

**TOWN COUNCIL OF LEO-CEDARVILLE  
MEETING MINUTES  
OCTOBER 8, 2013**

The town council of Leo-Cedarville met in regular session on October 8, 2013 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; Paul Steffens, Ted Garton and Kevin Veatch, council members; and John Eastes, clerk-treasurer. Peggy Garton, town manager, was unable to attend, as she remained in Indianapolis to attend the Indiana Municipal Manager's Association Conference. Town engineer Jim Lauer, of Schnelker Engineering, Inc. was present for portions of the meeting as noted below.

Mr. Clendenen called the meeting to order and led attendees in the "Pledge of Allegiance."

**AGENDA:** Mr. Veatch moved to accept the agenda and Mr. Richards provided a second to the motion, which passed by unanimous voice vote.

**MINUTES:** Without objection, council members approved the minutes of September 24, 2013 as distributed.

**2014 Budget Hearing and Budget Adoption Meetings:** As advertised, the Town Council of Leo-Cedarville conducted a public hearing on the year 2014 budget and will meet to adopt the 2014 budget on Tuesday, October 22, 2013 at 7:00 p.m. The budget adoption meeting will be held at the town hall, located at 13909 Pony Express Run, Leo, IN 46765.

Mr. Clendenen called the budget hearing to order and conducted same. Mr. Clendenen closed the hearing after no one in attendance, including council members, chose to comment on the proposed budget.

**REPORT of the TOWN MANAGER:** President Clendenen presented the following on behalf of Mrs. Garton, with action as noted therein:

- **2013 Road Projects:** Mr. Lauer provided an update on API Construction Corporation's progress to date on the \$154,946.73 public works' project known as "Street Improvements—2013." Souder Road will not be resurfaced this year as planned, because 300 feet of base material, four feet wide, had to be replaced. Quantities of road material consumed on the project will be known next week and are thought to be close to estimated quantities as bid. Most of the work should be done next week except for road striping. Council will consider additional road projects for completion as it implements the 2014 budget.
- **2013 Old Downtown Leo Storm Water Project:** Mr. Lauer reported that Leo-Cedarville's \$219,128.00 old Leo storm water construction project has only minor finish work remaining. Final invoice billing(s) for asphalt work, seeding and retainage will follow in due course.

- **2013 Riverside Gardens' Construction Project:** W. A. Sheets and Sons, Inc. has made significant site development progress by pouring over 2,500 lineal feet of walkways, installing concrete planters and picnic pads. ADA horseshoe pits and maintenance shed construction are in-process, the well has been bored and 36 spray heads for the splash pad have been installed. Approximately ninety percent of the excavation required to create the park's new pond has also been completed to date.

A second submission of grant claims are in-process with the DNR (Department of Natural Resources) that should result in the town receiving \$40,000.

- **Parks' Projects and Activities:** On Saturday, September 28, Cedarville Park hosted the town's annual fall festival and the Leo-Cedarville Chamber of Commerce sponsored its first juried art show at Riverside Gardens' Park. Both events were well attended and deemed a huge success.
- **Fall Leaf Pickup Schedule:** The October-December leaf-vacuum pickup schedule has been posted online at the town's website, with leaf pickup to begin Monday, October 14.

**PRESIDENT CLENDENEN:** Mr. Clendenen presented the following, with action as noted therein:

- **Leo-Cedarville Regional Sewer District Rate Increase:** Council members reviewed copies of the following documents as provided by the L-C RSD (Leo-Cedarville Regional Sewer District): "Ordinance No. LCRSD 2013-10-3" and "Water Pollution Control Treatment Agreement Between the City of Fort Wayne, Indiana and the Leo-Cedarville Regional Sewer District." New sanitary sewer rates, per the above-noted ordinance, are to become effective January 1, 2014.

President Clendenen was disappointed that L-C RSD trustees were not in attendance at tonight's meeting, as they had been invited with the intent of seeking guidance and clarification pertaining to the district's position on various points of interest that will impact the future and decision-making process of Leo-Cedarville's team of leaders.

As Schnelker Engineering, Inc. also represents the Leo-Cedarville Regional Sewer District, Mr. Lauer was able to clarify L-C RSD's position relating to estimated additional sanitary sewer capacity for the town of Leo-Cedarville. L-C RSD estimates that approximately 400 additional users may be added to the current system, but said capacity will be spread throughout various locations as the sanitary sewer system will allow. Mr. Lauer indicated that the L-C RSD's primary goal is safety for citizens, workers and the environment; the district's secondary goal is growth. The L-C RSD employs a "tight system" that has been managed to prevent sewage backup, and the district has absorbed past cost increases with the intent of providing service at the lowest possible rate to its customers. The L-C RSD is not permitted to have an overflow and must send all sewage to the City of Fort Wayne. The district is currently working on the development of a master plan that will address future capacity.

Council members voiced concern that sanitary sewer capacity within the town impacts growth potential; additional sanitary sewer capacity may not be known for some time until the district's new construction project has been completed, with testing over time. Council members noted that it will be difficult for Leo-Cedarville to implement an updated master plan without knowing what the L-C RSD trustee board will approve.

The sanitary sewer district board of trustees is appointed by various governing bodies and not an elected board; Council believes the town of Leo-Cedarville should, at a very minimum, have membership on said board of trustees and that L-C RSD communication would be improved by publishing what they do. Council believes that L-C RSD long-term planning has not been sufficient to allow for growth and should be improved over time.

President Clendenen believes that the town should control its own utilities and desires to bring various utilities under one umbrella. **Action:** Mr. Veatch moved to form a committee, appointed by the president, to investigate the future of Leo-Cedarville utilities to include water, sanitary sewer and storm sewer. Mr. Richards provided a second to the motion, which passed by a unanimous voice vote. Once appointed, the committee will begin a process of discovery as to options that are available to the town as it relates to said utilities.

- **Water Utility Rate Hearing Process:** FAVAC, LLP and Eilbacher Fletcher, LLP are currently engaged in assisting the town as it moves forward through the Pioneer Water, LLC's rate hearing process. President Clendenen updated council members on the content of a conference call with representatives from the aforementioned firms that he participated in earlier today. The IURC (Indiana Utility Regulatory Commission) will consider the testimony received from all parties as part of the rate determination process. **Action:** Mr. Richards moved to direct Mr. Proctor, of Eilbacher Fletcher, LLP, to negotiate a rate settlement with Pioneer Water, LLC for presentation to the IURC. Mr. Garton provided a second to the motion, which passed by a unanimous voice vote.
- **Employee Wage and Salary Recommendations:** As part of establishing salaries for the 2014 budget, Council discussed cost-of-living and merit pay increases for council members, the position of town manager and the position of clerk-treasurer.
  - **Action:** Mr. Richards moved to increase the town manager's base salary for 2014 by 3%; Mr. Steffens provided a second to the motion. The motion carried by a voice vote of four supporting the motion; Mr. Garton abstained. The town manager's base salary for 2014 shall be \$51,202.
  - **Action:** Mr. Garton moved to increase the clerk-treasurer's base salary for 2014 by 8%; Mr. Richards provided a second to the motion, which passed by a unanimous voice vote. The clerk-treasurer's base salary for 2014 shall be \$39,790.
  - **Action:** Mr. Garton moved to increase council members' base salary for 2014 by 1.7%; Mr. Steffens provided a second to the motion, which passed by a unanimous voice vote. The president's base salary for 2014 shall be \$8,443. The 2014 base salary for all other council members shall be \$6,214.

**Vice President Tim Richards' Report:** By request, Mr. Richards has joined the East Allen County Schools Transportation Committee and plans to update Council in a timely fashion regarding activities of the aforementioned committee. Mr. Richards discussed committee membership composition and highlighted items that will be discussed, e.g., safety procedures, route determination, age groupings, cost cutting measures, shuttles, special activity buses, legal requirements for buses, school bell and staggered start times that are driven by bus scheduling, student changes, etc. Mr. Richards attended the first meeting of the East Allen County Schools Transportation Committee a few weeks ago and will seek input from council members to share with members of the committee.

**REPORT of the CLERK-TREASURER:** The following items were distributed for council member review and possible action: A reconciled funds' report, as of September 30, 2013; an appropriation report, as of September 30, 2013; miscellaneous appropriation transfer lists, as batched on September 26 and October 1, 2013; and a 2014 budget ordinance draft for appropriations and tax rate.

**VOUCHERS APPROVED BY COUNCIL SIGNATURES:**

- October 8, 2013 line-item form totaling \$79,994.45.

**Summary:** The total amount of all vouchers approved by Council was \$79,994.45.

**Regular Session:** Council will meet in regular session at 7:00 PM at the Town Hall of Leo-Cedarville on October 22 and November 12, 2013.

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

**APPROVE:**

**ATTEST:**

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**JOHN CLENDENEN, Council President**

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**JOHN EASTES, Clerk-Treasurer**