

TOWN COUNCIL OF LEO-CEDARVILLE  
MEETING MINUTES  
JULY 20, 2010

ATTENDANCE:

Paul Steffens – Council President  
John Clendenen – Vice President  
John Eastes  
Mike Young  
Gordon Liechty, Jr.  
Pamela Spannuth- Clerk-Treasurer  
Jim Lauer – Town Engineer

7:00 – Council President Steffens called the meeting to order with the Pledge of Allegiance.

AGENDA – The council unanimously approved the agenda with flexibility.

STORMWATER & GARBAGE BILLING – Mr. Bob Young from National Serv-All was present to discuss the options for billing the residential garbage fee. He stated that it is typical for communities to bill their residents for contracted services. He discussed the reasons that they went to an annual bill versus a quarterly bill. The company provided a bid price for direct billing based on an annual bill in order to provide the lowest price possible. He discussed the billing costs that the company accounts for in their billing fee including absorbing bad debt, postage and other administrative costs. He stated that Leo-Cedarville was previously the only community that contracted with them to do the billing although they now bill for the City of New Haven. Mr. Eastes discussed the user fee section of proposed ordinance 2010-05 and feels that an annual bill in the amount of \$109.68 could impose a hardship on some residents. Discussion ensued about the 90-day grace period as well as the option to pay National Serv-All with a credit card. He feels that people should have the option to pay monthly versus annually in order to help reduce any financial hardship. Mr. Bob Young stated that the company may be able to bill quarterly but did not know how much more that would increase the monthly surcharge. He confirmed that Serv-All couldn't change the format of the annual bill allowing for multiple payments.

Mr. Clendenen asked Mr. Bob Young if the town could bill for the additional optional services as well, such as multiple bins and recycling in order to eliminate the additional bill from National Serv-All. Mr. Bob Young stated that the company usually deals with customers directly for such services but that it would likely be permitted. Mr. Clendenen recommends that town continue to bill and that the bills be due monthly as well as billing for any additional services through the town office. The surcharge that would have been charged by the contractor would still be charged and retained by the town to help offset the administrative costs. He feels that the service is for the benefit of the residents and it is the town's duty to provide this a personal level of customer service. Ms. Spannuth stated that billing for the additional services would further complicate the

current system of billing and that the administrative costs involved with providing these additional services would, in her opinion, significantly outweigh the benefits.

Discussion ensued regarding the suggestion that the town accept credit cards. Several people cautioned the council to reconsider as there are fees involved with accepting credit card payments. Mr. Eastes asked Mr. Bob Young about the maintenance, delivery and collection of bins as the town has spent a significant amount of man-hours providing such services. Mr. Young stated that National Serv-All is always available to service, deliver and replace bins, although, by having the town provide the services, it does reduce the customers wait time. Mr. Eastes recommends that the billing booklet have 12 stubs for a year of billing. He also stated that people should not be able to opt out of the garbage service as the low rate provided by the contractor is a reflection of how many households the town has. Mr. Bob Young added that when a town allows residents to opt-out of the garbage service, the company loses money since the garbage routes remain the same and their costs for labor and material do not change. Mr. Dave Baker, Leo-Cedarville resident, supported that the billing for the stormwater fee and garbage be kept together, due monthly, with no opting out. The suggestion was made that Grabill Bank be contracted to also accept payments.

Mr. Eastes moved to strike the following sentence in Ordinance 2010-05: “the fee shall be invoiced and collected by the contractor at an interval to be determined by the contractor” and replace with “a fee of \$9.14 per month shall be invoiced and collected by the town on a monthly basis.” Mr. Clendenen seconded the motion. Ms. Spannuth asked if the \$.50 included in the \$9.14 is sufficient to adequately offset the additional costs that will be incurred by the proposed increase in payment frequency. The motion passed by a majority vote with Mr. Liechty and Mr. Young voting against this change.

Discussion ensued regarding the subject of “opting out” of the garbage service. Mr. Clendenen moved to change section B in Ordinance 2010-05 to state “The user fees described in division (A) of this section shall be charged for each covered residential unit unless the owner or occupant can fall within an exemption approved by the town (strike contractor) under its internal policies.” Mr. Liechty seconded. The modification passed by a unanimous vote.

Ms. Spannuth requested that the council reconsider remaining with quarterly billing since the administrative complications that were being encountered were primarily due to allowing residents to stop and start the garbage service, as well collection issues resulting from billing in arrears. Since those factors will likely be eliminated, she stated that a quarterly bill date would at least prevent the costs associated with billing from rising as will be the result of changing to a monthly due date. Mr. Clendenen asked for a point of order as the decision to bill monthly had already been addressed. Mr. Spannuth stated that the council should at least consider her recommendation as the motion to bill monthly will result in a significant increase in administrative expenses that will be incurred as a result of the adoption of this ordinance.

Mr. Eastes moved to waive the complete reading of Ordinance 2010-05; Mr. Steffens seconded. The motion to waive a complete reading of the ordinance passed by unanimous vote. Mr. Eastes moved to adopt Ordinance 2010-05 with the changes reflected in the previous motions. Mr. Clendenen seconded. The motion to pass Ordinance 2010-05 passed by a majority vote with Mr. Liechty and Mr. Mike Young voting against.

SIP 2009-03 – Mr. Lim Lauer presented a change order to finalize SIP 2009-03 (Wayne, Ewing, Multirose, Lakeview Drive). Mr. Clendenen moved to approve change order #1 reducing the original contract price in the sum of \$5,340.55, bringing the final price to \$78,955.45. Mr. Eastes seconded; the motion passed by a majority vote. Mr. Clendenen moved to release the retainer of \$7,895.55 based on the recommendation of the town engineer. The motion passed by a unanimous vote.

SIP 2010-02 – Mr. Lauer updated the council on the status of the multiple road projects that are currently underway throughout the town.

SIP 2010-01 & 2010-02 – Mr. Lauer presented the council with the authorization for project representation for Street Improvement Projects 2010-01 and 2010-02. The agreement was approved unanimously and signed.

IVANS LANE – Mr. Lauer stated that the Ivans Lane project is advertised and bids will be received on August 3<sup>rd</sup>. The bid can be awarded at the council meeting that night. Mr. Clendenen stated that this project should go before the Stormwater board at their regular meeting. The estimate on this project is approximately \$40,000 including technical fees. If the Stormwater utility does not currently have the funds available they may request that the council include this improvement within their current projects. An easement will need to be obtained by the property owners along the area in which the drainage tile will be installed.

SIP 2010-03 – Mr. Lauer summarized the scope of the work that will be done within SIP 2010-03; roads included in this project Amstutz Road, Clay Street, Washington Street, Laurel Ridge Place, Lochner Road, Schlatter Road, and Birky Drive. The bid is advertised to be received on August 3<sup>rd</sup> and can be awarded at the August 3<sup>rd</sup> town council meeting. Mr. Lauer estimates the cost to be around \$185,000.00. Due to the storm drainage element of the Pioneer Village streets that were previously within SIP 2010-03 (Trading Post, Pioneer Trail, Covered Wagon Trail), they were removed from SIP 2010-03.

Mr. Clendenen moved to authorize Schnelker Engineering to provide resident project representation for SIP 2010-01 and 2010-02 for the sum of \$33,500. Mr. Liechty seconded. The motion passed unanimously.

ALLEYWAY – A resident was present to ask for clarification on the status of an alleyway in Cedarville on Pearl Street between Ewing and Elsworth. According to the maps in the town hall, this is not currently a platted alleyway and was likely vacated by the county years ago. The Allen County GIS map should be looked at for further clarification and confirmation.

FINANCIAL REPORT – Ms. Spannuth presented the July 20, 2010 budget and appropriation report. She also proposed a timeline for preparing and finalizing the 2011 budget. Mr. Eastes stated that he would like to see some of the work proposed by the

sidewalk committee planned for in the 2011 budget. Mr. Clendenen stated that once the figures are finalized for all the road projects, some sidewalk projects could possibly be done yet this year. Mr. Liechty added that a grant writer be consulted for any walkways that may qualify for any safe walks to schools. He stated that the hours that the sidewalk commission spent should be recorded as they could be considered toward the town contribution.

JULY 6, 2010 MINUTES – The council approved the July 6, 2010 minutes as presented with Mr. Eastes abstaining due to his absence.

AGENDA – Mr. Clendenen moved to table the remaining items on the agenda

VOUCHERS – The July 20, 2010 line item voucher form was approved.

APPROVED:

ATTEST:

Paul Steffens  
Council President

Pamela Spannuth  
Clerk-Treasurer