

**TOWN COUNCIL OF LEO-CEDARVILLE
MEETING MINUTES
APRIL 22, 2014**

The town council of Leo-Cedarville met in regular session at 7:00 p.m. on April 22, 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.”

AGENDA: By consensus, council members accepted the agenda with flexibility.

MINUTES: Without objection, council members approved the regular session minutes of April 8, 2014 as distributed.

GUEST: Mr. Ryan Brauen, of Wessler Engineering Incorporated, provided an update on the firm’s current contract work as it pertains to the possibility of Leo-Cedarville providing its own utilities. Mr. Dave Jones and Mr. Ray Pulver, trustees for the L-C RSD (Leo-Cedarville Regional Sewer District), were in attendance and participated in a lengthy discussion with Council that centered on the town’s rationale, reasoning and intended purpose for hiring Wessler Engineering; the operational scope, level of accountability and constraints of the L-C RSD; and frustrations felt by leadership within both entities. Mr. Brauen noted that Wessler Engineering has received hundreds of pages of requested documents from the regional sewer district and then conferred directly with Mr. Jones regarding remaining information items needed to finish their analysis on behalf of the town. Mr. Brauen plans to communicate a detailed list of items that remain needed with the L-C RSD yet this week. At this time, Mr. Brauen believes Wessler Engineering has all of the information requested from Pioneer Water, LLC. By consensus, Council granted Mr. Brauen’s request for a two-week extension to complete Wessler Engineering’s report. As part of tonight’s discussion time, Mr. Clendenen read aloud the utility feasibility study scope of professional services that are being provided by Wessler Engineering, followed by Mrs. Garton providing Mr. Jones with a digital copy of the town’s recently adopted comprehensive plan as well as a copy of the aforementioned agreement with Wessler Engineering. Mr. Clendenen noted that Wessler Engineering’s contract fee to provide said services was \$5,000.00. Council members noted their desire to receive an unbiased, third-party recommendation and are looking forward to receiving Wessler Engineering’s report. Council members and the above-noted L-C RSD trustees agree that an improvement in the communication process between the two entities is needed and should be improved upon moving forward over time.

GUEST: Mr. Tom Rotering, a candidate for Allen County Council in the third district, came before Council to introduce himself and share his work experience and personal qualifications for holding office. Mr. Rotering attended tonight’s entire meeting and participated in a question-answer session with council members.

Mr. Roterling is serving in his second term as secretary for the Republican Party of Allen County, lives in the Huntertown area and has spent many weeks campaigning while walking through Huntertown, Leo-Cedarville, Grabill and Arcola. Mr. Roterling understands and values the “small community” experience and is currently in his 19th year as a fireman with the City of Fort Wayne, having earned the rank of “captain.” Mr. Roterling is an expert fire investigator and shares his expertise with others as well as the City of Fort Wayne.

TOWN ATTORNEY: Mrs. Garton reported the following on behalf of Mr. Proctor: Monitoring of Leo Tire and Wheel will continue; said business has been notified of a \$500.00 fine that is to be paid to the town’s clerk-treasurer. The interlocal agreement with the City of New Haven for processing ordinance violations through the New Haven City Court, including violations of local traffic ordinances, has been approved by all parties. Closing on the town’s purchase of two Schwartz Road properties is set to occur at the town hall on April 23, 2014 at 10:00 a.m. Mrs. Garton continues to work with Mr. Proctor regarding proposed revisions to the town’s current nuisance ordinance.

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

- **Donations:** The Leo-Cedarville Foundation presented a \$5,000.00 check as a donation on behalf of the Lutheran Health Network in support of the Riverside Gardens’ construction project. Lutheran Health Network plans to make similar donations over the next three years. Also, the Cedar Creek Lions Club plans to make a near-term \$15,000.00 donation: \$5,000.00 is in support of the Riverside Gardens’ construction project, and \$10,000.00 is to be earmarked for a future sports complex or community center.
- **Lakes of Leo Creek Public Hearing:** A public hearing by the Leo-Cedarville Plan Commission (Leo-Cedarville Board of Planning) was conducted on behalf of Granite Ridge Builders and Cedar Park Place, LLC on April 21, 2014 and was held at the Leo-Cedarville Town Park Pavilion, located at 9825 St. Joseph Street, Leo, Indiana 46765. Citizenry concerns regarding the impact on local schools within EACS and traffic flow were noted. Mrs. Garton believes a meeting to share concerns with EACS’ leadership would be a benefit to both the school district and the town.
- **2014 Road Improvements:** Mr. Lauer, of Schnelker Engineering, Inc., has completed drawings for “Street Improvements—2014,” and plans to let the project for bid, with a tentative planned date to receipt bids of May 21.
- **Trail Planning:** It is anticipated that Schnelker Engineering will deliver a preliminary design for a north-bound trail next week.
- **Comprehensive Plan Implementation:** A written report was provided to council members that provides details specific to implementation of the “Town of Leo-Cedarville, Indiana Comprehensive Plan,” as adopted on December 10, 2013.

- **Riverside Gardens' Update:** Completion of construction work for the Riverside Gardens' improvement project is progressing, and meetings with associates from Martin Riley Architects and W. A. Sheets and Sons, Inc. are ongoing. The well has been tested and approved, sand has been delivered to the volleyball court area, and an installation of remaining sidewalk areas as well as testing of the splash pad are anticipated in the near future. Padding around lighting at the volleyball court will be installed to protect participants as part of the court's finishing touches. The grand opening and ribbon-cutting ceremony is scheduled to occur at noon on May 27, 2014.
- **Cedarville Elementary School Celebration:** The town's elected officials and town manager have received an invitation to attend a "4 Star School Celebration" on May 1 to honor the staff and students of Cedarville Elementary."

Information regarding a "2014 IACT Medical Trust Informational Seminar" was provided to council members.

On April 23-24, Mrs. Garton will be attending the Indiana Municipal Management Association's annual conference in Plymouth, Indiana.

COUNCILMAN RICHARDS: Due to Mr. Richards' attendance at last night's Leo-Cedarville Plan Commission hearing, Mr. Richards was unable to attend a presentation by the transportation committee before the EACS Board. Mr. Richards plans to report back to Council upon learning of the content thereof. Mr. Richards believes that Leo-Cedarville should revisit the Leo-High School traffic flow situation, irrespective of the aforementioned proposed Lakes of Leo Creek subdivision. Mr. Clendenen also noted the traffic congestion that Lions' Gate residents currently face and would like to see a request for proposal prepared that would address intersection improvement of Hosler Road and Amstutz Road as well as the redesign of Amstutz Road. Mr. Clendenen noted that the town's new comprehensive plan addressed the need to improve this area.

On an unrelated topic, Mr. Richards suggested that council consider modifying the current chamber work area to improve visual and voice communication with those that attend meetings. Council members discussed the current meeting arrangement, made some suggestions and will revisit the subject further in the future.

COUNCILMAN GARTON's Firehouse Planning Team Report: Mr. Garton has continued to converse with some of Northeast Allen County Fire and EMS, Inc.'s personnel surrounding the topic of possibly locating a firehouse facility within the town of Leo-Cedarville. With community safety being of the highest priority, Mr. Garton and leadership within Northeast Allen County Fire and EMS acknowledge that there is merit to continuing discussion that may result in an improvement of service to the citizens of Leo-Cedarville as well as the surrounding at-large community.

Mr. Pulver, a retired Fort Wayne firefighter, indicated his willingness to help by providing additional insight on the topic with Leo-Cedarville's leaders, if so desired. Mr. Garton followed by thanking Mr. Pulver for his offer, indicated that he believes he has received good information

to date from Northeast Allen County Fire and EMS and that Leo-Cedarville is early in the subject matter's discovery process. Mr. Garton stated his desire to continue compiling information germane to the subject and that he may contact Mr. Pulver to get involved in the future.

Mr. Greg Peck was in attendance and provided additional input on the subject. Mr. Peck stated that he had previously served as an advanced EMT and as a member of the local fire department for 18 years. Mr. Peck recalled helping build bunks at the current Grabill station, thereby helping improve the department's emergency services' response time by volunteers called to serve. Mr. Peck understands why emergency service personnel frequently stage a fire or EMS unit in the downtown business district of Leo-Cedarville, because he has watched emergency service responses occur from his barber shop on almost a daily basis for approximately the past three years. Mr. Peck emphasized the importance of short EMS response times to save and/or improve a victim's quality of life. Recalling the events of last Thursday, Mr. Peck stated that he had called for help from his place of business on behalf of a gentleman that was experiencing a stroke; an EMS paramedic's ability to provide a quick response was key in that situation.

REPORT of the CLERK-TREASURER: The following items were distributed for council member review and possible action: Miscellaneous appropriation transfer lists, as batched on April 21 and 22, 2014; and an April 8, 2014 report by the Department of Local Government Finance that analyzes the impact of circuit breaker credits on various town funds.

Upon approval of today's vouchers, wire transfers to Fidelity National Title Company, LLC totaling \$51,092.18 are preliminarily set to occur on April 23, 2014; this will allow the town to close on the purchase of two properties on Schwartz Road.

VOUCHERS APPROVED BY COUNCIL SIGNATURES:

- April 22, 2014 line-item form totaling \$95,304.41.

Summary: The total amount of all vouchers approved by Council was \$95,304.41.

Regular Session: Council will meet in regular session at 7:00 p.m. at the Town Hall of Leo-Cedarville on May 13 and May 27, 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