

**TOWN COUNCIL OF LEO-CEDARVILLE
MEETING MINUTES
FEBRUARY 11, 2014**

Following an executive session that began at 6:30 p.m. and concluded at 6:50 p.m., the town council of Leo-Cedarville met in regular session on February 11, 2014 beginning at 7:00 p.m. 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 joined the meeting in progress at 7:44 p.m.

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 executive session and regular session minutes of January 28, 2014 as distributed.

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

- **Garbage Service RFPs:** Councilman Steffens and Town Manager Garton will prepare a garbage service RFP (Request for Proposal) draft for Council’s consideration. Mr. Jim Smith introduced himself as the current National Serv-All representative and shared key components that typically affect the bidding process for a town-wide garbage service contract.
- **FEMA:** Additional information has been submitted to FEMA (Federal Emergency Management Agency) in support of specific costs incurred by the town as the result of the first week of January 2014 arctic blast.
- **Resolution 2014-1,** a resolution to appoint the following members to the Leo-Cedarville Park Board: Mark Hamilton, Terry Jo Lightfoot and Dirk Schmidt. (Action: Mr. Richards moved to adopt Resolution 2014-1; Mr. Steffens provided a second; and the motion passed by a unanimous voice vote.)
- **Resolution 2014-2,** a resolution to appoint the following members to the Leo-Cedarville Board of Planning (Plan Commission): John Clendenen, Paul Steffens, Peggy Garton, Janice Linn, Donna Hankey, Lou Mohlman, and Brian Gerig. (Action: Mr. Steffens moved to adopt Resolution 2014-2; Mr. Richards provided a second; and the motion passed by a unanimous voice vote.)
- **Resolution 2014-3,** a resolution to appoint the following members to the Leo-Cedarville Board of Zoning Appeals: Donna Hankey, Lou Mohlman, Clarence Miller, Brad Miller, and

David Michael Baker. (Action: Mr. Steffens moved to adopt Resolution 2014-3; Mr. Garton provided a second; and the motion passed by a unanimous voice vote.)

- **May 6, 2014 Leo-Cedarville Primary Election Candidates**: The following four candidates have filed to fill three Leo-Cedarville Town Council positions: John Clendenen, Paul Steffens, Tim Richards and Greg Peck.
- **ADA Transition Plan**: An update regarding the “Town of Leo-Cedarville ADA Transition Plan” (American Disabilities Act) and “Funding Schedule” did not occur at this time.
- **Comprehensive Plan Update**: An update regarding implementation of recommendations contained within the “Town of Leo- Cedarville, Indiana Comprehensive Plan,” as adopted on December 10, 2013, was not discussed.
- **Riverside Gardens’ Construction Project Update**: A May 27, 2014 ribbon-cutting ceremony is planned for the Riverside Gardens’ improvement project.
- **Town Engineer**: Mr. Lauer, of Schnelker Engineering Inc., will not be able to attend Council’s regular session on February 25, 2014. However, Mrs. Garton will provide council members with information pertaining to future trail development and street improvements in Leo-Cedarville.
- **2014 Town Flyer**: The town’s information flyer has been mailed.

An “Indiana Association of Cities and Towns Legislative Summary,” as of February 7, 2014, and a “2013 Permit (Improvement Location Permits) History” for Leo-Cedarville was distributed for Council’s review.

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

- **Town Attorney**: Mr. Proctor, of Eilbacher Fletcher, LLP, came before Council and provided legal advice specific to the following: Offers to purchase adjoining parcels of property, as noted below; property compliance and environmental issues that may exist within the town; a request for information from Pioneer Water, LLC; and introduction of a “New Haven City Court and Town of Leo-Cedarville, Indiana Interlocal Agreement,” with the intent of improving community safety and providing the town with more administrative control over its ordinances.

Mr. Proctor will communicate Council’s request for information to Pioneer Water, LLC; research the possibility of affecting the septic tank permitting process within Leo-Cedarville and prepare a resolution to appoint members to the Leo-Cedarville Storm Water Board. Mr. Proctor plans to return to Council’s next regular session on February 25, 2014.

- **Offer to Purchase Acreage within Leo-Cedarville:** Council reviewed a second independent appraisal for two (2) adjoining parcels of property that contain an approximate total of 4.51 acres of bare ground that lie along the east side of Schwartz Road.
 - **Action:** Mr. Steffens moved that the town of Leo-Cedarville enter into an agreement to purchase two parcels of property, hereinafter identified as “1.95 Acres +/- Tracts of Grabill Road and East of Schwartz Road” and “2.56 Acres +/- Tracts of Grabill Road and East of Schwartz Road,” for the sum of \$24,500.00 per parcel (\$49,000.00 total), subject to and contingent upon legal findings as to title by the town’s attorney. Mr. Garton provided a second to the motion, which passed by a unanimous voice vote. Mr. Proctor will prepare offers to purchase the two separate tracts upon satisfactory completion of preliminary legal work.
- **Utility Feasibility Study Proposal:** Linda Sanders, Business Development Representative for Wesler Engineering, came before Council to discuss a “Utility Feasibility Study Proposal for Professional Services” designed to provide Council with technical expertise pertaining to the possibility of Leo-Cedarville providing its own utilities. Ms. Sanders provided background information on the family-employee owned civil engineering firm, and President Clendenen reviewed the scope of services as contained within the aforementioned proposal.
 - **Action:** Mr. Clendenen moved that the town of Leo-Cedarville enter into an agreement for professional engineering services as contained within the above-noted proposal, at a lump sum fee of \$5,000.00, contingent upon review of the contract by the town’s attorney. Mr. Richards provided a second to the motion, which passed by a unanimous voice vote.
- **Leo-Cedarville Regional Sewer District:** No additional information was reported as to the L-C RSD’s (Leo-Cedarville Regional Sewer District) possibility of gaining additional sanitary sewer capacity for the district.
- **A Resolution Pertaining to National Common Core Education Standards:** Councilmen Veatch and Richards attended a recent meeting with EACS’ leadership and a board member of the school district to discuss the State of Indiana’s possible adoption of national common core education standards. Councilman Veatch plans to prepare revisions to the current draft “Resolution Opposing ‘Nationalized’ Common Core Standards” within the state of Indiana, as prepared and introduced by Councilman Veatch on January 14, 2014, and then discuss said draft with Mr. Proctor.

REPORT of the CLERK-TREASURER: The following additional 2013 governmental filings have been completed and filed in a timely fashion: An Indiana Utility Regulatory Commission franchise fees’ report and an Indiana debt affirmation report.

Significant work toward filing the town’s annual financial report with Indiana’s State Board of Accounts (SBOA) has been accomplished, with line-items specific to 29 funds’ beginning cash balances, annual receipts, annual disbursements and ending cash balances fully loaded on Indiana’s Gateway web portal. Additional required information has been entered pertaining to

financial assistance to our local fire department as well as schedules of officials, debt, capital assets, grants and the amount of lease payments in force at year's end.

Once garbage service and storm water service funds' end-of-year accounts receivable balances have been uploaded on Gateway, the 2013 annual report should be ready for submission. Preparation of 2014 monthly financial statements and 2014 bank reconciliations will commence upon Mr. Eastes' completing his review of 2013 annual report uploaded data and completion of 2013 year-end data processing requirements.

VOUCHERS APPROVED BY COUNCIL SIGNATURES:

- February 11, 2014 line-item form totaling \$46,017.37.

Summary: The total amount of all vouchers approved by Council was \$46,017.37.

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

ADJORNMENT: Mr. Richards moved to adjourn the meeting and Mr. Veatch provided a second to the motion, which passed by unanimous voice vote.

APPROVE:

ATTEST:

JOHN CLENDENEN, Council President

JOHN EASTES, Clerk-Treasurer