

November 15, 2022

The regular meeting and public hearing of the Fremont Town Council was called to order by Council President Steve Brown at 5:00 p.m. on Tuesday, November 15, 2022, at the Fremont Town Hall. Councilmembers Linda Fulton, Dr. William Stitt, Lon Keyes and Barry Wilcox were also present.

Others representing the Town were:

*Mary K. Parsons, IAMC, MMC, CPFA, CPFIM, CPM, CMO Clerk-Treasurer
Kurt Bachman, Attorney
Joe Patterson, Town Marshal
Becky Maggart, IAMC Deputy Clerk
Travis Smoker, Town Police Officer*

Others in attendance were:

*Todd Thurber, DLZ
Tony Manns, Attorney representing Joe Patterson
JoDee Hoemig, Town Resident
Jack Musson, Town Business Owner
Alice Welch, Steuben County Resident
Kevin Kuhn, Town Resident
Sheree Kuhn, Town Resident
Foy McNaughton, Town Resident and attorney representing Randal Appleton
Randy Appleton, Town Resident
Michael DeWitt, Town Resident
Bonnie DeWitt, Town Resident*

Public Hearing- *The Public Hearing was for the Town Council to affirm, modify or rescind the order for the Public Nuisance Ordinance served to Randal Appleton occupant of 303 E Toledo St., Ravens House LLC business owner of 206-208 E Toledo St., Nicole Lensky owner and Michael DeWitt resident of 406 E Michael St., and Rebecca Whit resident of 400 E Toledo St., all of Fremont, IN 46737.*

On the account of 303 E. Toledo St., Fremont, IN 46737, Town Marshal Joe Patterson stated that the property is in full compliance to the ordinance violations served on July 19, 2022. Councilmember Barry Wilcox moved to rescind the charges, second by Councilmember Dr. William Stitt, all in favor.

On the account of 206-208 E. Toledo St., Fremont IN 46737, Town Marshal Joe Paterson presented pictures of the property and stated that the property is in compliance as of today of the ordinance violations served on July 14, 2022. Marshall Joe Patterson recommended that this be continued to keep the property from in compliance. Councilmember Barry Wilcox moved to continue the hearing January 17, 2022 at 5:30 pm, second by Councilmember Linda Fulton, all in favor.

On the account of 400 E. Toledo St., Fremont, IN 46737, Town Marshall Patterson provided pictures of the property and said they are working on it and have made noticeable improvements to get the house into compliance. Councilmember Barry Wilcox moved to rescind the order, second by Councilmember Dr. William Stitt, all in favor.

On the account of 406 E. Michael St., Fremont, IN 46737, Attorney Tony Manns questioned Town Marshall Joe Patterson after he was sworn in about the property. Town Marshall Joe Patterson said that this case was continued from earlier as he was in compliance then, however with the pictures provided of

the property as of today the violations were not in compliance. Michael DeWitt then was sworn in and said that he does not have a lot of time to work on the property as he works 12 days on and 2 days off on third shift, he also said he did not have anywhere to take the items as where he was taking them has closed. Town Council President Steve Brown sternly told Michael that he can take some of the items to the Steuben County compost and the other items need to be put into the sheds that need to be permitted or in trash. Town Council President also said the fine of \$50 per week could be implemented starting from 7-14-2022 until property is in compliance, and if not paid there will be a lien placed on the property. Michael Dewitt then said he will take care of the items tomorrow as he gets paid and can load the items into his truck and remove the items from property. Councilmember Lon Keyes moved to continue the order to the next council meeting December 13, 2022 at 5:00 due to the plan to remove the items, second by Councilmember Dr. William Stitt, all in favor.

Public hearing was closed at 5:30 pm. and the regular Town Council meeting began.

Approval of Minutes: Councilmember Lon Keyes moved to approve the October minutes, second by Councilmember Dr. William Stitt, all in favor.

Approval of Claims, Payroll, Comp Time, Fund Report and Appropriation Report: Councilmember Linda Fulton moved to approve claims, payroll, comp time, fund and appropriation reports as presented, second by Councilmember Lon Keyes, all in favor.

OLD BUSINESS:

Update on 2021 Street Project –Council President Steve Brown said that he spoke to API and confident that they will make things right. Council President Steve Brown recommended that the retainage be released to close out the grant in order to be eligible to apply for one in January. Councilmember Lon Keyes moved to approve the final payout, second by Councilmember Linda Fulton, all in favor.

Update on 2022 Street Project- Council President Steve Brown said the project is done, and requested the council to approve the release of retainage for the project. Councilmember Linda Fulton moved to approve the final payout, second by Councilmember Dr. William Stitt, all in favor.

Wastewater project update- Council President Steve Brown said that one clarifier is up and running and the second should be done by end of November, and that all is running well as of now.

NIPSCO- Town Attorney Kurt Bachman stated that things are moving in the right directions, and that Town Judge Chris Snyder is still working on getting information collected from industries as requested by Bose McKinney and Evans LLP. Council President Steve Brown said he and Town Judge Chris Snyder have meetings this week concerning the NIPSCO shortage.

Fire Truck Bids- Town Clerk Treasurer Mary K. Parsons said that the bids have been sent out and need to be returned by November 30, 2022, at which time they will be opened and sent to Town Attorney Kurt Bachman for review. Town Clerk Treasurer Mary K. Parsons said that it would be great if the purchase order could be created before the end of the year so the purchase could be encumbered from the 2022 budget.

Resolution 2202-04 on the house purchase- Councilmember Lon Keyes moved to approve Resolution 2022-04 purchase of the house at 107 N Pleasant St., Fremont, IN 46737 as presented and to allow Council President Steve Brown and Clerk Treasurer sign any closing documents and write the check for closing, second by Councilmember Dr. William Stitt, all in favor.

Resolution 2022-05 Police car for Town of Orland- Town Clerk Treasurer Mary K. Parsons asked for a decision to approve or deny the Resolution 2022-05 to allow and interlocal agreement to give a police car to the Town of Orland Police department. Councilmember Lon Keyes moved to approve the Resolution 2202-05 as presented, second by Councilmember Lina Fulton, all in favor.

NEW BUSINESS:

Utility Credit- Councilmember Lon Keyes moved to approve the credits as presented, second by Councilmember Dr. William Stitt, all in favor.

BZA Rezone- Council President Steve Brown said the BZA gave a favorable recommendation on the setbacks for the building of a detached garage on the property of 306 N Tolford Street could be approved and he also said that this is not a rezone but should be looked at as a variance of the setbacks. Council President also said that the permit would not be written until the building is staked out to his approval. Councilmember Linda Fulton made a motion to approve the variance of the setbacks as presented, second by Councilmember Barry Wilcox, all in favor.

Court Ordinance 2022-06- Councilmember Dr. William Stitt made a motion to approve the Court Ordinance 2022-06 to close the Fremont Town Court due to the Town Court Judge Chris Snyder not running for re-election, second by Councilmember Dr. William Stitt, all in favor. Councilmember Lon Keyes moved to waive the second reading of all Ordinances and Resolutions presented tonight, second by Councilmember Linda Fulton, all in favor.

Fire Contract with Angola- Councilmember Linda Fulton moved to approve the Fire Contract with Angola as presented, second by Councilmember Lon Keyes, all in favor.

Insurance Renewal- Town Clerk Treasurer Mary K. Parsons presented the renewal for health insurance for the Town of Fremont and said that the policy continues to be "grandmothered" in and we can continue with our existing plan and would not see an increase but a 7% reduction. Councilmember Barry Wilcox moved to approve the renewal as presented, second by Councilmember Dr. William Stitt, all in favor.

Humane Shelter Contract- Councilmember Linda Fulton moved to approve the contract as presented, second by Councilmember Dr. William Stitt, all in favor except Councilmember Barry Wilcox was not in favor.

Meeting dates for 2023- Councilmember Dr. William Stitt moved to approve the meeting dates for 2023 as presented, second by Councilmember Lon Keyes, all in favor. As a note, the meetings will change to 5:00 p.m.

Holidays for 2023- Councilmember Lon Keyes moved to approve the Holidays for 2023 as presented, second by Councilmember Dr. William Stitt, all in favor.

SCEDC Contract- Councilmember Lon Keyes moved to approve the SCEDC contract as presented, second by Councilmember Linda Fulton, all in favor.

Attorney Kurt Bachman contract- Councilmember Linda Fulton moved to approve the town attorney contract with Attorney Kurt Bachman as presented, second by Councilmember Barry Wilcox, all in favor.

REPORTS:

Court: Report was submitted.

Fire: Report was submitted.

Police: Report was submitted. Town Marshal Joe Patterson said he would like to hire a part time officer at the December 13, 2022 meeting. The application is at the Town Hall for review.

Street: Report was submitted.

Water: Report was submitted.

Wastewater – Report was not submitted.

Park- Report was not submitted.

Motion to adjourn by Councilmember Lon Keyes, second by Councilmember Dr. William Stitt, all in favor.

Meeting adjourned at 6:25 p.m.

December 13, 2022



Steve Brown, Council President



Linda Fulton, Vice-President

Attest:




Mary K Parsons, Clerk-Treasurer,
IAMC, MMC, CPFA, CPFIM, CMO, CPM

Dr. William Stitt, Member



Lon Keyes, Member



Barry Wilcox, Member