

TOWN COUNCIL OF LEO-CEDARVILLE  
MEETING MINUTES  
JANUARY 5, 2010

ATTENDANCE:

Paul Steffens  
John Clendenen  
Michael Young  
Gordon Liechty, Jr.  
John Eastes  
Pamela Spannuth – Clerk-Treasurer  
Peggy Garton – Town Administrator

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

ELECTION OF OFFICERS - Mr. Eastes moved to nominate Mr. Paul Steffens as Council President for 2010. Mr. Young seconded for the sake of discussion. Mr. Mike Young suggested the council president and vice president positions rotate monthly. Mr. Young feels that the rotation idea would not work unless everyone participated; he did not receive full support of the council. Mr. Eastes and Mr. Clendenen stated that they feel this does not comply with state statute. The motion to elect Mr. Steffens as council president for 2010 passed by unanimous vote. Mr. Eastes moved to nominate Mr. John Clendenen as vice-president; Mr. Liechty, Jr. seconded. Motion carried by unanimous vote.

DECEMBER 15, 2009 MINUTES – The December 15, 2009 minutes were approved with several clarifications.

AGENDA – Mr. Clendenen stated that the Amstutz Road speed limit ordinance was to be tabled until the next meeting.

VACATION TIME DISCUSSION – Discussion ensued regarding the manner that vacation time is paid when there are overtime hours within a week. The town attorney will be consulted regarding any wage law that may apply to this issue. Ms. Garton discussed this issue further with the council. Ms. Garton asked the council if they would consider allowing the maintenance employee the option of cash back for one week of vacation vs. carry over. This topic will be addressed at the next meeting.

FINANCAL REPORT – Ms. Spannuth presented the current fund and appropriation report. This does not represent a complete year-end report as invoices continue to be received for 2009 goods and services.

NO TRUCK THRU TRAFFIC SIGNAGE – Ms. Garton discussed the need to consider a “no truck thru traffic” ordinance for the Apple Acres area. Sample ordinances from other communities were provided. Mr. Gary Queckboerner from the stormwater utility board was present and stated that, as a resident of the neighborhood, he feels that the residents would likely support this ordinance. Mr. Clendenen moved to develop a truck traffic ordinance. He recommends that the town engineer be consulted for direction on the

area(s) needing regulated; the town attorney will be asked to draft the ordinance. Mr. Liechty, Jr. seconded. The motion passed by unanimous vote.

CAPITAL PLANNING – No new information on capital planning at this time.

FIRE HYDRANTS - Mr. Young read the following motion:

“To help lower insurance premiums for home owners and to bring our town up to date with Grabill, Harlan and Fort Wayne, I move the council approve the funding for three fire hydrants in 2010 to be installed 500 feet apart starting in Pioneer Village at the entrance of Pioneer Trail Street (section 1) at the cost of approximately \$10,000.00. It is to be part of the 2010 budget for capital improvements and on the condition we have approval of Pioneer Water that presently owns the water lines in which the hydrants are to be installed. Funding to be provided each year thereafter until completion where water lines exist without hydrants in Pioneer Village’s sections 1,2 and 3. After this first phase the town and Pioneer Water are to form an agreement to continue fire hydrants in other sections where water lines do not exist.”

Mr. Liechty, Jr. seconded for the sake of discussion. Mr. Eastes asked for clarification about the total cost specified; Mr. Young clarified that \$10,000 is the maximum annual total cost. Ms. Spannuth stated that Harlan is unincorporated and the Maysville Regional Water and Sewer District services the area. Mr. Eastes moved to table this motion awaiting legal council to be present for discussion; motion to table died due to a lack of a second. Mr. Eastes sought further clarification from Mr. Young regarding the part of his motion in which Pioneer Water would be asked to agree to continue to extend water lines and hydrants throughout other areas within the town. Ms. Spannuth expressed the opinion that the only way the town could do this would be through legal agreements like the ones used to extend the Hosler Road and State Road 1 mains; expiration dates on these agreements are currently in question. Mr. Clendenen stated he would not support spending public dollars on the private utility when residents without fire hydrants in Pioneer Village had previously voted against a special assessment to install hydrants. Discussion ensued regarding the existing hydrants and how they have been paid for in the cost of the lots within these newer areas. Mr. Eastes expressed concerns that this would not benefit the entire town, and that the hydrants would be placed on a utility that the town does not own. Mr. Young stated that he feels that the benefit to the residents outweighs the complications and it’s important that we start doing this as a long-term project. The motion failed due to a lack of majority. Mr. Young voted in favor; Mr. Eastes, Mr. Clendenen and Mr. Steffens voted against; Mr. Liechty, Jr. abstained due to a conflict of interest.

SIDEWALKS - Mr. Young read the following motion:

“So that our town citizens can walk safely from the Leo section of town to Cedarville Park and also save parking space., I move that the Sidewalk Committee and Schnelker Engineering find a feasible way in 2010 to install a sidewalk, path or trail starting at the west end of Trading Post Road going south between the Slentz farm, Pioneer Village and the Worman compound to Gerig Road, west on the north or south of Gerig to Ewing Street, south on east side of Ewing to Manning Street, go east on the north or south side of Manning to Elsworth Street, south on the east or west side of Elsworth to the Cedarville Park. (Another option would be to go south on the east side of

Ewing to Washington, east on the north or south side of Washington to Cedarville Park). Paying for this project would be from the street improvement fund allotted for 2010.”

Mr. Eastes seconded for the sake of discussion. Ms. Spannuth discussed the purpose of the sidewalk committee and the fact that they went through great lengths to seek public input regarding the communities sidewalk/pathway needs. Ms. Garton stated that many of the surveys received back request that existing sidewalks are repaired and that safe routes to school are established. She continued to say that although the final results of the survey may show the connectivity of the parks as a town wide priority, she is unable to determine that at this time as they are continuing to compile the survey results. She stated that Mr. Steffens, as council president, assigned the subcommittee the task of surveying the community and coming up with a recommendation based upon the survey results for all aspects pertaining to the town’s sidewalks. The surveys went out in the town’s storm water utility bills as well as in the backpacks of children in the local schools. Mr. Eastes asked if Mr. Young would withdraw his motion and to give a copy of this motion to the sidewalk committee. He did not agree to withdrawal his motion and expressed his disappointment in the town council for not exercising their power to make this decision, as connectivity to the park is vitally important. Mr. Clendenen stated that he feels that the sidewalk committee is working hard on representing the community and that not waiting until the sidewalk committee gets a chance to present the result of the community’s survey would be premature. Mr. Steffens cautioned that the council be careful not to spend tax dollars on projects that a majority of the community does not want or would not benefit from. These answers cannot be determined until the survey results are compiled. The motion failed with Mr. Young voting for and all other councilman voting against. Mr. Eastes stated he feels Mr. Young intends well but the decision to put a walkway in this particular location is premature.

RESOLUTION 2010-10 – Mr. Clendenen moved to introduce Resolution 2010-01, as drafted by Mr. Eastes, regarding Employee Health Insurance Benefits. Mr. Eastes seconded the introduction. Mr. Young stated he feels the situation regarding this benefit has become overcomplicated. Mr. Eastes reviewed the history of how the total value of this benefit came about and how it is currently being paid. He further addressed the tax situation and that he feels that his interpretation of IRS Publication 15-b, supports the opinion that this is not a taxable benefit. Mr. Clendenen clarified that the intention of this resolution is to formalize and clarify the motion made and passed during the September 1, 2009 minutes. The resolution passed by unanimous vote.

VOUCHERS – The January 5, 2010 line item voucher form was approved by signatures.

APPROVE:

ATTEST:

Paul Steffens  
Council President

Pamela Spannuth  
Clerk-Treasurer