

TOWN COUNCIL OF LEO-CEDARVILLE
MEETING MINTUES
SEPTEMBER 16, 2008

ATTENDANCE: John Clendenen – Council President
Paul Steffens – Vice President
Mike Young
John Eastes
Gordon Liechty, Jr.
Pam Spannuth – Clerk-Treasurer
Peggy Garton – Town Administrator

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

AGENDA – The meeting agenda was reviewed. Several items may be discussed under miscellaneous business if time permits.

4-WAY STOP AT LOCHNER RD & SCHLATTER – Ms. Sharon Slough was present to request that the town pursue establishing a 4-way stop at the intersection of Schlatter and Lochner Roads. She stated that this is a very dangerous intersection. Since this intersection involves both Allen County and Leo-Cedarville jurisdiction, the County will need to be involved in a decision. Both Ms. Garton and Ms. Spannuth have contacted the County regarding this concern. Ms. Garton will schedule a meeting to discuss this in person with the Allen County Highway Department.

WEBSITE REDESIGN CONTRACT – Mr. Stephen Bailey was present to discuss details relating to the proposed website redesign. Leo-Cedarville will retain ownership of the site. Mr. Eastes moved to enter into contract with Mr. Stephen Bailey; Mr. Steffens seconded. Motion passed unanimously. The new site should be up and running by mid October.

DOWNTOWN ACTION AGENDA – RESOLUTION 2008-08 – Mr. Clendenen read a letter submitted by the Leo-Cedarville Chamber of Commerce supporting the adoption of the Downtown Action Agenda as originally written by Hyatt-Palma.

Mr. Steffens presented a “Resolution of Acceptance of the Leo-Cedarville action Agenda 2008 with Modifications”. Mr. Steffens read his proposed resolution in full. Mr. Steffens moved to adopt this resolution; Mr. Eastes seconded for the sake of discussion. Mr. Eastes discussed elements within the proposed resolution addressing the details of the powers of an enabling ordinance, and that the town council does not actually have the power to choose who receives a three way liquor license once an enabling ordinance is adopted within the town. Mr. Steffens does feel there could be some governmental controls and further stated that a majority of the general public has not been represented by much of the recent opposition to the action agenda. Mr. Clendenen clarified the wording of ‘alcoholic beverages’ to ‘enabling ordinance’ within the proposed resolution. Mr. Young expressed that this resolution is a compromise. Mr. Liechty asked for clarification about the establishment of a Riverfront District and if that automatically

establishes an enabling ordinance. Mr. Clendenen stated that an enabling ordinance would still need to be adopted; the Riverfront District removes the limit on the maximum number of three-way liquor licenses that can be issued within the District.

Mr. Eastes moved to amend by substitution the resolution of acceptance of the “Leo-Cedarville downtown action agenda 2008”, with modifications. Motion did not carry with a lack of a second.

Changes in wording within Mr. Steffens’ proposed resolution were reviewed thoroughly and read aloud for clarification.

Mr. Clendenen called for a vote. The Resolution of Acceptance of the Leo-Cedarville action Agenda 2008 with Modifications was adopted by a majority vote; Mr. Eastes voted against.

A resident made a public statement addressing the composition of the partnership committee and who selects committee members. Additionally, the resident stated he feels those details are vague within the resolution.

Mr. Mike Baker questioned how an enabling ordinance works, specifically questioning whether the jurisdiction would be by location and zoning, or would it enable the sale of alcohol within the entire town. Mr. Eastes addressed this question stating that once an enabling ordinance is passed, it applies to the entire town although zoning within the town limits ultimately controls where business establishments can be located.

Mr. Eastes referenced the segment of his proposed resolution addressing the downtown partnership committee. He stated that he does not know how the committee was formed and recommends that a Leo-Cedarville Downtown Partnership Advisory Board be established by appointment of members subject to approval by Council’s majority vote. Ms. Garton referenced the action agenda page 67 which listed the recommended make up of the committee. Mr. Eastes recommended that the council have a say in the make up of the committee and should be subject to open door law and maintain meeting minutes. Mr. Clendenen disagreed that this committee should be created under the control of the council.

FINANCIAL REPORT – Ms. Spannuth presented the current financial report.

BUDGET MEETING – A special meeting was scheduled for September 23 for the purpose of discussing the 2009 budget. Ms. Spannuth will present proposed budget paperwork to all the individual council members prior to the meeting.

2009 FIRE & EMS CONTRACT – Tabled until next meeting.

CHANGE ORDER – Mr. Clendenen reviewed Change Order #1 from Brooks Construction documenting a reduction in price of road paving by \$2,678.19. The council unanimously approved the acceptance of both Change Order #1 and the Certificate of Substantial Completion.

STORMWATER UTILITY BOARD UPDATE – Mr. Tim Richards was present to obtain input regarding the storm drainage problem on Gerig Road. The specific problem originated during an improvement project on the road prior to the establishment of the stormwater utility. Mr. Eastes encouraged the utility to assist in stormwater relief if the

improvement project created the problem. The stormwater board will discuss this issue and make a final decision regarding this problem.

Discussion ensued relating to the resignation of Mr. Tom Kurtz from the stormwater board. Mr. Lloyd Vollmuth was appointed to the chairman of the board.

The stormwater utility meeting time and dates have been changed to the 2nd Thursday of the month at 5:30.

GARBAGE BILLING – Ms. Spannuth discussed details on the billing for garbage in 2009. It has been determined that the cost of adding a garbage billing feature to the stormwater billing is outweighed by the savings to customers. National Serv-All has previously proposed a savings of \$.33 per month to customers if the town bills directly. No final decision was made at this time.

TORNADO SIREN – Mr. Steffens updated the council regarding the purchase of an additional tornado siren to be located on the west side of Leo-Cedarville. The County has submitted an order with Federal Siren for a contracted price, which is extended to the town of Leo-Cedarville for the purchase of a siren. Mr. Liechty moved to purchase the proposed tornado siren. Mr. Eastes seconded; the motion to purchase a new tornado siren passed by a unanimous vote.

SIDEWALK PLANNING – Ms. Spannuth updated the council on the status of the sidewalk planning project. Mr. Clendenen read a letter submitted to Mitch Daniels from Terry Jo Lightfoot regarding the dangerous situation of children walking along State Road 1

GATEWAY SIGNAGE – Ms. Garton discussed the need for additional town gateway signs. One sign, complete with installation is estimated to cost \$836.00. This will be on a future agenda for additional discussion.

ORDINANCE 2008-07 NO PARKING ON MANNING – Mr. Steffens moved to waive the reading. Mr. Liechty seconded; motion to waive reading passed unanimously. Mr. Steffens moved to adopt the Ordinance to establish ‘No Parking on Manning’; Mr. Young seconded the motion to adopt. Mr. Eastes inquired as to the description of the location of the no-parking zone. The description of the no-parking zone was read aloud. Mr. Steffens and Mr. Young agreed to amend the description section to add the word “beginning approximately 91’ west of the centerline on SR 1.” Motion to adopt passed by a unanimous vote.

ORDINANCE 2008-06 SPEED LIMIT ON LOCHNER ROAD – Mr. Steffens moved to adopt ordinance 2008-06; Mr. Young seconded. Ordinance 2008-06 passed by a unanimous vote.

NORTH LEO DRIVE – Ms. Spannuth brought to the council a request by Mr. Doug Zehr to accept the private drive located at the end of North Leo Drive. Mr. Zehr thought the town accepted this drive, just as all other streets were when the town incorporated; it

was supposed to have been previously dedicated to the County or Town. If the town accepts a dedication agreement, it would enable North Leo Mennonite Church to access an otherwise landlocked lot at the end of the drive. This topic will be on the next agenda for further discussion and/or a decision.

VOUCHERS – The September 16, 2008 line item voucher form was approved.

ADJOURN – The meeting was adjourned until September 23, 2008

APPROVE:

ATTEST:

John Clendenen
Council President

Pamela Spannuth
Clerk-Treasurer