treasurer; and Peggy Garton, Town Manager.

**AGENDA:** Mr. Richards moved to accept the agenda with flexibility; Mr. Steffens provided a second; and the motion passed by unanimous voice vote.

**MINUTES:** Without objection, President Clendenen accepted the minutes of May 8, 2012 as written.

**PUBLIC COMMENT and SPECIAL PRESENTATION(S):** Allen County Commissioner Linda Bloom was scheduled to appear, but unable to attend.

**REPORT of the TOWN MANAGER:**

- **Town Engineer Proposals:** The following engineering proposals were discussed, with action taken as noted herein:
  - *State Road #1 Trail Improvement Project,*” an engineer’s estimate of the construction costs for the proposed trail from the Cedarville Park to the southwest corner of Amstutz Road and Trading Post Road;
    - Mr. Garton moved to accept Schnelker Engineering’s proposal to proceed with the preliminary design phase for the “*State Road #1 Trail Improvement Project,*” with a maximum fee not to exceed \$15,000.00; Mr. Steffens provided a second; and the motion passed by unanimous voice vote.
  - “*Hosler Road Improvements,*” improvements to Hosler Road from Amstutz Road to the bridge approach over the Beightle-Netterhorst ditch (Action on the item was tabled.);
  - “*Hosler Road Phase II Trail Project,*” an engineer’s estimate of the construction costs for the proposed trail from the Grabill Road Bridge over the Cedarville Reservoir to the east right-of-way of Amstutz Road (Action on the item was tabled.); and
  - “*Amstutz Road Street and Trail Improvements,*” street and trail improvements to Amstutz Road from Trading Post Road to 200 feet north of Hosler Road. (Action on the item was tabled.)
  
- **L-C Stormwater Utility Board Request:** Per the board’s request, Mrs. Garton will assume scheduling of street cleaning throughout the town, with all related expenses to remain within the utility’s budget.

- **Garage Sale Discussion:** A draft copy of “*An ordinance regulating “Garage Sales” within the town of Leo-Cedarville*” was tabled, with discussion anticipated at the next regular meeting of council, currently scheduled for June 12.
- **Solar Speed Sign:** Mrs. Garton presented equipment pricing for various solar powered speed sign options, with action tabled awaiting Brian Reilly and Mrs. Garton’s final recommendation(s).
- **Solar Crosswalks:** Mrs. Garton has requested equipment pricing and installation bid proposals for Amstutz Road.
- **Fireworks Display and Freedom Festival Events:** Mrs. Garton presented an update on L-C’s Freedom Festival that is planned for June 29 and June 30. Friday night, June 29, will feature concerts by Synergy and Big Caddy Daddy; Saturday, June 30, highlights include a 5K Freedom Fun Run scheduled to begin at 8:00 AM; food vendors, Miller’s Family Amusements, Parkview’s helicopter, American Legion Color Guard, climbing wall, hot air balloon and music by Renegade, with fireworks to occur at dusk. The event is to be held at the town’s Riverside Gardens, Schwartz Road property, with information detailing activities on the town’s website: <http://www.leocedarville.com>.
- **Update on Gold Wing Event:** Many Honda Gold Wing motorcycle enthusiasts will visit Leo-Cedarville on July 3, as they proceed to Grabill for a Wing Ding Welcome party, hosted by Visit Fort Wayne. The party, scheduled between 6:00 PM and 10:00 PM, precedes the July 4-July 7, 2012 Wing Ding 34 events planned at the Allen County War Memorial Coliseum.
- **Recycle Proposal:** Mrs. Garton distributed copies of the “*Allen County Solid Waste Management District Waste Watcher Recycling Guide,*” updated council on year-to-date recycling activities, and recommended that council accept an Allen County Solid Waste District proposal to establish collection hours for a manned recycling trailer that would be provided at no cost to the town. Action on the item was tabled.
- **Training Request:** Mrs. Garton requested council’s approval in support of sending L-C’s billing clerk to a Fred Pryor “How to Deliver Exceptional Customer Service” seminar scheduled for July 23 in Fort Wayne, Indiana, with a registration fee of \$179. Consensus was reached in support of the above-noted request. A current subscription contract will allow Mrs. Garton to attend this seminar as well, without an additional registration fee.
- **Town Hall Exit Lane:** Concrete work adjoining the parking lot has been completed, providing an exit lane onto Trading Post Road. The one-way exit lane will soon be opened for public use, with an installed driveway drop-off box for the collection of Leo-Cedarville storm water and garbage service fees.

**REPORT of COUNCILMAN CLENDENEN:** President Clendenen distributed the current “*Town of Leo-Cedarville Comprehensive Plan*” for council member review, with the intention of encouraging council to begin a process that would update/revise said master plan. Upon

reaching consensus, President Clendenen will prepare an RFP draft (request for proposal to revise the above-noted master plan), with the intention of discussing the RFP draft at the next regular meeting of council, currently scheduled for June 12.

### **REPORT of the CLERK-TREASURER:**

- Mr. Eastes has deposited all employment taxes for the month of May 2012 with the appropriate agencies of the federal and state government.
- As of May 15, the offices of the town manager and clerk-treasurer began a joint review of L-C's capital assets' register, with the intention of updating same.
- **2013 Budget Process:**
  - **House Enrolled Act 1072:** On March 19, 2012, Governor Mitch Daniels signed into law HEA 1072, modifying procedures by which political subdivisions provide public notice of their proposed budgets, tax levies, and tax rates. **Effect July 1, 2012**, the budget advertisement and adoption schedule is as follows:
    - **September 1** is the last possible day for a unit to submit its proposed budget, tax levies, and tax rates to the appropriate fiscal body for review or adoption by that fiscal body.
    - **September 13** is the last possible day for a unit or fiscal body to publish the first advertisement of its proposed budget, tax levies, and tax rates and the time and place at which the unit or fiscal body will hold a public hearing on these matters.
    - **September 20** is the last possible day for a unit or fiscal body to publish the second advertisement.
    - **October 1** is the last possible day for the county fiscal body to perform a non-binding review, pursuant to IC 6-1.1-17-3.5.
    - **November 1** is the last possible day for a unit or fiscal body to adopt a budget, tax levy, and tax rate.

Advertising Summary: The first publication must be by September 13 and the second publication must be by September 20.

Failure to follow the timeline requirements and procedures, as established in "HEA 1072," would result in the town continuing with its most recent annual appropriations and tax levy for the 2013 budget year.

- **House Enrolled Act 1005:** On March 19, 2012, Governor Mitch Daniels also signed into law HEA 1005 that introduced the implementation of new anti-nepotism rules, with approval of the town's budget contingent upon adoption of an anti-nepotism policy, as prescribed by the statute. More specifically, the statute requires that the legislative body of a unit adopt an anti-nepotism policy, containing the required elements of the act, and that the unit's executive file an annual certified statement with the State Board of Accounts (SBOA) stating that the unit's legislative body adopted such a policy. Failure to implement a policy will prevent the Department of Local Government Finance

(DLGF) from approving the unit's budget or additional appropriations for the ensuing year.

- Mr. Eastes recommended that Mr. Proctor, legal counsel for the town, prepare the required anti-nepotism policy, as noted above.
- As of May 18, the offices of the town manager and clerk-treasurer began a joint work-in-progress review of 2012 fund account expenditures, in anticipation of preparing 2013 budget estimates for council's consideration.

Items distributed for discussion were:

- *"2012 Advertisement and Adoption Schedule for 2013 Budget,"* and
- *"An Ordinance Establishing a Returned Check Fee."* After an introduction and "first reading," the ordinance was tabled but will be available for passage at the next regular meeting of council, currently scheduled for June 12.

**VOUCHERS APPROVED BY COUNCIL SIGNATURES:**

- May 22, 2012 line-item form totaling \$48,321.55.

**Summary:** The total amount of all vouchers approved by council was \$48,321.55.

**Regular Session:** Council will meet in regular session at 7:00 PM at the Town Hall of Leo-Cedarville on June 12 and June 26, 2012.

**MOTION TO ADJORN:** Mr. Veatch moved to adjourn the meeting; Mr. Richards provided a second; and the motion to adjourn passed by unanimous voice vote.

**APPROVE:**

**ATTEST:**

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**JOHN CLENDENEN, Council President**

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**JOHN EASTES, Clerk-Treasurer**