

**TOWN COUNCIL OF LEO-CEDARVILLE**  
**MEETING MINUTES**  
AUGUST 4, 2009

ATTENDANCE:

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

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

Agenda – The agenda was unanimously approved with flexibility.

NOISE ORDINANCE – Mr. Larry Easterday was present to request that the council enforce the town’s noise ordinance. He stated that Cedar Creek Produce’s use of their propane cannon is in violation of the town’s noise ordinance and does not understand why the ordinance is not being enforced. Mrs. Slentz was present to speak in defense of Cedar Creek Produce’s use of the propane cannon. Lt. Schultz was also in attendance to discuss his interpretation of the noise ordinance. He stated that it is the officer’s discretion to determine if the noise is “unreasonable”. Ms. Garton stated that there have been no other complaints this year regarding the cannon. Mr. Eastes asked several questions of Mr. Easterday regarding the times and frequency of use of the cannon. Mr. Clendenen stated that he feels that the Slentzes have reduced the frequency of the use and have acted in good faith to be in compliance with the noise ordinance; Mr. Liechty agreed with Mr. Clendenen’s position on this matter. Mr. Eastes stated that the council tried to implement an “appropriate balance” within the newest noise ordinance by acknowledging the differences between the residential areas and the agricultural areas within the town. Mr. Young also feels that the business has tried to compromise and stated that Mr. Easterday could choose to seek civil action in court if he does not agree with the council’s view on this matter. Additional discussion ensued. No action will be taken by the council at this time.

MINUTES – The July 21, 2009 meeting minutes were approved.

CAPITAL PROJECTS – The bids will be received prior to the next town council meeting for both the Riverside Garden’s Restroom and the Amstutz Road resurfacing project.

SPLASH PAD PROPOSAL – Mr. Eastes stated that Ms. Terry Jo Lightfoot might have access to a funding source for the purpose of installing a splash park at the Riverside Gardens Park. He encouraged that the council consider installing the provisions for planning such facility in the future. Since the council is currently considering installing a

restroom facility he recommends that provisions should be considered prior to construction. Mr. Clendenen stated that a splash pad could be plumbed similar to a pool or else it would discharge the water into the sanitary sewer. Ms. Garton discussed the sewer district's capacity issues. She further stated that the design of the restroom may need to be changed to include changing quarters. Also addressed the State water quality requirements that would have to be complied with. Although such an improvement would be a great asset to this community, the total cost of a splash pad is likely too significant for this community to bear at this time. The proceeds from the proposed grant would not be sufficient to cover the total cost of such a facility. Mr. Steffens suggested that grant money be sought complete other fitness related improvements. He also thanked Ms. Lightfoot for her efforts in investigating this option.

GENERAL UPDATES – Ms. Garton provided a summary of updates on the board of zoning appeals and planning commission. She also stated that the stormwater utility bills including the garbage rate would be mailed out later this week.

WATER TAP FEE REDUCTION PROPOSAL – Mr. Young stated that he encourages the council to move forward with approving the reduction in the tap fee along the Hosler Road and SR 1 water mains. He feels that this would encourage people to tap in prior to the expiration date of the town's agreements with Pioneer Water. Ms. Spannuth suggested that the residents along be surveyed to assess if there is any interest in tapping into the water line. A survey will be prepared and distributed to all homes along the two mains.

INTERLOCAL AGREEMENT WITH COUNTY – BRIDGE FUNDING – Ms. Spannuth presented the amended inter-local agreement between the town and Allen County. Copies will be provided to all council members prior to the next meeting. The agreement will be on the agenda for signing.

VOUCHERS – The August 4, 2009 line item voucher form was approved by signature.

ADJOURNED – The meeting was adjourned until August 18, 2009.

APPROVED:

ATTEST:

PAUL STEFFENS  
Council President  
8/18/2009

PAMELA SPANNUTH  
Clerk-Treasurer