

**TOWN COUNCIL OF LEO-CEDARVILLE
MEETING MINUTES
MARCH 25, 2014**

The town council of Leo-Cedarville met in regular session at 7:00 p.m. on March 25, 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 and Kevin Veatch, council members; Peggy Garton, town manager; and John Eastes, clerk-treasurer. Councilman Ted Garton was unable to attend.

Mr. Clendenen called the meeting to order and led attendees in the “Pledge of Allegiance.”

AGENDA: By consensus, council members accepted the agenda as distributed.

MINUTES: Without objection, council members approved the regular session minutes of March 11, 2014 as distributed.

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

- **2014 Road Improvements:** Mr. Lauer, of Schnelker Engineering, Inc., reviewed and discussed items contained within his letter to Council, dated February 21, 2014 pertaining to potential “Street Improvements—2014.” Streets and areas identified for construction work within the letter were discussed as well as other street/road locations throughout the town that are in need of repair due to this year’s harsh winter conditions. Consensus was reached to have Mr. Lauer have a bid package for “Street Improvements—2014” prepared and put out to bid.
- **Trail Planning:** Mr. Lauer sought guidance from Council pertaining to the preparation of a preliminary design plan for a north-bound trail that would begin at Cedarville Park. Pathway options that would benefit the most people, protection of pedestrians, school bus stop locations, available right-of-way and various types of available surface material to be considered were discussed. Mrs. Garton emphasized the need for comprehensive trail planning, and Mr. Veatch also emphasized the need for a complete trail system within Leo-Cedarville. Consensus was reached to have Mr. Lauer prepare a preliminary trail design that would offer trail and sidewalk connectivity, community safety, especially for children, as well as a length of trail that will not be negatively impacted by future road development.
- **Serv-All Garbage Service Contract:** Republic Services of Indiana, LP dba Serv-All, the town’s current service provider, prepared a one-year contract for Council’s consideration and review. The residential service contract period would begin July 1, 2014 and run through June 30, 2015 at a billing rate to the town of \$9.53 per month for each covered residential unit in the town.
 - **Action:** After review by council members, Mr. Richards moved that Leo-Cedarville enter into the above-noted one-year contract extension agreement with Serv-All. Mr.

Steffens provided a second to the motion, which passed by a unanimous voice vote. President Clendenen signed the contract as the duly authorized governing agent of the town of Leo-Cedarville. The contract will be sent to Republic Services of Indiana, LP for signature by its general manager.

- **Residential Garbage Service:** Mrs. Garton recommended that the town's billing rate for residential garbage collection service move from the current rate of \$9.98 to \$10.45 per month, beginning on July 1, 2014, with no change in the current monthly storm water billing rate of \$6.30 per month.
 - **Action:** Mr. Clendenen moved that Leo-Cedarville approve the above-noted residential garbage collection service rate of \$10.45 per month due to the garbage contract cost increase. Mr. Veatch provided a second to the motion, which passed by a unanimous voice vote.
- **Resolution 2014-4, "Town Council of Leo-Cedarville Resolution Regarding the Purchase of Real Estate":** In keeping with Council action of February 11, 2014, a resolution to purchase two adjoining parcels of property that lie along the east side of Schwartz Road was presented.
 - **Action:** Mr. Steffens moved to adopt Resolution 2014-4 authorizing and directing President Clendenen to close on the purchase of real estate identified therein as "Tract 1" and "Tract 2" at an agreed upon purchase price of \$24,500.00 per tract. Mr. Richards provided a second; and the motion passed by a unanimous voice vote. President Clendenen verified that the real estate purchase will be paid for from the General Fund.
- **Nuisance Ordinance Update:** This was not discussed, as preparation of an update draft to the town's current nuisance ordinance is being prepared for council members' consideration by Mr. Proctor.
- **ADA Transition Plan:** Public display and inspection of the proposed "Town of Leo-Cedarville ADA Transition Plan" remains in-progress in the town hall.
- **Comprehensive Plan Update:** The "Town of Leo-Cedarville, Indiana Comprehensive Plan," as adopted on December 10, 2013, was not discussed.
- **Leo-Cedarville 5-Year Park Master Plan:** The park board is currently in discussion regarding possible pros and cons of an in-house preparation of a proposed new 5-year master plan that must be adopted by year's end.
- **Riverside Gardens' Update:** Completion of construction work for the Riverside Gardens' improvement project remains weather-dependent. A ribbon-cutting ceremony is planned to occur at noon on May 27, 2014.
- **Notice of Public Hearing:** A "Notice of Public Hearing by the Leo-Cedarville Plan Commission" (Leo-Cedarville Board of Planning) was distributed to council members along with a copy of a primary plat that will be presented for consideration. The public hearing, scheduled on behalf of Granite Ridge Builders and Cedar Park Place, LLC, is to occur at 7:00

p.m. on April 21, 2014 and will be held at the Leo-Cedarville Town Park Pavilion, located at 9825 St. Joseph Street, Leo, Indiana 46765. Upon Mr. Richards' recommendation, Mrs. Garton plans to acquire signage that can be appropriately placed to announce public hearing events.

- **Donation:** The Leo-Cedarville Foundation has received a positive response to its donation request from the Lutheran Health Network, with said donation to be allocated in support of the town's annual freedom festival and Riverside Gardens' Construction project.

COUNCILMAN VEATCH: Mr. Veatch presented a draft "Proclamation by the Town of Leo-Cedarville calling for the state of Indiana to fully withdraw from the common core state standard initiative and associated testing." Dave Jones and Ray Pulver were in attendance and commended Mr. Veatch's efforts, as noted herein. Each council member voiced support for the proclamation. President Clendenen asked Mr. Eastes to share his view regarding the proclamation; Mr. Eastes spoke in support of the proclamation.

- **Action:** Mr. Veatch moved that the town of Leo-Cedarville issue the above-noted proclamation, with a copy to be sent to the Governor of the State of Indiana, the President of the Indiana Senate, the Speaker of the Indiana House and the sitting State representatives and State senators who represent Allen County as well as to each of the East Allen County Schools' board members and the Superintendent of East Allen County Schools. Mr. Richards provided a second to the motion, which passed by a unanimous voice vote.

COUNCILMAN GARTON: The topic of locating a firehouse facility within the town of Leo-Cedarville was not discussed, as no additional report information was available at this time.

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

- **Utilities:** Mrs. Garton noted that she had attended a March 20 meeting of the Leo-Cedarville Regional Sewer District and provided a copy of a primary plat as proposed by Granite Ridge Builders and Cedar Park Place, LLC.

Council members were provided with a copy of two letters prepared by Wesler Engineering Incorporated, as transmitted to local utilities. Specifically, a letter dated March 21, 2014 requesting information from the Leo-Cedarville Regional Sewer District by Friday, April 4, 2014 and a letter dated March 24, 2014 requesting information from Pioneer Water, LLC by Friday, April 4, 2014 were distributed for council members' review. An email copy from Ryan Brauen, of Wesler Engineering, detailing items "Completed or In-Process" as well as "Next Steps" was also provided to council members. No additional information was available or discussed regarding the possibility of Leo-Cedarville providing its own utilities.

REPORT of the CLERK-TREASURER: The following items were distributed for council member review and possible action: A miscellaneous appropriation transfer list, as batched on March 17, 2014, and a "2012-2013 SBOA Report Variances," as updated on March 18, 2014.

On March 18, 2014, Mr. Eastes reported 2012-2013 positive annual report variances in the following funds to Mr. Todd Austin of the SBOA (State Board of Accounts): General, Motor Vehicle Highway and Park. Mr. Austin will forward said information onto the SBOA field supervisor as background material for use during the town's upcoming 2012-2013 audit. Per Mr. Veatch's suggestion, Mr. Eastes spoke with Mr. Proctor on March 17 regarding the positive annual report variances as well.

The outstanding balance on an original \$699,709.97, 2.7% loan, due to mature on July 12, 2018 and supported by CEDIT funds, was \$601,587.14 as of March 12, 2014, with the next monthly payment of \$12,492.52 due on April 12; all employment taxes for the month ended March 31, 2014 have been deposited with appropriate agencies of the federal and state governments; and all employment reports for the first quarter of 2014 have been filed with those same agencies.

VOUCHERS APPROVED BY COUNCIL SIGNATURES:

- March 25, 2014 line-item form totaling \$73,024.58.

Summary: The total amount of all vouchers approved by Council was \$73,024.58.

Regular Session: Council will meet in regular session at 7:00 p.m. at the Town Hall of Leo-Cedarville on April 8 and 22, 2014.

ADJORNMENT: Mr. Veatch moved to adjourn the meeting and Mr. Richards provided a second to the motion, which passed by unanimous voice vote.

APPROVE:

ATTEST:

JOHN CLENDENEN, Council President

JOHN EASTES, Clerk-Treasurer