

October 18, 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, October 18, 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
Chris Snyder, Town Judge
Travis Smoker, Town Police Officer*

Others in attendance were:

*Casey Erwin, DLZ
Tony Manns, Attorney representing Joe Patterson
James Hart, Town Resident
JoDee Hoemig, Town Resident
Jack Musson, Town Business Owner
Dawn Musson, Town Business Owner
Amanda Musson, Town Resident and Business Owner
Brian Welch, Steuben County Council
Alice Welch, Steuben County Resident
James Happ, Town Business Owner
Kyra Happ, Town Business Owner
Kevin Kuhn, Town Resident
Sheree Kuhn, Town Resident
Anthony King, Town Resident
Brittany Wood, Town Resident
Deb Melchi Miller, Town Resident
Ricky Corcimiglia, Town Business Owner
Foy McNaughton, Town Resident and attorney representing Randal Appleton
Christina Cress, Steuben County Council*

Public Hearing- *The Public Hearing was for the Town Council to affirm, modify or rescind the order for the Public Nuisance Ordinance served on July 19, 2022 to Randal Appleton occupant of 303 E Toledo St., Fremont, IN 46737, and to Ravens House LLC business owner of 206-208 E Toledo St., Fremont, IN 46737. Town Marshal Joe Patterson, stated to the council that he presented Randal with pictures of the nuisance on the properties, violation letters and order letters, along with verbal explanations of nuisances on July 19, 2022.*

On the account of 303 E. Toledo St., Fremont, IN 46737, Town Marshal Patterson provided pictures of the property as of October 18, 2022, and stated that the property is in full compliance to the ordinance violations served. Councilmember Barry Wilcox moved to dismiss 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 Paterson presented pictures of the property and stated that the property is in compliance of the ordinance violations served. Town

resident Brittany Wood, Sheree Kuhn and Anthony King all were given time to speak on their behalf of the violations they have noticed. All had to be reminded to keep the complaints about the ordinance violations, and that some of the other issues experienced are zoning and civil matters, and that this hearing is for ordinance violations only. Town Marshal Patterson recommended the Council continue this matter, as the property is in compliance now but due to the nature of the business there are daily changes to the property. After all speakers were finished Town Attorney Kurt Bachman addressed Attorney McNaughton asking what he was requesting, and Attorney McNaughton said he wanted the matter dismissed and not continued. Town Attorney Kurt Bachman then addressed the Town Council to make a motion to either dismiss, or continue to another date. Councilmember Barry Wilcox asked Attorney Foy McNaughton what kind of guarantee Randal Appleton could give to ensure the property stays in compliance. Attorney Foy McNaughton could give no guarantees, but said that Randal Appleton would not want to come back to a hearing so he would keep compliant. The Town Council discussed the matter and Councilmember Barry Wilcox moved to continue the hearing to the next council meeting on November 15, 2022 at 5:00 pm, second by Councilmember Linda Fulton, all in favor.

Public hearing was closed at 5:47 pm. and the regular Town Council meeting began. Town Council President Steve Brown thanked all for coming and that the next step will be zoning violations.

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

Approval of Claims, Payroll, Comp Time, Fund Report and Appropriation Report: Councilmember Barry Wilcox made a motion to approve claims, payroll, comp time, fund and appropriation reports as presented, second by Councilmember Dr. William Stitt, all in favor.

OLD BUSINESS:

Update on 2021 Street Project –Council President Steve Brown said that he spoke to Rob from API and he was assured that they would make everything right. Council President Steve Brown said that the remaining issues that need fixed are the seeding and the trail.

Update on 2022 Street Project- Council President Steve Brown said the project is done, and requested the council to approve the final payout for the project.

Wastewater project update- Casey Erwin from DLZ requested Pay App #21 be paid for \$81,925.00 to Cornerstone. Councilmember Dr. William Stitt moved to approve as presented, second by Councilmember Linda Fulton, all in favor.

NIPSCO- Fremont Town Judge Chris Snyder has been in contact with Bose McKinney Evans LLP for proceeding with possible litigation with NIPSCO on the gas shortage for our area. Fremont Town Judge Chris Snyder was advised to get what gas projection for gas usage from as many the industries as possible. Town Attorney Kurt Bachman stated that Bose McKinney Evans LLP is making sure that all avenues have been exhausted before litigation process can begin.

Appraisal- Clerk Treasurer Mary K. Parsons said one of the two appraisals have been submitted for the property 107 N Pleasant St., Fremont, IN 46737. Clerk Treasurer Mary K. Parsons asked the Town Council to approve Council President Steve Brown, Town Attorney Kurt Bachman and herself to continue

with the process once the other appraisal is submitted so the purchase of the house can be done before the end of the year, if possible. Councilmember Barry Wilcox moved to grant the request as presented, second by Councilmember Linda Fulton, all in favor.

NEW BUSINESS:

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

Brockville Board Appointment- Councilmember Dr. William Stitt motioned to approve the Brockville Board, appointment, Lori Crandall, as presented, second by Councilmember Barry Wilcox, all in favor.

Budget Reduction Ordinance 2022-04- Councilmember Lon Keyes motioned to approve the Budget Reduction Ordinance 2022-04 as presented by Clerk Treasurer Mary K. Parsons, second by Councilmember Linda Fulton, all in favor. Councilmember Linda Fulton motioned to waive the second reading, second by Councilmember Lon Keyes, all in favor.

Salary Ordinance Amendment 2022-05- Councilmember Linda Fulton made the motion to approve the Salary Ordinance Amendment 2022-05, second by Councilmember Barry Wilcox, all in favor.

Township contracts approval- Councilmember Barry Wilcox motioned to accept the Township contracts as presented by Clerk Treasurer Mary K. Parsons, second by Councilmember Dr. William Stitt, all in favor.

Authorize to advertise for bids for fire truck- Councilmember Lon Keyes moved to authorize advertisement for bids for fire truck as presented by Clerk Treasurer Mary K. Parsons and Attorney Kurt Bachman, second by Barry Wilcox, all in favor.

Request to approve addition of alcohol license- Clerk Treasurer Mary K. Parsons said that the new business, What the Fork, would like the addition of a liquor license for their new business in the town, as they already have an existing beer and wine license. There is a question on the application if the Town has any objection. Councilmember Lon Keyes motioned to approve the addition of the alcohol license, second by Councilmember Linda Fulton, all in favor.

Sewer connection agreement- Councilmember Barry Wilcox moved to approve the sewer connection agreement for Dollar General west of the outlet mall, as presented, second by Councilmember Linda Fulton, all in favor.

REPORTS:

Court: Report was submitted. Town Judge Chris Snyder said he did complete some continuing education classes.

Fire: Report was submitted.

Police: Report was submitted. Town Marshal Joe Patterson said he will be attending training.

Street: Report was not submitted.

Water: Report was not submitted. Water main break on October 13, 2022 and was under Musson Builders approach.

Wastewater – Report was not submitted.

Park- Report was not submitted.

Jack Musson asked Council President Steve Brown about the lack of downtown parking solution. Council President Steve Brown said it is being looked into, but no solution yet.

Councilmember Lon Keyes said a town resident told him the new town website is very user friendly and like the change.

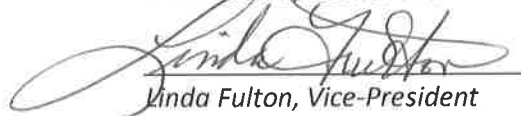
Motion to adjourn by Councilmember Linda Fulton, second by Councilmember Dr. William Stitt, all in favor.

Meeting adjourned at 6:35 p.m.

November 15, 2022



Steve Brown, Council President



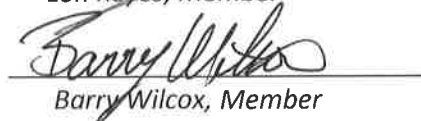
Linda Fulton, Vice-President



Dr. William Stitt, Member



Lon Keyes, Member



Barry Wilcox, Member

Attest:



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