

**TOWN COUNCIL OF LEO-CEDARVILLE
MEETING MINUTES
OCTOBER 7, 2008**

ATTENDANCE:

John Clendenen – Council President

Paul Steffens – Vice President

Mike Young

John Eastes

Gordon Liechty, Jr.

Pamela Spannuth – Clerk-Treasurer, Peggy Garton – Town Administrator

7:00 – Mr. Clendenen opened the meeting with the Pledge of Allegiance.

CONCERN RE: PROPOSED INTERSECTION AT SR 1 & AMSTUTZ – Mr. David Means was present to discuss the intersection improvements proposed for the intersection of SR1 & Amstutz Road. He referenced the preliminary engineering drawings and how the improvements will negatively affect the use of his residence as well as negatively impact the residents with homes on Elvina Drive. He stated that the proposed configuration would prevent him from turning left out of his driveway as well as further reduce his property value. He is asking that the council communicate these concerns with the Indiana Department of Transportation. Discussion ensued regarding the option of having his driveway reconfigured to the end of Amstutz Road as suggested by Mr. Steffens. Mr. Clendenen discussed the importance of improving this intersection for safety reasons. Mr. Means also suggested that a street be opened between Dollar General and SR 1 versus the proposed INDOT intersection improvement.

PROPOSED DEDICATION AGREEMENT – Mr. Byler, realtor for Mr. Doug Zehr, was present to discuss the proposed dedication of easement at the end of North Leo Drive. Both the owner of the property and North Leo Mennonite Church wish to proceed with a dedication of easement. Mr. Steffens moved to accept a dedication of easement at the end of North Leo Drive for the purpose of extending the existing town right-of-way. Mr. Eastes seconded; the motion passed unanimously. The town will prepare the dedication agreement for signatures and recording.

FINANCIAL REPORT – Ms. Spannuth presented the financial and appropriation reports for the month ending September 30, 2008. Mr. Steffens moved to adopt the revised CEDIT plan; Mr. Liechty seconded. Mr. Eastes expressed concern about adopting at this time and asked to allow more time prior to adoption. All council agreed to table until the next meeting.

STORMWATER DISCUSSION – Mr. Young read a statement he prepared addressing the reasons in which he feels that the council should discontinue charging a stormwater utility fee. Reasons listed for why Mr. Young wishes to rescind the stormwater utility fee are as follows: Elimination of collection problems such as liens; elimination of billing

costs; improve relationship with citizens, businesses and cemeteries by staying within the town's tax budget; elimination of fee would make expansion of town limits more favorable; increase appeal to new home developers and businesses; improve council control over how storm drain work is budgeted; negativity of fee type tax will be eliminated. Mr. Young moved to draft an ordinance to rescind the stormwater utility fee. Mr. Eastes seconded the motion for the sake of discussion. Mr. Eastes stated that he does object to taxing the churches, schools and cemeteries. Mr. Eastes stated that since we don't know what the town's assessed valuation will be, and with the real estate market in a downturn. He feels that it would be wiser to reduce spending in the tax funds by the amount of the stormwater revenues. Mr. Liechty stated he also ran for office on the elimination of the stormwater utility but further stated that through education on the purpose of the stormwater utility, he gained an understanding on the purpose of the utility. He is now aware of the unfunded mandates that have been imposed on the town. He also agreed that at this time, it would be more conservative for the town to trim expenditures out of the general budget until final assessed values come in. Mr. Steffens also voiced his opinions regarding the topic. He expressed concerns about choosing to reduce revenues at this time; he also agreed to spend conservatively and evaluate this topic in the future. He suggested that before the town would rescind the fee that a through evaluation of capital needs and revenues be carefully studied. Mr. Clendenen added to the topic of the NPDES Phase II requirements that the town is mandated to comply with. The requirements for compliance with these federal regulations will only continue to get tighter and more expensive to fund in the future. He stressed that the stormwater infrastructure is aging and needs immediate improvements as well as regular maintenance. Upon calling for a vote, the motion failed due to the lack of a majority. Mr. Steffens, Mr. Liechty and Mr. Clendenen voted against the motion to waive the stormwater utility fee; Mr. Young and Mr. Eastes voted in favor.

2009 BUDGET – The council reviewed the proposed budgets in the General and CEDIT funds since these funds were not addressed at the previous special budget meeting. The proposed General Fund budget has been reduced \$100,000.00 from the 2008 budget in efforts to bring the budget closer to the estimated annual revenues. As prepared, the budget continues to utilize cash reserves to fund the proposed total. Several specific appropriations within the proposed budget were adjusted with the consensus of the council. Ms. Garton discussed her proposal submitted to the council regarding changing the town administrator position to full time. Several people were present to provide positive support regarding her proposal. Mr. Clendenen moved to increase appropriation G102 (additional salaries), \$15,000, as well as increasing appropriation G121 (social security) and G122 (Medicare); G451 will be reduced accordingly to maintain the proposed \$500,000 total General Fund budget figure. Mr. Steffens seconded. Motion passed unanimously.

STORMWATER UTILITY APPOINTMENT – Mr. Clendenen discussed the different parties that showed interest in the opening on the stormwater utility board. Mr. Clendenen recommends the appointment of Mr. Quackbournier to the stormwater utility board.

SMALL PICK-UP TRUCK – Mr. Clendenen briefly discussed the details of the used Chevy pick-up truck that is for sale to the town. The vehicle is present for the council to inspect. This will be on the next agenda.

Mr. Clendenen moved to table the remaining agenda items.

VOUCHERS – The September 16, 2008 line item voucher form was approved by a majority of signatures.

Meeting adjourned until October 21, 2008.

APPROVED:

ATTEST:

John Clendenen
Council President

Pamela Spannuth
Clerk-Treasurer