

**TOWN COUNCIL OF LEO-CEDARVILLE  
MEETING MINUTES  
May 8, 2012**

The town council of Leo-Cedarville met in regular session on May 8, 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; Mr. Veatch provided a second; and the motion passed by unanimous voice vote.

**MINUTES:** Without objection, President Clendenen accepted the minutes of April 24, 2012 as amended.

**PUBLIC COMMENT and SPECIAL PRESENTATION(S):**

- **Town Engineer:** Mr. Jim Lauer, of Schnelker Engineering, presented four (4) preliminary design phase proposals for council's consideration and identified as follows:
  - "*Hosler Road Improvements,*" improvements to Hosler Road from Amstutz Road to the bridge approach over the Beightle-Netterhorst ditch;
  - "*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;
  - "*State Road #1 Trail 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; 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 four (4) above-noted proposals was tabled.

**REPORT of the TOWN MANAGER:**

- **Fireworks Display and Freedom Festival Events:** Mrs. Garton presented a "*License to Enter onto Land to Conduct Fireworks Display and Freedom Festival Events*" by and between the Municipal Park Board of Leo-Cedarville, the Leo-Cedarville Town Council and the Leo-Cedarville Foundation.
  - Mr. Richards moved to approve acceptance of the license agreement; Mr. Steffens provided a second; and the motion passed by unanimous voice vote.

- **Acceptance and Dedication of a Street Right-of-Way:** Mrs. Garton presented a “Dedication of Street Right-of-Way Hosler Road” agreement, as prepared by CHS-MOB, LLC, developer for real estate commonly known as the Leo Clinic.
  - President Clendenen moved to accept the Hosler Road dedication of right-of-way agreement; Mr. Richards provided a second; and the motion passed by unanimous voice vote.
- **Town Hall Exit Lane:** Mrs. Garton will accept a \$2,500 quote from Brian Mires for concrete work, to provide an exit lane on the south side of the current town hall parking lot onto Trading Post Road.
- **Garage Sales’ Ordinance:** A draft copy of “*An ordinance regulating “Garage Sales” within the town of Leo-Cedarville*” was presented by Mrs. Garton and discussed by members of council. The draft will be sent for review to Mr. Proctor, legal counsel for the town. Action on the item was tabled.
- **Employee Manual Resolution 2012-11:** A “*Resolution of the Town of Leo-Cedarville Accepting Personnel Policy Handbook*” was introduced and read in its entirety by President Clendenen.
  - Mr. Steffens moved to adopt the resolution; Mr. Veatch provided a second; and the motion to adopt the resolution passed by unanimous voice vote, with councilman Garton abstaining.
    - **Vote Summary:** Four “Yes,” with one abstention.
- **Solar Speed Sign:** Mrs. Garton plans to present equipment pricing for various solar powered speed sign options for council’s consideration on May 22. Action on the item was tabled.
- **5k Fund Transfer Discussion:** Consensus was reached to use the current \$1,190.88 balance in the “485-DONATION—4<sup>TH</sup> FESTIVAL” fund to directly support this year’s Leo-Cedarville Fourth of July Freedom Festival activities, rather than transferring said fund balance by entering into a contract with the Leo-Cedarville Foundation.
- **Compost Center Discussion:** Mrs. Garton provided an update on current compost operations and potential future needs of the town.

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

- A resident’s bankruptcy information “Notice of Hearing” was faxed on April 30, 2012 to the attention of the town’s legal counsel, Mr. Proctor; and
- An April 30, 2012 Reconciled Funds’ Report notes that \$2,145,945.18 in cash resources are under management by the town.

Mr. Eastes distributed the following items for discussion:

- An April 30, 2012 Reconciled Funds' Report;
- Appropriation Budget Status Year-to-Date reports for funds, as of April 30, 2012;
- A copy of an April 25, 2012 email to council members noting a procedure for transferring \$1,190.88 to the Leo-Cedarville Foundation, a local not-for-profit entity, from the "485-DONATION—4<sup>TH</sup> FESTIVAL" fund (Refer to "5k Fund Transfer Discussion" above.); and
- Ordinance 2007-01 ("*An Ordinance Establishing a Returned Check Fee*") currently in effect, with a suggested fee update to said ordinance sufficient in scope to cover costs incurred when the town is presented with a customer's nonsufficient-funds' check.
  - After reaching consensus, an ordinance is to be prepared that changes the above-noted returned check fee from \$10 to \$15, with said ordinance to be prepared by Mr. Proctor, legal counsel for the town.

**VOUCHERS APPROVED BY COUNCIL SIGNATURES:**

- May 8, 2012 line-item form totaling \$ 5,978.72.
- May 8, 2012 line-item form totaling \$21,279.16.

**Summary:** The total amount of all vouchers approved by council was \$27,257.88.

**Regular Session:** Council will meet in regular session at 7:00 PM at the Town Hall of Leo-Cedarville on May 22, 2012.

**MOTION TO ADJORN:** Mr. Garton 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**