

**TOWN COUNCIL OF LEO-CEDARVILLE  
MEETING MINUTES  
MAY 14, 2013**

The town council of Leo-Cedarville met in regular session on May 14, 2013 at 7:00 PM 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:** Mr. Richards moved to accept the agenda with flexibility and Mr. Veatch provided a second to the motion, which passed by unanimous voice vote.

**MINUTES:** Without objection, council approved the minutes of April 23, 2013, as distributed.

**ENGINEERING:** Jim Lauer, of Schnelker Engineering, discussed information and recommendations regarding potential road improvements throughout the town, including a prioritized list of six (6) specific areas identified on April 23 and four (4) additional areas as identified on May 2. Mr. Lauer also updated council members on the current preliminary design plans to repair and install new storm water drainage in the old downtown area of Leo, and Mr. Lauer discussed Leo-Cedarville Regional Sewer District’s plans to enhance sanitary sewer capacity within the district.

**Street Improvement Project—2013:** After reviewing Schnelker Engineering’s preliminary estimated costs of prioritized areas to be considered for street improvement as well as Mrs. Garton’s recommendation, council members reached consensus to table further discussion and possible action until its next regular meeting scheduled to occur on May 28. Mr. Clendenen noted that both LRS (Local Road and Streets) and MVH (Motor Vehicle Highway) funds may receive additional distribution receipts that would be available for appropriation in 2013, due to passage of HB 1001 that will become effective July 1.

**Storm Water Plans for Old Downtown Leo:** Town Manager Garton reported that the Leo-Cedarville Stormwater Board has approximately \$100,000 available in 2013 budget appropriations to commit to the old Leo downtown area storm water drainage improvement construction project. If possible, the storm water board may release the project for bid in July. Anticipated project engineering costs are appropriated within the storm water utility board budget and are in addition to the aforementioned \$100,000 of construction funds available within said budget.

**Municipal Code Violations:** Mr. Proctor, legal counsel for the Town of Leo-Cedarville, provided an overview of current town ordinances that apply to commercial and residential violations of the town’s municipal code. Mr. Proctor reviewed “Ordinance 2007-04 of the Town

Council of Leo-Cedarville, Indiana” and discussed procedures that would need to be implemented to allow the town to receive a portion of the revenue generated from processed ordinance violation tickets. **Action:** Based upon council member discussion and Mr. Proctor’s recommendation, Mr. Richards moved to have Mr. Proctor proceed with drafting an inter-local agreement between the Town of Leo-Cedarville and the New Haven Traffic Court. Mr. Steffens provided a second, and the motion passed by unanimous voice vote.

**Water Utility:** Mr. Proctor noted that the IURC (Indiana Utility Regulatory Commission) has not released a public hearing date regarding Pioneer Water, LLC’s rate increase petition. However, it is believed that a date for said hearing will be forthcoming in a timely manner. Mr. Proctor is working with the OUC (Indiana Office of Utility Consumer Counselor) and may file a petition to intervene with the IURC on behalf of the town.

President Clendenen reviewed Carter Dillion Umbaugh LLC’s May 7 response to a request for proposal to provide valuation services of Pioneer Water, LLC on behalf of the town. Mr. Proctor advised that Leo-Cedarville seek financial expertise to guide the town as it pursues the possibility of purchasing Pioneer Water, LLC’s local water utility. To that end, Mr. Proctor introduced Chad Leggett, representing a consultant consortium with expertise in valuing municipal utilities. Council reached consensus to have President Clendenen continue conversation with members of the consortium.

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

- **Riverside Gardens Grant Update:** An update on the Riverside Gardens’ improvement project funding and construction process was provided and discussed.
- **“Envision Leo-Cedarville” Comprehensive Plan Update:** Comprehensive plan steering committee meetings were recently held, and other meetings are planned.
- **Future Development Information:** The topic of planning for future commercial and residential development was introduced. Available sanitary sewer capacity and a map identifying potential development areas was reviewed by Mr. Lauer, of Schnelker Engineering, and Mrs. Garton.

**REPORT of the CLERK-TREASURER:** The following items were distributed for council member review: A reconciled “Monthly Financial Statement of All Funds” for the month ended April 30, 2013; miscellaneous appropriation transfer lists, as batched on May 6 and May 13, 2013; and a “2014 Budget Calendar.”

From time to time, intermittent data processing delays still exist when working with fund accounting software and printing documents from various software packages. Due to the potential cost of installation, Mr. Eastes is in agreement with Town Manager Garton’s position to not move forward on a recent quote received from Sonit Systems to improve performance by installing direct cabling to the server from various offices.

The outstanding balance on an original \$850,000.00, 3 ½% loan, due to mature on September 15, 2015 and supported by CEDIT funds, was \$397,273.47 as of March 14, 2013, with the next monthly payment of \$15,471.35 due on May 15. On May 14, Mr. Eastes reviewed the above-noted loan terms with an officer of IAB Bank and discussed the possibility of a loan modification.

Mr. Eastes is registered to attend IACT's clerk-treasurer school and budget workshop scheduled for May 29 and 30 in Indianapolis.

**VOUCHERS APPROVED BY COUNCIL SIGNATURES:**

- May 14, 2013 line-item form totaling \$34,370.03.

**Summary:** The total amount of all vouchers approved by council was \$34,370.03.

**Regular Session:** Council will meet in regular session at 7:00 PM at the Town Hall of Leo-Cedarville on May 28 and June 11, 2013.

**MOTION TO ADJORN:** Mr. Garton moved to adjourn the meeting and Mr. Veatch provided a second to the motion, which passed by unanimous voice vote.

**APPROVE:**

**ATTEST:**

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**JOHN CLENDENEN, Council President**

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**JOHN EASTES, Clerk-Treasurer**