

***FAIRMOUNT TOWN COUNCIL***

***Regular Meeting***

***May 22, 2023; 7:00 P.M.***

The Fairmount Town Council met in Regular Session on Monday, May 22, 2023. President Hedrick called the meeting to order and asked everyone to stand for the Pledge of Allegiance to the Flag. Clerk Treasurer J. Treon called the roll: Eric Treon, present; Karen Pollen, present; Steve Hedrick, present; Angie Armstrong, present; David Broyles, present. Also, in attendance; Clerk-Treasurer, Jo Ann Treon and attorney, Kyle Persinger.

**PURCHASE ORDER:**

None.

**CLAIMS:**

Motion made by Armstrong to approve the claims and order warrants on same. Seconded by E. Treon; motion carries with four ayes and one nay.

**MINUTES:**

Motion made by Armstrong to approve the minutes for the Regular Meeting May 8, 2023. Seconded by Pollen; motion carries with all ayes.

**COMMENTS FROM CITIZENS:**

President Hedrick requested anyone speaking about the rezoning keep comments to five minutes each. Hedrick also requested the audience control outbursts.

Paul Wyman, requesting the rezoning of Horner's Market (Horner Foods, Inc.), 201 North Main Street. Mr. Wyman requested the Council approve rezoning the property to general business rather than the split zoning; one parcel of land, part assessed as business and the other assessed as nonresidential.

Mr. Wyman advised the owners intention is to install three fuel pumps. Based on national standards, one fuel station per 1,000 people and Fairmount has a population of approximately 2,700; another station is feasible.

Councilman E. Treon and Mr. Wyman discussed the location of the pumps. The pumps would be located across from the store in the center of the parking lot.

Councilwoman Armstrong questioned the intention of keeping the grocery store with or without the gas pumps. Mr. Wyman stated the pumps would help support the grocery store.

President Hedrick requested Mr. Wyman's client speak with the Council. Mr. Singh and President Hedrick discussed products sold at the store and the legality of items in question.

Mr. Wyman advised Horner's Market was not selling anything illegal and the purpose of attending the meeting was to obtain permission to rezone the property.

Councilman E. Treon stopped the exchange stating all parties are getting off track of the intention of this evening's request of rezoning the property.

Aaron and Sara Caudill spoke with the Council regarding the rezoning of Horner's Market property. Mr. Caudill stated the issue is more than just a question of rezoning the property. Caudill discussed the differences between convenience and grocery store. Mr. Caudill stated the original petition opposing the rezoning of Horner's Market presented at the Grant County Area Plan public hearing had 1,070 signatures of Fairmount residents. Since that meeting, 525 residents have signed the petition opposing the rezoning of the property.

Sara Caudill read her prepared statement for the Council and audience addressing intent of Hometown Express and Horner's Market, the low return on fuel sales, and keeping the historic presence of the area.

Mrs. Caudill stated the intention is not to boycott; the town needs a quality grocery store.

Councilman E. Treon addressed concern regarding the proximity to one of the town's wells and any Wellhead Protection violation. Superintendent Deal advised he was not aware of an issue. Any spills, etc. would be under I.D.E.M which is included in Wellhead Protection Plan.

Council members E. Treon and Armstrong advised they had received equal amounts of favorable and unfavorable comments concerning rezoning Horner's. Armstrong continued, stating the Council needs to determine what is in the best interest of the future for the town. Councilwoman Pollen advised she had not received any favorable responses.

Councilman Broyles stated the town has invested in massive projects to maintain the historical character of Main Street. What happens to property value of residents at Second and Main Streets? The James Dean Memorial Park separates residential and business; however, the other side of Main Street does not have anything to separate from residential.

If the town had a greater population, rezoning would be easier to consider. At this time, we have to consider the town's needs first.

Broyles stated he does not see this as a good idea for the town at this time. The town does not need empty businesses on Main Street. We need to keep the historic nature of town intact.

Councilman E. Treon agreed with the Council, the situation is hard to judge solely based on community input.

Councilwoman Pollen questioned what the town could sustain; two, three, four gas stations?

Councilman E. Treon made a motion to deny the request to rezone a section of the Horner's Market property to general business. Seconded by Pollen; motion to deny the request carries with a roll call vote as follows:

Armstrong, yes; E. Treon, yes; Broyles, yes; Pollen, yes; Hedrick, yes.

***REPORTS FROM COMMITTEES, BOARD AND COMMISSIONS:***

**PRESIDENT:**

President Hedrick thanked everyone for attending the meeting and voicing their opinions. The Council will take a five-minute recess then continue with regular town business.

President Hedrick recognized Rick and Vickie Logan for their dedication to the community.

**STREETS & PARK:**

Assistant Superintendent Hamilton reported the collector broom has been repaired at no charge.

Hamilton presented bids for street repair at 10<sup>th</sup> Street and Main Street; crumbling approach.

Brooks 1<sup>st</sup> – \$ 31,052.00

Scott's Grant County Asphalt - \$6,100 (two options)

Hamilton advised the department did not receive a bid from two other companies.

Motion made by E. Treon to approve the bid from Scott's Grant County Asphalt. Seconded by Pollen; motion carries with all ayes.

Hamilton reported the tachometer on the street sweeper was repaired May 22, 2023.

Hamilton discussed the parking issue on street sweeper day (Thursdays) as well as grass clippings in the roadway.

Assistant Superintendent Hamilton thanked Gwyn Hodson and all of the students for their efforts on Community Cleanup Day. Students spread 8 cubic yards of mulch, slate stone at the Municipal Building and wood carpet at the park playground. Students spread the wood carpet in 59 minutes this year. The crews also cleaned benches a raked leaves at the park.

Hamilton reported seven yards have been mowed by the Town. The Town will begin mowing at the school after Wednesday.

**POLICE & FIRE:**

Marshal Dollar requested permission to send Officer Metzger to the Breath Test Course on August 9, 2023 at a cost of \$300.00 after course completion.

Motion made by Pollen to approve sending Officer Metzger to the course. Seconded by Broyles; motion carries with all ayes.

Dollar reported the Dodge Durango is still in the shop. Warranty work will be completed on the vehicle.

Marshal Dollar and the Council discussed the property at 300 North Barclay Street concerning the condition of the property. All agreed that ten days is not enough time to cleanup the entire mobile home community. Dollar requested the Council compile a list for completion and set deadlines for completion.

**WATER & WASTEWATER:**

Superintendent Deal requested permission to hire Tracy Sovern at \$18.61 per hour; nine probationary period.

Motion made by Armstrong to approve hiring Sovern. Seconded by E. Treon; motion carries with all ayes.

Deal reported the mosquito sprayer is certified for the 2023 season. Repair parts have been ordered to maintenance the sprayer.

The bobcat compact mini excavator has been ordered; approximately four to six weeks for delivery.

Councilman E. Treon recognized that this council meeting would be Superintendent Deal's last report as he will be retiring effective July 5, 2023. The Council thanked Deal for 44 years of service to the Town.

President Hedrick recommended adding a plaque to the wastewater treatment plant recognizing Deal's service. Councilman E. Treon seconded the recommendation; carries with all ayes.

**BUILDING & MAINTENANCE:**

Clerk-Treasurer J. Treon reported the digital sign installation is on schedule.

J. Treon requested permission to repair or replace the ceiling in the municipal building hallway as well as the light fixtures. The fixtures are original to the building and the ceiling will likely be damaged or fall during the exchange. The Council recommended J. Treon get prices and/or quotes for the repairs to the municipal building.

**FINANCIAL REPORT & CLERK-TREASURER:**

Clerk-Treasurer J. Treon reported the arrival of the funds from Community Crossing.

**AREA PLAN COMMISSION:**

Councilman Broyles reported Area Plan remains short staffed, still looking for a Building Inspector.

Broyles advised Area Plan is working on a county-wide plan for the future of the county.

**NEW BUSINESS:**

None.

**OLD BUSINESS:**

None.

With no further business to come before the Council, Pollen made the motion to adjourn. Seconded by Armstrong; meeting adjourned with all ayes.

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Steve Hedrick, President

ATTEST

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Jo Ann Treon, Clerk-Treasurer