

**TOWN COUNCIL OF LEO-CEDARVILLE  
MEETING MINUTES  
JANUARY 28, 2014**

Following an executive session that began at 6:45 p.m. and concluded at 7:21 p.m., the town council of Leo-Cedarville met in regular session on January 28, 2014 beginning at 7:22 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, 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 members approved the minutes of January 14, 2014, with a minor modification as put forth by Councilman Veatch.

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

- **Rezoning Discussion:** Council discussed a Leo-Cedarville Board of Planning (Plan Commission) recommendation to rezone 9726 St. Joseph Street from “R4-Old Town Residential” to “OC Office Commercial” for the applicant, Mr. and Mrs. Ric Runestad of Runestad Financial Services, LTD. Mrs. Garton read and highlighted 16 conditions for rezoning as stated in the Board of Planning’s recommendation. Mrs. Runestad was present to witness the discussion process.
  
- **Action:** Upon completion of Council’s discussion, Mr. Richards moved that the town of Leo-Cedarville rezone 9726 St. Joseph Street from “R4-Old Town Residential” to “OC Office Commercial,” with conditions as set forth in the Leo-Cedarville Board of Planning’s minutes of December 12, 2013. Mr. Veatch provided a second to the motion, which passed by a unanimous voice vote. The “Zone Map Change” was approved by the Town Council of Leo-Cedarville on January 28, 2014 and awaits President Clendenen’s signature.
  
- **ADA Transition Plan:** Discussion regarding the “Town of Leo-Cedarville ADA Transition Plan” (American Disabilities Act) and “Funding Schedule” did not occur but is anticipated to be on a future agenda in February 2014.
  
- **2014 Town Flyer:** It is anticipated that the town’s information flyer will be ready for distribution and mailing on or before February 10, 2014.

- **Comprehensive Plan Update:** Implementation of recommendations contained within the “Town of Leo- Cedarville, Indiana Comprehensive Plan,” as adopted on December 10, 2013, was not discussed. Copies of the new master plan have been recently distributed to members of the Plan Commission and Board of Zoning Appeals.
- **Riverside Gardens’ Construction Project Update:** A plan for completion of the Riverside Gardens’ improvement project along with a future ribbon-cutting ceremony was noted.
- **Town Attorney:** Mr. Proctor, of Eilbacher Fletcher, LLP, has been rescheduled for Council’s next regular session on February 11, 2014.
- **Town Engineer:** Mr. Lauer, of Schnelker Engineering Inc., is scheduled for Council’s regular session on February 25, 2014 to discuss the following topics: trail development and street improvements in Leo-Cedarville.

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

- **Acreage within Leo-Cedarville:** Council reached consensus to seek an additional 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. Mr. Garton will contact property owners to communicate Council’s above-noted decision.
- **Leo-Cedarville Sheriff’s Meeting:** Allen County Sheriff’s Department Officer Litzenberg met with Council to discuss items of interest that may impact a future law enforcement community resource officer agreement that would begin in 2015, as the current 4-year agreement is set to expire on December 31, 2014 at midnight. Council members are interested in improving law enforcement coverage to further enhance citizen safety as well as deter crime. Without objection, President Clendenen will explore the topic further with Grabill’s leadership and with Leo-Cedarville’s attorney, Mr. Proctor. The towns of Leo-Cedarville and Grabill currently each pay 50% of the annual fee for services rendered by a community resource officer, as provided by the Allen County Sheriff’s Department.
- **Utility Feasibility Study Proposal:** A meeting with Wesler Engineering Incorporated staff has been rescheduled to occur during Council’s next regular session on February 11, 2014.
- **Water Utility:** A decision has been rendered by the IURC (Indiana Utility Regulatory Commission) regarding Pioneer Water, LLC’s rate petition. Information regarding the rate case can be found by choosing a link on the IURC’s website.
- **Leo-Cedarville Regional Sewer District:** No additional information was reported as to the L-C RSD’s (Leo-Cedarville Regional Sewer District) ongoing discussion with Fort Wayne City Utilities regarding the possibility of gaining additional sanitary sewer capacity for the district.

- **A Resolution Pertaining to National Common Core Education Standards:** Councilman Veatch will contact Mr. Proctor, of Eilbacher Fletcher, LLP, regarding 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. Council members continue to support reaching out to leaders within the EACS education community as part of their information-gathering process. To that end, Mr. Richards shared an email response from Mr. Bill Hartman, EACS board member, which supports the inclusion of EACS educational leaders’ input as part of Council’s discussion-making process. Mr. Richards plans to contact Dr. Kenneth Folks, EACS superintendent, to explore the possibility of setting up a meeting that would include leadership from within the EACS district and Council.

**REPORT of the CLERK-TREASURER:** The following items were distributed for council member review and possible action: An Indiana “1782 Notice for Budget Year 2014” and a Department of Treasury Form 8905.

As a matter of compliance with IRS Revenue Procedure 2007-44, Mr. Eastes faxed a signed copy of requested Department of Treasury Form 8905 to Nationwide Retirement Solutions on January 21, 2014.

On January 22, 2014, Mr. Eastes acknowledged receipt of the “1782 Notice for Budget Year 2014,” without adjustment or change, as the DLGF (Department of Local Government Finance) findings were in agreement with the town’s 2014 budget as submitted on Indiana’s Gateway web portal.

On January 16, 2014, a Land and Water Conservation Fund Grant deposit of \$49,635.00 was received from the Auditor of State for the Riverside Gardens Park improvement project, Grant # 18-00577, and deposited in the Riverside Gardens’ Construction Fund. \$162,490.01 of the original \$199,550.00 grant award has been received to date, with \$37,059.99 of remaining grant funding available for the project.

The following additional 2013 governmental filings have been completed: All federal and state W2 report transmittals; 1099-MISC forms, with appropriate distribution to 1099 recipients and the federal transmittal report; and Indiana’s 100R employment report.

All local government units are required to publish an annual financial report with Indiana’s State Board of Accounts (SBOA). The town’s financial report for fiscal year 2013 must be filed on Indiana’s Gateway web portal on or before March 1, 2014.

**VOUCHERS APPROVED BY COUNCIL SIGNATURES:**

- January 28, 2014 line-item form totaling \$29,975.20.

**Summary:** The total amount of all vouchers approved by Council was \$29,975.20.

**Regular Session:** Council will meet in regular session at 7:00 PM at the Town Hall of Leo-Cedarville on February 11 and 25, 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:**

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**JOHN CLENDENEN, Council President**

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**JOHN EASTES, Clerk-Treasurer**