

**TOWN COUNCIL OF LEO-CEDARVILLE
MEETING MINUTES
JULY 15, 2008**

COUNCIL ATTENDANCE: John Clendenen – Council President, Mike Young, Gordon Liechty, Jr., John Eastes

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

7:00 – Mr. Clendenen opened the meeting with the Pledge of Allegiance. Meeting agenda was approved. The minutes of the July 1, 2008 meeting were approved.

Ms. Spannuth presented the current financial report along with preliminary budget paperwork. The council agreed to schedule an additional meeting on August 12th for the purpose of budget planning.

Fall Leaf Pick-Up Program – Ms. Garton discussed the fall leaf pick-up program. She discussed the need to address the overwhelming demand for pick-up services and suggested that the town also provide a dumpster for leaves in addition to the leaf vacuum. Enabling residents to dispose of leaves on their own may lighten the schedule and demand for the town's leaf vacuum. The start date for the pick-up program is October 1, 2008. Cost estimates for the changes in the program will be compiled and provided to the council.

Amstutz / SR 1 Intersection – Ms. Garton summarized information provided in a recent preconstruction meeting held by INDOT for the purpose of the Amstutz Road / State Road 1 intersection improvements. The project is slated for summer 2009. Currently the State is working on property acquisition, which could last 12 to 18 months.

Road Resurfacing / Witmer Park Stormdrainage – Brooks Construction will begin road resurfacing work on July 16th. Homeowners who will be directly affected by the resurfacing and/or storm drainage work will be notified directly.

Manning Street Improvements – Mr. Clendenen discussed the condition of Manning Street in Cedarville and the findings of the engineer regarding his recommendations. The engineer has determined that substantial grading and additional storm drainage work will need to be done in conjunction with road resurfacing. Mr. Clendenen recommended that the council include this project in the 2009 budget.

Brush along Grabill Road Bridge – Ms. Garton discussed the requests to clear the brush along the Grabill Road Bridge. It was previously reported that there is extensive erosion along the riverbank leading to the bridge that may be worsened if the existing root systems are disturbed. Mr. Clendenen will contact representatives with Allen County regarding these concerns, as the county remains responsible for the major bridges.

Water Utility – Mr. Clendenen expressed his interest in moving forward with exploring the feasibility of purchasing the town’s local water utility. He recommended that the town contract with Umbaugh, a CPA firm specializing in municipal finance, to provide an estimate for acquiring the utility. This will be on a future agenda for further consideration.

Sidewalk Plan – The council briefly reviewed the documents provided regarding sidewalk/trail planning and funding. Mapping of existing and proposed sidewalks will be compiled by Schnelker Engineering.

Cumulative Bridge Fund Ordinance 2008-03 – Mr. Clendenen read the ordinance establishing a cumulative bridge fund with a rate not to exceed .01 per \$100 per assessed valuation. Mr. Eastes moved to adopt ordinance 2008-03. Mr. Liechty seconded; the ordinance passed by a unanimous vote with Mr. Steffens absent. Ms. Spannuth will submit the proper paperwork to the Department of Local Government Finance. The establishment of this fund will not raise property taxes, as this rate will be within the existing property tax levy.

Resolution to Adopt the Downtown Action Agenda – Mr. Clendenen discussed the downtown revitalization study done by Hyatt-Palma. The agency has compiled an action agenda as a result of the recent community surveys as well as other supporting economic data. Mr. Clendenen prepared and distributed a resolution to adopt the action plan as prepared by Hyatt-Palma. The action agenda would be an addendum to the town’s existing comprehensive plan. Mr. Eastes suggested a modification to the plan stating that any reference encouraging or allowing three-way liquor licenses shall not be included as part of the Downtown Action Agenda. Mr. Liechty stated his understanding that the establishment of a riverfront district enables the issuance of three way licenses in itself. Mr. Eastes expressed concern that this action agenda “encourages” allowing alcohol; he doesn’t feel that the town should have a plan encouraging the sale of alcohol. Mr. Young also expressed his concern with the plan’s reference to promoting the availability of liquor licenses. Mr. Liechty stated that he is unsure of the ultimate effect of permitting the sale of liquor in the downtown area and whether an upscale restaurant would be attracted to the downtown area with or without a three-way liquor license. He requested that the attorney be asked for clarification on how many licenses could be issued within a defined riverfront district.

Mr. Gordon Liechty, Sr. expressed his opinion that a family oriented restaurant doesn’t need to serve liquor to be successful. Ms. Donna Hankey noted the need to have an “anchor” type of business to effectively spark the growth of downtown, which would likely be an upscale restaurant. General discussion ensued relating to the details of three-way liquor licenses. The broad meaning of “riverfront district” was also briefly discussed. Also discussed were different opinions on the impact to the downtown plan if the ability to obtain three-way licenses were eliminated.

Ms. Garton discussed her support of the action agenda as prepared by Hyatt-Palma, and how she feels that any amendments would negatively impact the plan. She feels that if the plan is amended, it may not remain viable, and possibly shouldn’t be adopted at all. Mr. Clendenen referenced the town opting out of the county wide

smoking ban and that decisions such as this should be left up to the community, not the government officials. He stated that this plan was a result of feedback by people in the community and that the town officials should support the recommended agenda. If people wish to have an upscale restaurant, then the sale of liquor is an essential element. He withdrew his prepared resolution to adopt the downtown action agenda until councilman Steffens is present.

Mr. Vergil Reinig expressed that he feels that the town council should listen to what the people are asking for. Mr. Liechty Sr. further inquired if there was specific public demand for hard liquor, and if so, how was determined. Further clarification will be provided.

Ordinance to Vacate Alley in Cedarville – Ordinance 2008-04 – The council unanimously agreed to waive the full reading of ordinance 2008-04. Mr. Eastes moved to introduce ordinance 2008-4; the council unanimously supported the introduction. A public hearing is set for August 5th on the request to vacate the alley located on 9816 St. Joseph Street.

Vouchers – The July 15, 2008 line item voucher form was approved.

APPROVED:

ATTEST:

John Clendenen
Council President

Pamela Spannuth
Clerk-Treasurer