

**TOWN COUNCIL OF LEO-CEDARVILLE  
MEETING MINUTES  
OCTOBER 28, 2014**

The town council of Leo-Cedarville met in regular session at 7:00 p.m. October 28, 2014 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; Peggy Garton, town manager; and John Eastes, clerk-treasurer.

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

- **2015 Budget Adoption:** As advertised, the Town Council of Leo-Cedarville conducted a public hearing on the year 2015 budget on October 14, 2014 and met to adopt the 2015 budget on Tuesday, October 28, 2014 at 7:00 p.m. The budget adoption meeting was held at the town hall, located at 13909 Pony Express Run, Leo, IN 46765.
  - Mr. Clendenen called the budget adoption portion of the meeting to order and brought forward the 2015 budget adoption resolution draft for possible action. Mr. Eastes provided an overview of the 2015 budget as compared to the current 2014 budget, stressing that portions of the proposed budget are predicated upon council’s adoption of a resolution to reduce 2014 appropriations within specific funds.
  - **Action:** Mr. Richards moved to adopt the above-noted 2015 budget adoption resolution. Mr. Garton provided a second to the motion, which passed by a unanimous voice vote. The resolution was assigned **Number 2014-10** and signed by all council members present.

Without objection, as council members had no further comment or question regarding the budget as adopted, Mr. Clendenen closed the budget adoption portion of the meeting at 7:08 p.m.

- **Action:** After passage of the above-noted budget adoption resolution and key portions of the “2014 Leo-Cedarville Appropriation Reduction Resolution” had been discussed, Mr. Veatch moved to adopt the 2014 appropriation reduction resolution; Mr. Steffens provided a second; and the motion passed by a unanimous voice vote. The resolution was assigned **Number 2014-11** and signed by all council members present.

Mrs. Garton and Mr. Eastes have worked together to determine appropriation line item reduction modifications for 2014.

Passage of the resolution reduced 2014 expenditure appropriations in the General Fund by \$50,000; Local Road and Street Fund by \$51,536; Rainy Day Fund by \$45,000; Garbage Service Fund by \$19,000; Cumulative Capital Improvement Fund by \$26,800; Riverside Gardens Construction Fund by \$104,000.00 and Sport Complex/Community Center Development Fund by \$9,045.32.

Mr. Eastes plans to complete the budget adoption reporting process within 48 hours on Indiana's Gateway website.

**AGENDA:** By consensus, council members accepted the agenda as distributed.

**MINUTES:** Without objection, council members approved the special and regular session minutes of October 14, 2014 as distributed.

**GUESTS or PRESENTATIONS:**

- **Allen County Sheriff Kenneth Fries—Sheriff's Contract:** Sherriff Fries came before council to discuss the current 4-year agreement with the Allen County Sheriff's Department, currently set to expire at midnight on December 31, 2014, as well as possible police protection options for Leo-Cedarville moving forward. A "Law Enforcement Services Agreement Community Resource Officer" draft was distributed to council members for their consideration and review.

Council members learned that funding paid for police protection by the town does not go immediately into the Allen County Sherriff Department's budget. In the near future, council members support discussing police protection funding of the Allen County Sherriff's Department with Allen County Council members.

The town of Grabill has expressed their desire to continue with the current level of police protection service; the current contract calls for each town to share 50% of the annual fee for services rendered by the above-noted department.

Sherriff Fries, council members and Mrs. Garton discussed 40 and 60 hours' option costs as requested by the town. Greg Peck was in attendance and brought forward the concept of possibly using reserve officers, but said option does not seem viable by Sherriff Fries at this time. Leo-Cedarville's options include continuing with the same 40 hours of service that is shared with Grabill, with each entity paying 50% of the annual cost of \$86,969.64; entering into a separate contract for 40 hours; or moving to an 80 hours' contract, with 75% of the cost to be paid by Leo-Cedarville and 25% of the cost to be paid by Grabill.

Mrs. Garton recommends that council choose to enter into a separate contract for 40 hours rather than pay for 60 hours of service within an 80 hours' contract. To a person, council members supported entering into a separate contract with Allen County for 40 hours at an annual cost, as noted within the contract draft, of \$86,969.64, payable in monthly installments.

- **Action:** Upon completing discussion, Mr. Garton moved that the town of Leo-Cedarville seek a law enforcement agreement for 40 hours of service with Allen County, with said agreement to be reviewed by the town's attorney. Mr. Richards provided a second, and the motion passed by a unanimous voice vote.

**TOWN ENGINEER:** Having no information to present before Council, Mr. Lauer, of Schnelker Engineering, Inc., was not in attendance.

**TOWN ATTORNEY:** Having no information to present before Council, Mr. Proctor, of Eilbacher Fletcher, LLP was not in attendance.

**DISCUSSION of UTILITIES:** Other than as noted below, no further discussion pertaining to utilities that provide service within Leo-Cedarville occurred.

- **Water Utility Information:** An Integra Realty Resources “Proposal/Authorization for Valuation and Consulting Services” to prepare an appraisal of “Pioneer Water System” was distributed. Mrs. Garton is seeking an additional proposal to prepare an appraisal on Pioneer Water LLC’s water system.
- **Leo-Cedarville Regional Sewer District:** On October 28, Mr. Proctor sent a letter to the sanitary sewer district’s attorney and included a copy of the town’s passage of Resolution 2014-8 that requests the sewer district seek an order from the Indiana Department of Environmental Management to dissolve the sewer district and distribute its assets to the town after all liabilities are paid. The town awaits a response from the sanitary sewer district.

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

- **Aflac /Section 125:** Council members discussed the adoption of an employee “cafeteria benefit plan” as prepared in compliance with Section 125 of the Internal Revenue Code by Aflac.
  - **Action:** Mr. Veatch moved to adopt the above-noted “cafeteria benefit plan” as prepared by Aflac, subject to the review of Leo-Cedarville’s attorney. Mr. Steffens provided a second to the motion, which passed by unanimous voice vote. Upon receiving review approval by the town’s attorney, President Clendenen will sign plan documents on behalf of the town.
- **Nuisance Ordinance Violations:** No report was given.
- **Comprehensive Plan Implementation:** No report was given.
- **Intersection of Hosler and Amstutz:** A copy of VS Engineering’s “Traffic Impact Study,” as prepared for Granite Ridge Builders, is under review by Mr. Lauer of Schnelker Engineering Inc. No additional information is available at this time.
- **Trail Planning:** Mr. Lauer is reviewing options for creating a trail that would extend to Cedarville Park. No additional information is available at this time.
- **2014 National Blue Ribbon Award:** On November 14, beginning at 2:00 p.m., Cedarville Elementary will celebrate having received the aforementioned award.

- **Pictures with Santa:** December 11, from 5-7 p.m., has been designated for families to have pictures taken with Santa.
- **Concrete Work:** All concrete work has been completed as per the accepted bid from Bryan Mires to repair/replace sidewalk in the downtown area as well as curbing and sidewalk in another area within the town.
- **Leaf Collection:** Leaf-vac season continues in process throughout the town.
- **Parks' Department Master Plan:** A community leadership meeting is planned for 2:00 p.m. on November 3 and will be held at the Cedarville Park pavilion located at 9825 St. Joseph Street, Leo, IN. The format will include a roundtable discussion of the future of the Leo-Cedarville Parks Department.
- **Performance Evaluations and 2015 Payroll Recommendations Update:** Employee performance evaluations have been completed for all hourly employees; council was presented with an "Hourly Employee Wage Increase Recommendation for 2015" payroll on September 9. Council took no action on the recommendation at this time.
- **Future Agenda Items:** Town truck; receipt of "Certification of Compliance with Anti-Nepotism Policy" forms in December; and 2015's salary ordinance. Council members have been provided with a copy of the current 2014 salary ordinance.
- **State Road 1 Curve at Cedarville Park:** Safety concerns for property located on the east side of the curve at State Road 1 were discussed. Because the state of Indiana controls the right-of-way in this area, council members voiced their frustration with the state's lack of improving safety for a specific residence that has been struck no less than ten times by vehicles that have left the right-of-way when traveling east-bound into the curve. Council members believe that INDOT (Indiana Department of Transportation) should be pressured to improve safety in the curve area of State Road 1. Mr. Richards believes that the town should bring pressure upon INDOT, as noted herein, even if it were to mean making personnel within INDOT unhappy. Mrs. Garton has provided contact information to the property owner that is seeking assistance and relief from the state.

**REPORT of the CLERK-TREASURER:** The following items were distributed for council member review and possible action: Miscellaneous appropriation transfer lists, as batched on October 22, 23 and 27, 2014; A "Resolution for Appropriations and Tax Rate" for 2015 budget; and a 2014 "Appropriation Reduction Resolution."

**VOUCHERS APPROVED BY COUNCIL SIGNATURES:**

- October 28, 2014 line-item form totaling \$44,587.07.

**Summary:** The total amount of all vouchers approved by Council was \$44,587.07.

**Regular Session:** Council will meet in regular session at 7:00 p.m. at the Town Hall of Leo-Cedarville on November 11 and 25, 2014.

**ADJORNMENT:** Mr. Richards moved to adjourn the meeting and Mr. Clendenen provided a second. A unanimous voice vote in support of the motion was received and the meeting was adjourned.

**APPROVE:**

**ATTEST:**

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**JOHN CLENDENEN, Council President**

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**JOHN EASTES, Clerk-Treasurer**