

A public hearing opened on November 21, 2006 at 6:00 p.m. on the Sewer Rate Ordinance 2006-21. With no response from the public, Ron Sullins moved for the hearing to close at 6:05 p.m., second by Steve Brown, all in favor.

The regular meeting was called to order by President, Loretta Smart, at 6:05 p.m.

Silent roll call: Loretta Smart, Steve Brown, Ron Sullins, Joe Thomas, and John Ludy.

Others representing the town were:

Mary K. Parsons-IAMC/CMC-Clerk-Treasurer

Chris Snyder-Town Superintendent

Kurt Bachman-Town Attorney

Ed Johnson-Town Marshall

Danny Frasier-Street Superintendent

Steve Gard-Water Superintendent

Jim Humbarger-Sewer Superintendent

Eric Hufnagle-Fire Chief

Lon Keyes-Park Board President

Teri Steele-IAMC/CMC-Administrative Clerk

Others attending were: Jim Measel with WLKI radio station, Pam DeCamp with Solid Waste District, Walt Merrick II and Kay Clark, Fremont residents.

Ron Sullins moved to approve the minutes with omitting “and was tabled until the first of the year” from the 4th page, second by Joe Thomas, all in favor.

John Ludy moved to approve the claims and payroll, second by Steve Brown, all in favor.

Steve Brown moved to approve the comp time, second by Steve Brown, 4 ayes, Ron Sullins abstained.

The Town Clerk-Treasurer presented proofs of publication and posting of the notice of public hearing on the rate ordinance to be held at this meeting. Said notice and proofs of publication and posting thereof being found in due form, the same were approved and filed. Council Member Ronald Sullins moved that the proposed rate ordinance for the Town of Fremont Sewage works, be read for a second time by title in order to apprise the public of the provisions thereof and that the public hearing on said ordinance be held at this time. The motion was seconded by Council Member Joe Thomas, and on call of the roll, was carried by the following vote:

Ayes

Nays

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The ordinance was then read a second time by title. Council Member Ron Sullins then stated that it would now be in order for the Council to consider and hear all persons

desiring to be heard on said ordinance. After hearing all persons desiring to be heard on said ordinance, Council Member Steve Brown closed the public hearing portion of the meeting and stated that final action on said ordinance would now be in order.

The ordinance was read a third time by title. Council Member Steve Brown moved that said Ordinance be adopted as read. The motion was seconded by Council Member Ron Sullins, and on call of the roll was carried by the following vote:

<u>Ayes</u>	<u>Nays</u>
<u>5</u>	<u>0</u>

Council Member Loretta S. Smart announced that the rate Ordinance had been duly passed and adopted.

On motion duly made, seconded and unanimously carried.

The Town Attorney next stated that Beers Mellers Backs & Salin, LLP, attorneys of Fort Wayne, and LaGrange, Indiana, employed by the Town as bond counsel, had prepared a form of Escrow and Defeasance Agreement for consideration by the Town Council in the matter of the depositing with Wells Fargo Bank, N.A. sufficient monies to defease its Town of Fremont Sewage Works Subordinate Refunding Revenue Bonds of 2002 (the "2002 Bonds") originally issued under date of May 21, 2002, in the issued amount of One Hundred Twenty-three Thousand Dollars(\$123,000.00), which are now outstanding in the amount of Forty-two Thousand Dollars (\$42,000.00) by providing for (i) the payment of the principal of those outstanding 2002 Bonds that mature from September 1, 2007, through and including September 1, 2008, (the "2002 Defeased Bonds"), and (ii) the interest payable on the 2002 Defeased Bonds to and including September 1, 2008. The Town Attorney presented the form of Escrow and Defeasance Agreement to the Council and explained that the blanks contained therein would need to be completed once the financial advisor for the Town provided the final numbers which would not be available until the time of funding the escrow established within the Escrow and Defeasance Agreement. The Town Attorney informed the Council that if they approved of the same it would be appropriate to adopt a resolution at this time approving the form and authorizing the necessary parties to execute the same one completed with the final numbers. Council Member Ron Sullins moved that said Escrow and Defeasance Agreement, including the financing and appointment of Wells Fargo Bank, N.A. as Escrow Trustee described therein, be approved at this time and that the Council president and the Clerk-Treasurer were authorized to execute the same, with all blanks properly completed when deemed appropriate by the Town Attorney and Town financial advisor. The motion was seconded by Council Member Joe Thomas and on call of the roll was carried by the following vote:

<u>Ayes</u>	<u>Nays</u>
<u>5</u>	<u>0</u>

The Town Attorney next stated that the Town's financial advisor, Steve Carter from H. J. Umbaugh & Associates, was preparing a Preliminary Official Statement ("POS") that would be used in connection with the sale of the Town's Sewage Works Revenue Bonds of 2006 and that said POS would need to be reviewed and approved by the Town prior to the sale of the bonds. The Town Attorney explained that even an approved POS would contain blanks contained therein which would need to be completed once the financial advisor for the Town provided the final numbers which would not be available until the time sale of the bonds. The Town Attorney informed the Council that if they approved of the same it would be appropriate to adopt a resolution at this time authorizing the Town Council President and the Clerk-Treasurer to review any POS prepared by the Town's financial advisor, to approve its form, and authorizing the necessary parties to execute the same, including any Final Official Statement once completed with the final numbers. Council Member John N. Ludy moved that the Town Council President and the Town Clerk-Treasurer to review any POS prepared by the Town's financial advisor, to approve its form, and authorizing the necessary parties to execute the same, including any Final Official Statement once completed with the final numbers. The motion was seconded by Council Member Steve Brown and on call of the roll was carried by the following vote:

Ayes

Nays

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On motion duly made, seconded and unanimously carried.

Ron Sullins moved to approve the second reading of Ordinance 2006-21, second by Joe Thomas, all in favor.

Steve Brown moved to approve the third reading of Ordinance 2006-21, second by Ron Sullins, all in favor.

Kathy reported the web site is up and running. There are links that need to be added and are still under construction.

Kurt stated that the contract with Allied Waste Industries for trash pick-up and recycling collection was complete and they have met all requirements asked. Kurt will present the contract to them and will bring it to the next council meeting.

The appraisals for the corner lot on Pleasant Street and Albion Street have been presented. One appraisal was for \$14,000.00 and the other was for \$22,500.00. The purchase of the lot cannot exceed the average of the two appraisals.

John Ludy moved to purchase the lot from the Farmers State Bank and to prepare a purchase agreement in the amount of \$18,300.00, second by Steve Brown, all in favor.

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Town Marshall Ed Johnson presented Rick Rossi with an appreciation plaque for allowing Fremont Police Officers to use his firearm range.

On December 7, 2006 at 1:00 p.m. a representative from Community and Rural Affairs will make a site visit and look over and check the downtown planning grant for application formulas.

There are two steps in purchasing a Fire Truck for the Fire Department. One is to develop specs and bid it out, and the second, is to find financing. Kathy will contact H.J. Umbaugh & Associates, and will also check out local financing. Eric and Kurt will work on the specs.

John Ludy moved to approve Eric and Kurt to work on the specs and then bid out, second by Ron Sullins, all in favor.

Joe Thomas moved to approve Chris and Kathy to check out the financing and bring back at the next council meeting, second by Steve Brown, all in favor.

Eric stated that the estimate for the Fire Truck taken to Indianapolis is \$5,000.00 to \$6,000.00, and it should be back within a month.

Ron Sullins moved to table Resolution 2006-07, a resolution amending Resolution 2004-05 establishing guidelines for the Construction and Rehabilitation of sidewalks in the Town of Fremont, until the next council meeting, second by Joe Thomas, all in favor.

Joe Thomas moved to approve the second reading of Ordinance 2006-23, the 2007 Salary Ordinance, second by John Ludy, all in favor.

Pam DeCamp gave a presentation on the Solid Waste District. She stated that Loretta Smart, by virtue of her position as Town Council President, will serve on the Northeast Indiana Solid Waste Management District Board for 2007. She also stated that the recycling drop off program provided for the Town could go away as of December 2007.

Tax Abatement for Auto Form Tool, Inc, Resolution 2006-08 has been put on hold.

Steve Brown moved to approve the change order to API Construction in the amount of \$15,610.20 for the 2006 street paving project, second by Ron Sullins, all in favor.

Ron Sullins moved to approve the utility credits, second by Joe Thomas, all in favor.

John Ludy moved to approve Ordinance 2006-24, an ordinance to dissolve dormant fund for the Town of Fremont, second by Steve Brown, all in favor.

Steve Brown moved to waive the second reading of Ordinance 2006-24, second by John Ludy, all in favor.

Steve Brown moved to approve the 2007 Meeting dates, second by Joe Thomas, all in favor.

Steve Brown moved to approve the 2007 Holiday Schedule, second by Joe Thomas. Discussion followed.

Ron Sullins moved to amend the main motion to state that, "in the event there is no primary election in Fremont, that the election date in May on the 2007 Holiday Schedule would not be observed", second by John Ludy, all in favor.

Loretta called for a vote on the original motion as amended, all in favor.

A discussion was held on upgrading the women's restroom, and was tabled until the next council meeting.

Joe Thomas moved to approve the purchase of additional shelving for the basement from Angola Office Supply in the amount of \$1,495.00, second by Ron Sullins, all in favor.

Ron Sullins moved to allow conditional approval for the connection of a wastewater (sewer) extension to the Fish Lake Campground, contingent upon approval of a detailed agreement regarding engineering specifications, waste treatment charges, etc. to be developed between the Town of Fremont and the property owner(s) making the request, second by John Ludy, all in favor.

Ron Sullins moved to approve the Street inventory of 17.99 miles, second by Joe Thomas, all in favor.

REPORTS

Court submitted-Judge absent.

Police submitted-nothing to add.

Street submitted-Danny stated that he has been receiving quotes for a new pick-up truck and will present at the next council meeting.

Sewer submitted-nothing to add.

Water submitted-nothing to add.

Town Superintendent-Chris said that there were 38 applications for the position at the Sewer plant and they have chosen 8 to be interviewed.

Fremont Fire Department submitted-Eric asked for the Volunteer Firefighters to be paid the first pay period in December. Joe Thomas moved to pay the Volunteer Firefighters the first pay in December, second by John Ludy, all in favor.

Fremont Park Board-Lon the hard copy plans for the future Broad Street Park are here and are available at the library. A public hearing is being planned for January 10th to allow the public to comment.

OTHER GENERAL MATTERS

Scott Township contacted the Town of Fremont requesting a 2006 Fire Contract in the amount of \$1,500.00. John Ludy moved to provide this contract, second by Ron Sullins, all in favor.

Ron Sullins moved to approve authorizing the Council President and the Clerk-Treasurer to sign claim vouchers for the State of Indiana, relevant to the Indiana Economic Development Corporation grant that pertains to project identification #336339, second by Steve Brown, all in favor.

John Ludy stated that there is a matching Tree Grant available, and would like the E-Club Students to give their time as our part of the grant, and after the paper work for this grant is complete, Loretta would sign the documents.

John Ludy moved to accept a matching Tree grant, and have Loretta sign the documents when complete, second by Steve Brown, all in favor.

Ron Sullins move to adjourn, second by Steve Brown, all in favor. Meeting adjourned at 8:06 p.m.

Loretta Smart, Council President

Steve Brown, Council Vice-president

Ron Sullins, Council Member

Joe Thomas, Council Member

John N. Ludy, Council Member

Attest:

*Mary K. Parsons IAMC/CMC
Clerk-Treasurer*