

**TOWN COUNCIL OF LEO-CEDARVILLE
MEETING MINUTES
JUNE 11, 2013**

The town council of Leo-Cedarville met in regular session on June 11, 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. Veatch moved to accept the agenda with flexibility and Mr. Richards provided a second to the motion, which passed by unanimous voice vote.

MINUTES: Without objection, after correction and modification, council approved the minutes of May 28, 2013.

ENGINEERING: Jim Lauer, of Schnelker Engineering, provided street maps and discussed information and recommendations regarding potential 2013 and 2014 road improvements throughout the town.

- **(Action:** Mr. Steffens moved to authorize and instruct Schnelker Engineering, Incorporated to proceed, for a payment amount of \$25,500 as per the payment schedule contained within the authorization letter noted herein, with the “Preliminary Design Phase, Final Design Phase, Bid Phase and Construction Contract Administration Phase” for “Street Improvements—2013” and “Street Improvements—2014” in accordance with an “Agreement Between Owner and Engineer for Professional Services” dated March 15, 2005; and Mr. Richards provided a second to the motion, which passed by unanimous voice vote. Council members signed a letter authorizing the above-noted action that details “Areas ‘A,’ ‘B,’ ‘C,’ ‘D,’ ‘E,’ ‘F,’ ‘G,’ ‘H,’ ‘I’ and ‘J.’” as well as the terms and schedule for payment of the \$25,500 fee as earned.
- **(Action:** By consensus, council authorized Schnelker Engineering to prepare two (2) bid packets with Bid Packet One to include “Areas ‘B,’ ‘C,’ ‘D,’ ‘F,’ ‘G,’ ‘H,’ and ‘I’ ” and Bid Packet Two to include “Area ‘E’” as an alternate that could be added to the 2013 street improvements project. Town Manager Garton supported President Clendenen’s suggestion to keep street millings for use in preparing an overflow parking area in Riverside Gardens.

Storm Water Plans for Old Downtown Leo: Mr. Lauer updated council members on current design plans that have been delivered to the town for repair and installation of new storm water drainage in the old downtown area of Leo. Mr. Lauer noted that an application for a state highway permit has been placed and that, because of the nature of the proposed project, any highway fund may be utilized as part of the project payment process.

Mr. Abel, Leo-Cedarville storm water board member, discussed the project, and Mr. Eastes affirmed Town Manager Garton's report that the Leo-Cedarville Stormwater Board has \$100,000 available in 2013 budget appropriations to commit to the old Leo downtown area storm water drainage improvement construction project. Mr. Eastes also affirmed Mrs. Garton's statement that \$10,000 in engineering "Final Design Phase" fees, as appropriated, will be presented for storm water board approval at their next meeting as scheduled on June 17, 2013.

- **(Action:** After discussing cost estimates, council members reached consensus to partition the construction phase and let bidding as two (2) separate projects.

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

- **"Envision Leo-Cedarville" Comprehensive Plan Update:** A comprehensive plan steering committee meeting is scheduled for next week, with other future meetings planned.
- A private construction contractor inappropriately used the public right-of-way and may be cited for street damage.

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

- **Riverside Gardens Improvement Project:** An update on improvement project funding, grant and construction process was provided and discussed.
- "An Ordinance to Approve a Refinancing of a Prior Loan and Approving a Loan of Additional Funds Temporary Loan to Fund Public Works Projects and Appropriating and Pledging CREDIT Dollars for the Repayment of Such Loan" was introduced and discussed.
 - **(Action:** President Clendenen read the ordinance draft in its entirety, with council noting clerical errors in the draft including a need to strike reference to a "Temporary Loan" from the ordinance title. The final ordinance draft, as modified and corrected, will be available for adoption at council's next regular meeting scheduled for June 25, 2013.
- **Water Utility:** Mrs. Garton noted that the IURC (Indiana Utility Regulatory Commission) public hearing regarding Pioneer Water, LLC's rate increase petition is set for July 11 at 6:00 PM and will be held at the Leo-Cedarville Park Pavilion, located at 9825 St. Joseph Street, Leo, Indiana. President Clendenen reported that Mr. Proctor has filed a "Petition to Intervene" with the IURC on behalf of the Town of Leo-Cedarville. As council pursues the possibility of purchasing Pioneer Water, LLC's local water utility, President Clendenen is continuing discussion with a local consortium that offers expertise in valuing municipal utilities and assistance in rate-increase hearings. Mrs. Garton will request Mr. Proctor and a member of the consortium to attend council's next regular meeting scheduled for June 25, 2013, as it continues to seek professional advice and secure findings of fact regarding the aforementioned utility.

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 May 31, 2013; an “Appropriation Report of All Fund Accounts” for the month ended May 31, 2013; and miscellaneous appropriation transfer lists, as batched on May 31 and June 3 and June 4, 2013.

On May 30, 2013, Leo-Cedarville received \$12,711.00 in state disaster relief, as applied for by Town Manager Garton, and was credited to Account 101495.100, “General—Reimbursements-Other.”

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 \$382,960.83 as of May 15, 2013, with the next monthly payment of \$15,471.35 due on June 15. Per President Clendenen’s request, Mr. Eastes discussed his financial analysis, as distributed by email on June 8 to council members and Town Manager Garton, of the above-noted loan as compared to a possible refinance of said loan that would include an additional \$330,000 of principal to facilitate completion of the planned “Riverside Gardens Improvement Project.” The replacement loan under council consideration would be at a reduced rate of 2.7% and amortized over a new five-year period of time.

Mr. Eastes attended IACT’s (Indiana Association of Cities and Towns) May clerk-treasurer school and budget workshop in Indianapolis, DLGF (Department of Local Government Finance) Gateway budget training in Auburn, and is currently attending SBOA (State Board of Accounts) School in Fort Wayne.

VOUCHERS APPROVED BY COUNCIL SIGNATURES:

- June 11, 2013 line-item form totaling \$71,741.96.

Summary: The total amount of all vouchers approved by council was \$71,741.96.

Regular Session: Council will meet in regular session at 7:00 PM at the Town Hall of Leo-Cedarville on June 25 and July 9, 2013.

MOTION TO ADJORN: 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