

**August 20, 2024**

*The public hearing and the regular meeting of the Fremont Town Council was called to order by Council President Linda Fulton at 5:30 p.m. on Tuesday, August 20, 2024, at the Fremont Town Hall. Councilmembers Dr. William Stitt, Barry Wilcox, Ashlee Hoos and Scott Glendening were also present.*

*Others representing the Town were:*

*Mary K. Parsons, IAMC, MMC, ACPFA, ACPFIM, CPM, CMO Clerk-Treasurer  
Becky Maggart, IAMC, Chief Deputy Clerk  
Tony Manns, Town Attorney  
Joe Patterson, Town Marshal  
Kenny Steele, Deputy Marshal  
Travis Smoker, Deputy Marshal  
Mark Hamm, Deputy Marshal  
Tara Johnson, Deputy Clerk  
Jimmy Masters, Wastewater Superintendent*

*Others in attendance were:*

*Kristie Dailey, DLZ  
Rick Deller, Town Resident  
Taylor Barry, Town Resident  
Molly Weber, Clear Lake Council  
Zach Burnau, Town Resident  
Craig Lutz, Republic Services  
Steve Eck, Washler Inc.  
Micheal DeWitt, Town Resident  
Sheree Kuhn, Town Resident  
Nancy Hefley, Town Resident and Park Board President  
Dorothy Fritz, Town Resident  
Walter Pelfrey, Town Resident  
Randall Appleton, Town Resident and Business Owner  
Foy McNaughton, Town Resident and Business Owner*

*Council President Linda Fulton turned the Public Hearing over to Town Attorney Kurt Bachman and Tony Manns for the Nuisance Ordinance Violations. Town Attorney Kurt Bachman said that the Public Hearing is for Nuisance Ordinance Violation and a Zoning Ordinance Violation, and that the purpose of the Town Council is to decide whether the properties are in violation or not, and what if any fines will be imposed. Town Attorney Kurt Bachman then turned the hearing over to Attorney Tony Manns. Attorney Tony Manns asked that three of the properties in violation Michael DeWitt at 406 W. Michael St., Walter Pelfrey and Falcon Pelfrey at 205 W. Toledo St., and Walter Pelfrey, Falcon Pelfrey and Dorothy Fritz at 205 E. Toledo St, would be dismissed due to scrivener's errors and that a new order be issued. Councilmember Dr. William Stitt motioned to approve the dismissals as presented and reissue new orders, if necessary, second by Councilmember Barry Wilcox, all in favor. Town Attorney Kurt Manns asked if Council would combine both the Nuisance and Zoning violations for Raven's House LLC located at 208 E Toledo St., together for the hearing. Councilmember Dr. William Stitt motioned to approve the combination as presented, second by Councilmember Ashlee Hoos, all in favor. Attorney Tony Manns then swore in all who would be giving testimony for the Ordinance and Zoning Violations for Raven's House LLC, which*

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were Becky Maggart, Fremont Zoning Administrator, Joe Patterson, Fremont Town Marshal, and Randy Appleton, owner Raven's House LLC. Attorney Tony Manns then asked Becky Maggart to explain the process so far for the property in violation. Becky Maggart presented picture and the letters and orders sent to Raven's House LLC, and then explained that the property of 208 E. Toledo St. has had a number of vehicles on the property not looking to be in working order and not plated and there is constant scrap, vehicle parts, and miscellaneous debris around the property. Attorney Tony Manns asked if pictures were taken from the road and not on the property, and Becky confirmed that she did take the pictures and they were all taken from the road. Attorney Tony Manns also said it appears the debris and pallets were removed from the property and Becky Maggart confirmed. Attorney Tony Manns then asked for Town Marshal, Joe Patterson, if he delivered the orders to the property, and Town Marshal Joe Patterson confirmed that he hand delivered the orders to Randy Appleton personally. Attorney Tony Manns asked on behalf of Zoning Administrator, Becky Maggart, that the council for the fine to be imposed of \$150.00 per week to start from June 19, 2024 for the remaining Nuisance Ordinance Violations of scrap parts and junk vehicles, with a back balance of \$400.00, and a fine of \$150.00 per week until property is in compliance, and the a fine of \$100 per day to start from June 19, 2024 for the Zoning Violation of performing major automotive repair in a B1 zoned property, with a back balance of \$6,000 and incur daily until property is in compliance. Town Attorney Kurt Bachman then asked if Randy Appleton had anything to add. He said yes, I do and said that all he wanted was for Becky to let him know what he needed to do to make her happy. Randy also said that he has asked for "Okie Dokie" letters for a fence and a shed for his property and then he could put the cars in it and the parts would all be inside. Randy said that he didn't understand why he is not in compliance when Lonsbury Garage does what he does, Higbee has outside storage, the Lawnmower shop can operate in residential, and none of them are in violation. Attorney Foy McNaughton, who is representing Randy Appleton, had questions for Becky as well. He asked who had owned the property in the past and Becky confirmed that the property was owed by Jebb Arnold, who operated an auto parts store, and before him it was Bischoff-McElrath of Wauseon Inc., which was a painting business, and before them it was Zurcher Tire, which was a tire shop who also did minor auto maintenance, and before that it was owned by Frahm to which Becky did not know who that was nor what they did, and said he could ask someone else who has been in the community longer. Attorney Foy McNaughton then asked Becky if she was familiar with Lonsbury Garage and Becky said yes, he then asked who owned it before and Becky said Powers Automotive, and before that Becky was not sure, so Attorney Foy McNaughton said it was Corvette Connection, and Becky said that was correct. Attorney Foy McNaughton then asked what all of those businesses did and Becky said automotive repairs, he then asked what it was zoned, to which Becky said she would have to check the map and he said is it safe to say it is the same at Raven's House LLC. Becky said yes, she thought so, and Attorney Foy McNaughton asked what they did and Becky said automotive repairs. Attorney Foy McNaughton said if they are zoned the same then why is it that Randy Appleton cannot do the same thing. Becky explained that that business was grandfathered in as from the beginning all the businesses conducted the same operations and it was transferred from one business to another, and there was no closing between the change of hands of owners. Town Attorney Kurt Bachman interrupted to inform council that this Hearing is for Raven's House LLC and not the other properties, and if they wish to continue letting them talk about other properties it is their choice but they can tell him to stay on point. Council President Linda Fulton then told Attorney Foy McNaughton that he needs to stay on topic and not talk about the other businesses. Attorney Foy McNaughton said that he was just wanting the town to make sure they are being consistent with violations. Attorney Foy McNaughton then asked Becky what a junk vehicle is and she said it is a vehicle that is not plated and is non operable, and he asked how many vehicles were not plated to which Becky

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said she would have to check the pictures to get a count on the ones she can see without going on to the property. Attorney Foy McNaughton then asked if I knew if any of the vehicles are inoperable and Becky said based on the fact that some have flat tires and they haven't moved in months or years she would think that they are inoperable and he said but have you asked if they are operable, and she said no. Randy then said that if he could get the permits for the fence and pole barn then he could put all the vehicles in it and then no one could see them, to which Town Attorney Kurt Bachman advised the Town Council that if permits were given would this stop the land use issue. Council President Linda Fulton asked if anyone had anything else, and Attorney Tony Manns, Attorney Foy McNaughton, Becky Maggart, Joe Patterson, and Randy Appleton all said nothing to add. The Town Council President Linda Fulton then asked the council if they had any question or comments, and Town Councilmember Barry Wilcox asked Randy Appleton if the work he does is personal or business, as his concern is that any resident doing personal work on their vehicles on their property would be in violation, Randy Appleton said it was personal work. Town Councilmember Dr. William Stitt then asked Randy Appleton if he accepts money for the personal work he is doing and Randy said yes, I do receive money for the work and then Councilmember Dr. William Stitt said then it is not personal and also thanked him for being honest. Town Councilmember Scott Glendening asked Randy Appleton what Raven's House LLC is and Randy said it is an LLC business that he uses for all his properties and businesses, and that he has another LLC as well. Council President Linda Fulton then closed the Public Hearing at 6:03 p.m. and asked for a motion for the Nuisance Ordinance Violations against the property Raven's House LLC located at 208 E. Toledo St., Fremont, IN 46737. Councilmember Barry Wilcox motioned that Raven's House LLC located at 208 E. Toledo St. was in violation of the Nuisance Ordinance as presented, second by Councilmember Ashlee Hoos, all in favor. Councilmember Dr. William Stitt motioned to fine the Raven's House LLC located at 208 E. Toledo St., Fremont, IN 46737 the fines presented by Attorney Tony Manns of \$150 per week until property is in compliance with an accumulated fine of \$600 from initial violation date, second by Councilmember Barry Wilcox, all in favor. Councilmember Scott Glendening motioned that Raven's House LLC was in violation of Zoning Ordinance as presented, second by Councilmember Ashlee Hoos, Councilmembers Dr. William Stitt, Scott Glendening, Ashlee Hoos and Linda Fulton in favor, and Councilmember Barry Wilcox not in favor. Councilmember Linda Fulton motioned to fine Raven's House LLC located at 208 E. Toledo St., Fremont, IN 46737 the fines presented by Attorney Tony Manns of \$100 per day until the property is in compliance with an accumulated fine of \$6,000 from the initial date of violation, Councilmembers Linda Fulton, Ashlee Hoos and Dr. William Stitt voted aye, Councilmembers Scott Glendening and Barry Wilcox voted nay. Councilmember Barry Wilcox motioned the authorization for Attorney Tony Manns to prepare documents and signatures as needed to proceed with the violations, second by Councilmember Dr. William Stitt, all in favor. Council President then closed the Public Hearing The regular Town Council Meeting started at 6:11 p.m.

**Approval of Minutes-** Councilmember Dr. William Stitt motioned to approve the July minutes, second by Councilmember Scott Glendening, all in favor.

**Approval of Claims, Payroll, Comp Time, Fund Report and Appropriation Report-** Councilmember Dr. William Stitt moved to approve claims, payroll, comp time, fund and appropriation reports as presented, second by Councilmember Ashlee Hoos, all in favor.

**OLD BUSINESS:**

**Open trash bids-** Council President Linda Fulton opened the first bid from Washler Inc. which was for

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825 residential weekly pickups in the amount of \$130,416.00 per year, four dumpsters for the Town buildings at no charge per year, three dumpsters for the annual clean up at \$1,740.00 with additional costs per dumpster over the three. Alternate bid additions of \$.41 per week charge per 825 units for once-a-month bulk item collection, and \$1.13 per week for biweekly pick up for curbside recycling collection. The second bid from Allied Wast Systems dba Republic Services of Bryan which was for 825 residential weekly pickups in the amount of \$156,915.00 per year, 4 dumpsters for the Town buildings at \$5,580.79 per year, 3 dumpsters for the annual clean-up day at \$3,082.44 with additional costs per dumpster over the 3. Alternate bid additions of \$.75 per week charge per 825 units for once-a-month bulk item collection, and \$1.34 per week for biweekly curbside recycling collection. Councilmember Scott Glending motioned to take the bids under advisement, second by Councilmember Dr. William Stitt, all in favor.

**2023 Community Crossing update-** Kristie Dailey from DLZ said no action was needed, and that the trail is not finished yet.

**Ray Road project-** Kristie Dailey from DLZ said the Ray Street Project is complete, and pay app #3 for \$138,151.06, and the final pay app #4 for \$36,906.17 that needed approval, Councilmember Dr. William Stitt motioned to approve the payments as presented, second by Councilmember Barry Wilcox, all in favor.

**2024 Community Crossing Streets update –** Kristie Dailey from DLZ said the bid was awarded to E&B Paving and they will start in 2025. Kristie Dailey from DLZ said that Pearl Street was included in the second Community Crossing project application and waiting to hear on that.

**Alley Update-** Kristie Dailey from DLZ said that API is the low bid of \$49,940 from API for the repair and paving of the alley. Councilmember Barry Wilcox motioned to approve as presented and to give notice of award and authorization to sign documents outside of meeting, second by Councilmember Ashlee Hoos, all in favor.

**Coldwater Sidewalks-** Authorization for bidding the project of sidewalks for Coldwater Street and Hope Drive separately is being requested. Councilmember Barry Wilcox motioned to approve the authorization as requested, second by Councilmember Ashlee Hoos, all in favor.

**NEW BUSINESS:**

**Utility Credits-** Councilmember Ashlee Hoos motioned to approve the utility credits as presented, second by Councilmember Scott Glending, all in favor.

**Authorize to sell fire truck-** Councilmember Barry Wilcox motioned to approve to sale the 2007 Spartan, second by Councilmember Dr. William Stitt, all in favor.

**AIM conference-** Councilmember Barry Wilcox motioned to approve those wanting to attend the conference, second by Councilmember Ashlee Hoos, all in favor.

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**Ordinance 2024-03 updating what can be paid prior to a council meeting - Ordinance 2024-03** updating bills that can be paid prior to council approval. Councilmember Barry Wilcox approved Ordinance 2024-03 as presented, second by Ashlee Hoos, all in favor. Councilmember Dr. William Stitt motioned to waive the second reading, second by Councilmember Ashlee Hoos, all in favor.

**Discussion on Belt Press-** Wastewater Superintendent Jimmy Masters explained that the current belt press is in need of some major repairs and will most likely need replaced in the very near future, so he asked for approval to get bids for a turn key screw press including installation, as the wastewater employees will remove the current unit for scrap. Councilmember Dr. William Stitt motioned to approve as presented, second by Councilmember Scott Glendening, all in favor.

Clerk Treasurer Mary K. Parsons asked for Council to discuss if they wanted to do a TV advertisement to promote Fremont. The option of \$500 for a 4 min interview with advertisements going on local stations was presented. Councilmember Barry Wilcox motioned to approve as presented, second by Councilmember Scott Glendening, all in favor.

Town Attorney Kurt Bachman asked for a motion to approve a Public Hearing to be set for the October council meeting for Nuisance Ordinance Violations for Badman and Limestahl. Councilmember Dr. William Stitt motioned to approve as presented, second by Councilmember Barry Wilcox, all in favor.

**REPORTS:**

**Fire:** Report was submitted.

**Police:** Report was submitted. Town Marshal Joe Patterson asked for Council to approve asking the State Highway Department for lighted stop signs for the stop signs on State Road 120 and Town Streets and for a lighted school zone speed sign for State Road 120 West of Coldwater Street. He also asked for approval to purchase lighted stop signs for the intersections in Town that are frequently missed. Councilmember Barry Wilcox motioned to approve as presented, second by Councilmember Ashlee Hoos, all in favor.

**Street:** Report was submitted.

**Water:** Report was submitted.

**Wastewater:** No report was submitted.

**Park:** Report was submitted.

Motion to Adjourn by Councilmember Ashlee Hoos at 6:45 p.m., second by Councilmember Dr. William Stitt, all in favor.

September 17, 2024

  
Linda Fulton, President

Attest:

  
Mary K Parsons, Clerk-Treasurer  
IAMCA, MMC, ACPFA, ACPFIM, CMO, CPM

  
Dr. William Stitt, Vice President

  
Barry Wilcox, Member

  
Ashlee Hoos, Member

  
Scott Glendening, Member

September 3, 2024

The public hearing for the 2025 budget for the Town of Fremont was opened by President, Linda Fulton at 5:30 p.m. on Tuesday, September 3, 2024, at the Fremont Town Hall. Councilmembers Dr. William Stitt, Barry Wilcox, Ashlee Hoos and Scott Glendening were also present.

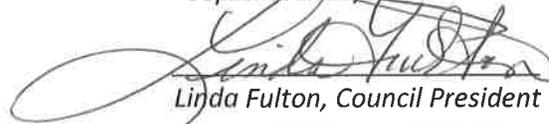
Others representing the Town were:

Mary K. Parsons, IAMCA, MMC, ACPFA, ACPFIM, CPM, CMO Clerk-Treasurer

The public hearing was for discussion and public comment on the proposed 2025 budget.

With no further comments, President Linda Fulton closed the Public Hearing at 5:45 p.m.

September 17, 2024

  
Linda Fulton, Council President

  
Dr William Stitt, Vice-President

  
Barry Wilcox, Member

  
Ashlee Hoos, Member

  
Scott Glendening, Member

Attest:

  
Mary K Parsons, Clerk-Treasurer,  
IAMCA, MMC, ACPFA, ACPFIM, CMO, CPM