

TOWN OF LEO-CEDARVILLE
MEETING MINUTES
NOVEMBER 15, 2011

ATTENDANCE:

John Clendenen – Council President
John Eastes – Vice President
Paul Steffens
Gordon Liechty, Jr.
Tim Richards
Pamela Spannuth – Clerk-Treasurer
Peggy Garton – Town Administrator

7:00 – The agenda was unanimously accepted with flexibility.

REQUEST TO BE EXEMPTED FROM GARBAGE FEES – Mr. Mark Schlatter submitted a letter to be reviewed and discussed at the town council meeting; he is requesting a fee waiver from garbage fees assessed to his residential property. Mr. Schlatter further stated in his letter that he has never had a bin nor used the service as he has a commercial account for his local business. Mr. Proctor, town attorney, discussed the history of this particular account. Discussion ensued regarding the town's current and previous ordinances regarding garbage collection within the town. Mr. Clendenen moved that that the garbage fees that were due during the period of time when no opting out was allowed, will not be waived; fees that were applied from the date of the current ordinance will be waived. Mr. Eastes seconded the motion. Mr. Liechty, Jr. cautioned that others may also request a retroactive waiver. Mr. Proctor agreed with Mr. Liechty's statement. The motion passed unanimously.

H.R. UNLIMITED RESOURCED – Mr. Clendenen reviewed the proposal provided to the town council for re-writing the town's personnel procedure manual. The fee for this service is \$5,000.00. Their fee for writing updated job descriptions was quoted to be \$175.00 per position.

PAYCHEX – Mr. Eastes discussed the proposal from Paychex for outsourcing the town's payroll. The cost for this service was briefly discussed. No decisions were made regarding this proposal.

TOWN ATTORNEY – Mr. Proctor stated that he would review and update the town's employment policies and handbook under his retainer. Mr. Clendenen moved to have the town attorney work on an updated employee handbook. Mr. Eastes seconded; the motion passed unanimously. Updated job descriptions will still need to be addressed.

2012 ALLEN COUNTY INTER-LOCAL AGREEMENT – Mr. Proctor expressed a concern with certain verbiage in the proposed 2012 inter-local agreement regarding the county's labor rate. He also was concerned with a seven day termination notification; he recommends a 30-day termination time frame. Mr. Clendenen will contact the county to address these concerns; a copy of their wage scale will be requested and attached to the agreement.

TOWN MANAGER ORDINANCE 2011-04 – Mr. Clendenen introduced proposed ordinance 2011-04; Mr. Eastes seconded. The council agreed to waive a full reading. Mr. Richards asked for clarification on the details of an employment contract vs. at-will. Mr. Proctor recommends that the town manager should be individually bonded and takes an oath-of-office. He stated that this is not in the ordinance since an oath is not required but stated it would solidify the importance of integrity within the position. Mr. Richards added that the town manager should be charged with ensuring that contractors are acting on behalf of the town on public works' projects and bringing any problems to the attention of the town engineer and town council. He also recommended that it be identified who would be responsible for the town manager's role during the absence or vacation of the town manager. Mr. Proctor stated that the Indiana Code already addresses this potential issue by stating that the town council can appoint an interim town manager in the event of any extended absences. Mr. Proctor addressed the topic of the duties of the zoning administrator in conjunction with the town manager position. This is currently covered in section 7 of the proposed ordinance. Mr. Richards asked Mr. Proctor how the proposed ordinance ties into the proposed job description regarding this position. Mr. Proctor stated that the job description was used to draft the ordinance and the ordinance would mainly dictate the job. If anything additional needs addressed, it should be added to the ordinance as that is the document which will define this position.

Mr. Eastes stated that he feels that the town manager should have purchasing authority and that a policy should be implemented which monetarily tiers the range of purchasing authority. After a certain tier he feels that both the clerk-treasurer and the town manager should sign off on any purchases. The town's current purchasing policy needs updated. Mr. Liechty stated that having a checks and balances in place by a specific purchasing policy could help with cutting costs. He further addressed section 7 regarding zoning duties; he would recommend diversity in positions and that one person should not hold so many positions within the town. Mr. Eastes stated that Ms. Garton is already familiar with the zoning duties and in today's slower economy, the town manager could also perform the duties of the zoning officer. Mr. Liechty stated that his concern further extends to the fact that the same person is also the secretary of the board of zoning appeals and planning commission. Discussion ensued regarding this topic. The town manager will not be able to serve on the park board.

Mr. Clendenen and Mr. Eastes will begin working on updating the purchasing policy. Mr. Kevin Veatch recommended that the policy state that the State's QPA pricing program be referenced in the purchasing policy and used as a baseline for future purchases.

FINANCIAL REPORT – Ms. Spannuth presented the current fund and appropriation report. She stated that the park fund budget should not be used anymore as they resolved for a \$20,000 budget reduction in the current year.

Mr. Clendenen moved that \$2,000.00 be transferred from G451 to G361 and that the town cover the expense of the removal of the Maple tree at the Leo-Cedarville Park near the basketball court. Mr. Eastes seconded; the motion passed by unanimous vote.

ORDINANCE 2011-03 Stormwater Quality Control – This proposed ordinance will amend the current Subdivision Control Ordinance and regulate the discharge of water from foundation and

stormwater drains onto the public right of way. Mr. Eastes moved to waive the entire reading of Ordinance 2011-03; Mr. Steffens seconded. The motion passed by unanimous vote. Mr. Eastes moved to adopt the ordinance; Mr. Steffens seconded. Mr. Liechty, Jr. raised his concern about the setback distance of 5' as stated in section 2 and recommends that it be increased. Mr. Richards shared the concern that 5' may not be enough room to allow proper room for runoff. Discussion ensued regarding this topic. Mr. Eastes withdrew his motion to allow for time for further discussion on this topic with the stormwater utility board; Mr. Steffens approved the withdrawal. The ordinance will go back to the stormwater utility board for further discussion and recommendations. The council unanimously agreed to table this ordinance until these concerns are further addressed.

OFFICE REMODELING – Mr. Clendenen stated that although the council previously entertained the idea of doing some of the proposed office remodeling in-house he feels that it would be best to let the job out for bids/quotes due to the need for compliance with the wage scale requirements.

REQUEST FOR TRAINING – Mr. Eastes presented a memo itemizing upcoming training opportunities. Mr. Clendenen moved to approve up to four attendees at the December 1, newly elected officials training conference in Fort Wayne. Mr. Eastes seconded; the motion passed unanimously. Mr. Clendenen moved to approve the request by Mr. Eastes to attend the January 9, 10 and 11, 2012 IACT Clerk-Treasurer's Workshop in Indianapolis, and the January 17, 18 and 19, 2012 Boyce Keystone Software School. Mr. Liechty seconded; the motion passed by unanimous vote.

VOUCHERS – The November 15, 2011 line item voucher form was approved by signatures.

ADJOURNED – The remaining portion of the agenda was tabled until the next meeting. The meeting was adjourned until December 6, 2011.

APPROVED:

ATTEST:

JOHN CLENDENEN
Council President

PAMELA SPANNUTH
Clerk-Treasurer