

**TOWN COUNCIL OF LEO-CEDARVILLE
MEETING MINUTES
NOVEMBER 25, 2014**

The town council of Leo-Cedarville met in regular session at 7:00 p.m. on November 25, 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 and Kevin Veatch, council members; Peggy Garton, town manager; and John Eastes, clerk-treasurer. Councilman Ted Garton was unable to attend.

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

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

MINUTES: Without objection, council members approved the regular session minutes of November 11, 2014 as amended.

GUESTS or PRESENTATIONS: None.

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:** A request has been sent to four appraisal services asking to receive a proposal for valuation and consulting services specific to preparing an appraisal of Pioneer Water LLC’s water system. A copy of the most recent proposal received from Crowe Horwath LLP was provided but not discussed. The first proposal received to date was from Integra Realty Resources. Mrs. Garton will reach out again to the two remaining appraisal services sourced in attempt to receive additional proposals as noted herein.
- **L-C RSD Information:** Mrs. Garton and Mr. Clendenen attended the L-C RSD’s (Leo-Cedarville Regional Sewer District) most recent meeting of November 20. The town awaits a response to a letter sent to the sanitary sewer district’s attorney that included a copy of the town’s passage of Resolution 2014-8 which requests the sewer district to 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.

Mr. Dave Jones and Mr. Ray Pulver, trustees for the L-C RSD, were in attendance and participated in discussion with council members on topics pertaining to town growth as well as the L-C RSD’s ongoing analysis of sanitary sewer capacity data that is being gathered.

Recently installed new equipment and infrastructure are being tested and reviewed by engineers, thereby leading the district to believe they are close to having the ability to project available capacity throughout the system. The L-C RSD is willing to meet with council members to receive input as to where growth might best occur or be achieved within the town of Leo-Cedarville. L-C RSD's leadership has briefly discussed but not voted on the above-noted resolution and awaits further legal counsel as they move forward in an attempt to make an informed decision in response to the town's resolution.

Mr. Richards believes the town is not prepared to adequately handle substantial growth at the present time and believes that issues identified within the town's comprehensive plan should be addressed:

- By developing an adequate road plan to help eliminate traffic congestion that occurs currently at various times, e.g., at the intersection of Hosler and Amstutz, as well as handle traffic that would result from future growth;
- By requesting a statement of intent from Pioneer Water as to its capacity to meet the need for water that accompanies town growth;
- By requesting a statement of intent from the L-C RSD as to how it would provide for additional growth within the town; and
- By requesting a statement of intent from the EACS District as to how it would accommodate substantial growth in student population over time.

Mr. Richards believes that additional population growth will be fine after issues within the comprehensive plan have been adequately addressed.

Mr. Clendenen believes that all governmental units should work together to achieve growth, and he believes that following the town's recently updated comprehensive plan makes good sense. Mr. Veatch noted that council has been working on a number of things as identified within the comprehensive plan, and Mrs. Garton highlighted the process that a developer's plat must pass through before the town's Plan Commission is able to recommend a new subdivision plat for final approval by the town council.

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

- **2015 Salary and Wage Ordinance:** President Clendenen brought forward the "2015 Salary Ordinance" for "first reading."
 - **Action:** Mr. Veatch moved to waive reading the proposed ordinance in its entirety and Mr. Richards provided a second to the motion, which passed by unanimous voice vote.

Council members did not discuss the draft which will be available for adoption at council's next regular meeting scheduled to occur on December 9, 2014.

- **"Law Enforcement Services Agreement Community Resource Officer" Contract:** An updated 40-hour level contract draft for weekly police protection within the corporate limits

of Leo-Cedarville by the Sheriff of Allen County has been reviewed by Mr. Proctor and was discussed by council members.

- **Action:** Mr. Richards moved that the Town of Leo-Cedarville enter into the above-noted contract at an annual cost of \$86,969.64, payable in monthly installments. Mr. Steffens provided a second to the motion, which passed by unanimous voice vote, and the contract was signed by all council members present.
- **Nuisance Ordinance Violations:** No report was given, but Mrs. Garton and Mr. Proctor are scheduled to meet on the subject during the first week in December.
- **Comprehensive Plan Implementation and Gateway Signage:** 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.
- **Pictures with Santa:** December 11, from 5-7 p.m., has been designated for families to have pictures taken with Santa.
- **Leaf Collection:** Thirty-eight loads of leaves have been collected, as leaf-vac season continues in process throughout the town, weather permitting.
- **2015 Town Flyer/Mailer Information:** Information specific to adopted Ordinance 2014-4, “An Ordinance Establishing an Ordinance Violations Bureau and Adopting a Schedule of Ordinance and Code Violations for the Town of Leo-Cedarville,” will be included in the town mailer, and the ordinance in its entirety will be posted on the town’s website.
- **State Road 1 Curve at Cedarville Park:** A November 19 email from Dirk Schmidt, INDOT Traffic Investigations Engineer, has been received specific to a request by the town for INDOT (Indiana Department of Transportation) to review safety concerns regarding the curve at State Road 1 and Cedarville Park. The email states that a study of the curve has been completed and included a crash review and a field review of existing traffic controls. INDOT proposed four improvements and looks forward to working with Leo-Cedarville to improve the safety of the curve. One of the proposed improvements would require town council action and calls for closing (vacating) Main Street and St. Joseph Street approaches to State Road 1, thereby allowing for additional chevrons and signage to be installed. Mr. Lauer and Mrs. Garton plan to meet with INDOT personnel regarding the proposed improvements and to discuss the possibility of having additional buffering installed similar to that found in the area of Northrop and North Clinton Streets in Fort Wayne.
- **Leo Tire and Wheel:** An update on IDEM’s (Indiana Department of Environmental Management) November 21 inspection of Leo Tire and Wheel was provided as

communicated to Mrs. Garton by Allen County Safety and Environmental Affairs Director Tony Burris.

Upon request, Leo Tire and Wheel is required to provide IDEM with a manifest showing where scrap tires are being delivered as well as proof that the recipient of said tires is a certified scrap tire company. No scrap tires were found on the property at the time of the November 21 inspection. IDEM's inspection did not address storage of tires that may be contained within box trucks parked on the property.

Monitoring of Leo Tire and Wheel will continue.

- **Demolition of Garage:** The Allen County Building Department demolished the garage of Loda Amstutz that was located in Apple Acres. Public safety concerns have been addressed and debris removed from the property.
- **Future Agenda Items Scheduled:** December 9, 2014—"Certification of Compliance with Anti-Nepotism Policy" forms are to be received.

REPORT of the CLERK-TREASURER: The following items were distributed for council member review and possible action: Miscellaneous appropriation transfer lists, as batched on November 14 and 24, 2014; and a "Resolution Transferring Funds between Motor Vehicle Highway Fund Accounts."

At Mr. Eastes' request, Mr. Clendenen brought forward the "Resolution Transferring Funds between Motor Vehicle Highway Fund Accounts" draft for possible action.

- **Action:** Mr. Veatch moved to adopt the above-noted resolution, and Mr. Steffens provided a second to the motion, which passed by a unanimous voice vote. The resolution was assigned **Number 2014-12** and signed by all council members present.

VOUCHERS APPROVED BY COUNCIL SIGNATURES:

- November 25, 2014 line-item form totaling \$39,288.24.

Summary: The total amount of all vouchers approved by Council was \$39,288.24.

Regular Session: Council is scheduled to meet in regular session at 7:00 p.m. at the Town Hall of Leo- Cedarville on December 9 and 23, 2014.

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

APPROVE:

ATTEST:

JOHN CLENDENEN, Council President

JOHN EASTES, Clerk-Treasurer