

TOWN COUNCIL OF LEO-CEDARVILLE
MEETING MINUTES
MAY 18, 2010

ATTENDANCE:

John Clendenen – Vice President
John Eastes
Michael Young
Gordon Liechty, Jr.
Pamela Spannuth – Clerk-Treasurer
Patrick Proctor – Town Attorney
Jim Lauer – Town Engineer

7:00 – Vice President Clendenen called the meeting to order with the Pledge of Allegiance.

AGENDA – Mr. Eastes moved to approve the agenda with flexibility; motion passed by unanimous vote.

MINUTES – The May 4, 2010 meeting minutes were approved as distributed.

PROPOSED ORDINANCE 2010-04 – REGULATING THE USE OF ALLEYS WITHIN THE CORPORATE BOUNDARIES OF LEO-CEDARVILLE - Mr. Proctor was present to discuss and introduce the alley ordinance that the council requested him to draft at the last town council meeting. He recommended that the council form a committee to look at all of the alleys within the town and evaluate which alleys should be considered for vacation. Other suggestions were provided by Mr. Proctor such as considering directional signage and other means of regulating traffic on certain alleys. He addressed the question whether the town should vacate right-of-ways if all parties affected are not in agreement. Mr. Proctor stated that although public input is extremely valuable, the council has the ultimate right to make that final decision. This ordinance will be on the next agenda for first reading.

FINANCIAL REPORT – Ms. Spannuth presented the April 30, 2010 fund and appropriation report.

2010 CAPITAL PROJECTS – Mr. Lauer was present to discuss the status of the projects currently under consideration. Mr. Eastes suggested that people be made aware of any drainage components that affect their property prior to the start of construction. Mr. Lauer added that there might be several areas that would warrant having the residents attend an informational meeting. The bids are being opened on May 27, 2010 at the town office.

TOWN RESIDENTIAL GARBAGE SERVICE BIDS – The council reviewed the tabulated bid results for the town's residential garbage service. Mr. Eastes recommended that discussion be opened by addressing the option for curbside recycling. Mr. Bob Young from National Serv-All stated that he is under the understanding that the Allen

County Solid Waste District is considering Leo-Cedarville as a site for recycling trailers. Mr. Clendenen added that he is unsure at this time where a proper location would be for such facility. Mr. Clendenen moved that the town enter into a contract with National Serv-All for the town-wide garbage service under option #3 with a 3-year contract, 96-gallon bins, no recycling and two unlimited pickups. Mr. Young seconded the motion. The motion carried unanimously. Mr. Eastes moved to terminate the current contract with National Serv-All. Mr. Liechty seconded. The motion to terminate the current contract effective June 30, 2010 passed by unanimous vote. Ms. Spannuth will notify National Serv-All that the town intends to terminate the current contract and enter into a new contract with them effective July 1, 2010.

FIREWORKS DONATION – Mr. Liechty moved to donate the \$4,500.00 that was appropriated to the Leo-Cedarville Chamber of Commerce Fireworks Event. Mr. Young seconded the motion. The motion carried by a majority vote with Mr. Clendenen abstaining.

PARK BOARD NEWS – Ms. Spannuth read the following News Bulletin provided by the Leo-Cedarville Park Board. Preparations have been completed for the establishment of the Summer/Fall Farmer's Market. The Market will be held every Tuesday from June 1 through October 5, 2010 from 3:00 – 7:00 p.m. The Park Board expressed appreciation for all of the support that the Town Council has given towards this endeavor. They look forward to seeing the community take advantage of this new event in the park system.

PROPOSED ORDINANCE 2010-02 – ORDINANCE TO APPROVE A TEMPORARY LOAN TO FUND PUBLIC WORKS PROJECTS AND APPROPRIATING AND PLEDGING CREDIT DOLLARS FOR THE REPAYMENT OF SUCH LOAN. Mr. Eastes read proposed ordinance 2010-02 in its entirety. Mr. Eastes moved to adopt Ordinance 2010-02 adding the statement within the ordinance that Huntington Bank was the lowest bidder. Mr. Liechty seconded the motion. Mr. Young asked what the council's contingency plan would be if the County no longer receives the current level of CREDIT funds and submitted the following written statement for the minutes: After borrowing \$850,000.00, does the council have a contingency plan to pay off the loan if the county cuts back our CREDIT money due to so many people laid off and aren't now paying into the county income tax system? Mr. Eastes addressed this question by stating that it is highly unlikely that CREDIT dollars would be significantly decreased to a point that the town's ability to repay the loan would be jeopardized. He again stated that property taxes cannot and will not be increased as a result of this loan. Mr. Young expressed his concerns that the council is committing funds that may not be received in the future and feels that the town has undertaken a significant amount of road projects without the need to borrow. Discussion ensued amongst the clerk-treasurer and the council regarding this topic. Upon calling for a motion, Ordinance 2010-02 passed by a majority vote with Mr. Steffens absent and Mr. Young voting against.

PROPOSED ORDINANCE 2010-03 – ORDINANCE ADOPTING A CAPITAL IMPROVEMENT PLAN SPECIFYING THE USES OF REVENUES TO BE USED UNDER THE COUNTY ECONOMIC DEVELOPMENT INCOME TAX. Mr.

Clendenen read proposed Ordinance 2010-03. This ordinance was read and introduced at the last town council meeting. Mr. Eastes moved to adopt ordinance 2010-03. Mr. Liechty seconded the motion. Ms. Spannuth stated that Exhibit A includes the debt service (loan repayment) that covers a significant number of specific capital projects also individually listed on the plan. The motion passed by a majority with Mr. Steffens absent and Mr. Young voting against.

GARBAGE BILLING ISSUES – Ms. Spannuth briefed the council on some of the challenges that been encountered by billing for garbage in-house and recommended that the council consider turning direct billing back over to National Serv-All. Mr. Clendenen discussed his opinion regarding this issue. Discussion ensued regarding this topic. Ms. Spannuth urged that if the council retains the garbage billing, that they consider monthly billing. Ms. Day, the billing clerk, will be asked to come to a meeting to provide additional input on this issue.

MISCELLANEOUS BUSINESS – Mr. Lauer presented the authorization to proceed with the Preliminary Design Phase, Final Design Phase, Bid Phase and Construction Contract Administration Phase for the Street Improvement Project – 2010, SIP 2010-08, Hosler Road between Halter Road and the bridge over the Nettelhorst Ditch. Mr. Eastes moved to accept the authorization; Mr. Young seconded. The authorization to proceed was approved unanimously.

VOUCHERS – The May 18, 2010 line item voucher form was approved. The April 2010 payroll vouchers were also approved.

ADJOURNED – The meeting was adjourned until June 1, 2010.

APPROVED:

ATTEST:

JOHN CLENDENEN
Vice President

PAMELA SPANNUTH
Clerk-Treasurer