

**TOWN COUNCIL OF LEO-CEDARVILLE
MEETING MINUTES
APRIL 28, 2015**

The town council of Leo-Cedarville met in regular session at 7:00 p.m. on April 28, 2015 at the Cedarville Park Pavilion of Leo-Cedarville, located at 9825 Saint Joseph Street, Leo, IN 46765.

ATTENDANCE: In attendance were Kevin Veatch, president; Tim Richards, vice president; council members Paul Steffens, Greg Peck and Raymond Pulver, Jr.; Peggy Garton, town manager; Patrick Proctor, of Eilbacher Fletcher, LLP; and John Eastes, clerk-treasurer.

Public Hearing: Mr. Veatch called the public hearing to order at 7:00 p.m. As advertised, the Town Council of Leo-Cedarville conducted a public hearing for the purpose of sharing information and comment regarding the possible closure of current public access approaches to State Road 1 from Saint Joseph Street and Main Street. INDOT representatives Dirk Schmidt and Jason Kaiser provided a visual presentation and participated in discussion as it pertains to the “State Road 1 Curve at Cedarville Park.” Legal counsel was provided by Mr. Proctor.

INDOT is prepared to approve work using their own in-house resources that would begin this year, contingent upon Council’s approval to close public access approaches to State Road 1 from Saint Joseph Street and Main Street. If Council chooses to close these public access approaches to State Road 1, additional warning signage would be installed by INDOT for both northbound and southbound traffic throughout the curve. If warranted, INDOT representatives expressed a willingness to consider additional measures to improve traffic safety within their right-of-way.

Without objection, Mr. Veatch closed the public hearing at 7:33 p.m. and called Council’s regular meeting session to order. Mr. Veatch then led attendees in the “Pledge of Allegiance.”

AGENDA: Upon reaching consensus, Council accepted the agenda as distributed with flexibility.

• **State Road 1 Curve at Cedarville Park:**

- (**Action:** Mr. Pulver moved to bring from the table the State Road 1 proposal as put forth by INDOT and tabled by Council on April 14, 2015. Mr. Richards provided a second to the motion, which passed by unanimous voice vote.)
- (**Action:** Upon completion of council members’ discussion, Mr. Pulver moved to accept INDOT’s proposal and close access approaches to State Road 1 from Saint Joseph Street and Main Street. Mr. Steffens provided a second to the motion, which passed by unanimous voice vote.)

Ms. Jane King voiced her appreciation for action taken by Council to improve public safety. Ms. King also asked Council to continue to investigate other possible ways to increase protection for her property and family members.

MINUTES: Mr. Veatch brought forward the regular session minutes of April 14, 2015 as distributed.

- (**Action:** Upon reaching consensus and without objection, Council approved the April 14, 2015 minutes as distributed.)

Mr. Veatch brought forward the special session minutes of April 20, 2015 as distributed.

- (**Action:** Upon reaching consensus and without objection, Council approved the April 20, 2015 minutes as distributed.)

GUEST PRESENTATIONS or PUBLIC COMMENT: Public comment was received during the public hearing regarding the possible closure of current public access approaches to State Road 1 from Saint Joseph Street and Main Street.

COUNCIL MEMBERS' CURRENT BUSINESS:

- **Utilities:** Mrs. Garton provided updated information specific to the Leo-Cedarville Regional Sewer District's recent approval of preliminary capacity for Cedar Park Place, LLC's (Granite Ridge's) proposed subdivision to be known as "Lakes of Leo Creek." Development of the subdivision remains subject to Granite Ridge meeting both the sewer district and Leo-Cedarville's requirements before final approval could occur.

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

- **Garbage Contract Bids:**

- (**Action:** Mr. Richards moved to bring from the table garbage service contract bids as tabled by Council on April 20, 2015. Mr. Pulver provided a second to the motion, which passed by unanimous voice vote.)

The new three-year contract, as bid, includes curbside pick-up service as before and covers the following time period: July 1, 2015 through June 30, 2018.

Council discussed an April 24, 2015 memorandum from Mr. Proctor that states "I.C. 36-1-12-4 requires the Town to award the contract to 'the lowest responsible and responsive bidder.'" Legal counsel was provided by Mr. Proctor and Mrs. Garton provided updated information regarding Earth First, LLC's performance as provided by New Haven Mayor McDonald.

Mr. Pulver reported and read the following into the record:

"After reviewing the three bids, it is my opinion that Earth First is the lowest responsive and responsible bidder. It is \$1.02 lower per month than the second place bidder. A

\$1.02 savings per month may not seem like much, but calculated out for all users over a three year period, it is a savings of almost \$44,000. This savings is disposable income that could be reinvested into our local economy.

“Questions and concerns were raised about Earth First's quality of service. The City of New Haven gave them an unfavorable review. The towns of Woodburn and Butler gave them a good review.

“Yesterday, I spoke with Terry Macdonald the Mayor of New Haven. He stated that during the first half of the garbage contract, there were several complaints about Earth First's quality of service. In fact, he consulted with their city attorneys to find a possible way to get out of the contract.

“The mayor had a meeting with the management of Earth First and informed them of the city's intentions. According to the mayor, Earth First made some major management and personnel changes to address the issues.

“Mayor Macdonald stated that Earth First has dramatically improved their quality of service during the second half of the contract, currently there are very few complaints, and that he was impressed with their turnaround.”

- [**Action:** Upon completion of council members' discussion, Mr. Pulver moved to accept Earth First, LLC's contract bid, at a monthly fee of \$8.97 per residential service, for town-wide residential garbage collection (Option C: a three-year fixed, with optional residential curbside recycling, with two unlimited garbage pick-ups), covering the period of July 1 of 2015 through June 30, 2018. Mr. Richards provided a second to the motion, which passed by unanimous voice vote.]

Following the aforementioned action, Mrs. Garton recommended a \$0.50 monthly rate fee reduction for residential garbage service resulting in a verbal introduction and “first reading” of a proposed ordinance to amend the current garbage service ordinance. Mr. Proctor will provide a final draft of the ordinance as proposed before Council, and Mrs. Garton will review in-house administrative costs. Council anticipates considering action on the proposed ordinance at its next regular meeting that is scheduled to occur on May 12. If adopted, monthly residential garbage service would be reduced from \$10.45 per month to \$9.95 per month. Storm water monthly billing would remain at \$6.30 per month. Subject to Council action, coupon booklets will be prepared for disbursement.

- **Allen County Community Corrections Memorandum:** A memorandum of understanding was introduced that would allow a “Community Service Work Crew and its supervisor(s)” to be involved in meaningful work-related activities within Leo-Cedarville. Legal counsel was provided by Mr. Proctor.
 - (**Action:** Upon completion of council members' discussion, Mr. Richards moved to approve the “*Allen County Community Corrections Memorandum of Understanding,*”

subject to legal review and approval of Mr. Proctor. Mr. Peck provided a second to the motion, which passed by unanimous voice vote.)

- **Leo-Cedarville Foundation:** The foundation has received a gift of \$10,000 from Parkview Hospital. The foundation will distribute \$5,000 of this gift in support of the Leo-Cedarville Freedom Festival, and \$5,000 will be distributed in support of Leo-Cedarville parks.

REPORT of the CLERK-TREASURER: There were no items available to be distributed for council member review or possible action.

VOUCHERS APPROVED by COUNCIL SIGNATURES:

- April 28, 2015 line-item form totaling \$20,294.99.

Summary: The total amount of all vouchers approved by Council was \$20,294.99.

Regular Session: Council is scheduled to meet in regular session at 7:00 p.m. at the Town Hall of Leo- Cedarville on May 12 and May 26, 2015.

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

APPROVE:

ATTEST:

KEVIN VEATCH, Council President

JOHN EASTES, Clerk-Treasurer