

PARK BOARD
ST. JOHN, INDIANA
December 29, 1997

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The Park Board of the Town of St. John met on this date with the following members present:

Attendee 1, Joan Millis	Attendee 4,
Attendee 2, Eileen Butcher	Attendee 5,
Attendee 3, Paul Haller	Attendee 6,

The following members absent:

Absent 1, Mary Anne Koke	Absent 4
Absent 2,	Absent 5
Absent 3,	Absent 6

CALL TO ORDER

The December 29th meeting was called to order at 6:06 p.m. followed by the recitation of the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Paul Haller, seconded by Eileen Butcher, to approve the minutes of the December 2nd meeting. Passed.

OLD BUSINESS

[New Playground Equipment - Lantern View Park](#)

Joan Millis presented a summary sheet of costs from two companies, NuToys Leisure Products (total \$42,631), and from Great Lakes Recreational Supply (total \$43,674). The costs are shown in phases A, B, C for the recycled equipment, timbers, spikes, wood chips, and the full installation of all components. The installation, however, would not have to be completed in phases.

Eileen Butcher inquired why Lantern View Park was selected; Joan Millis responded that the park has been graded and sodded, and is ready for equipment. A trail from Christopher Drive to the park would be added after the equipment is installed. Other parks are still waiting for grading, fill, correction of drain tiles, or additional parking.

- Motion by Paul Haller, seconded by Eileen Butcher, to accept the bid submitted by NuToys Leisure Products for Phase A (\$9,367.00), Phase B (\$9,932.00), Phase C (\$8,715.00) and installation (\$14,617.00). The installation is to be paid for with the \$15,000.00 appropriation. Passed unanimously.

A member of the press inquired about the source of the appropriated funds. Joan Millis responded that it is made up of rental fees from the house. Approval was received from Indianapolis to use the funds, which are over and above the 1997 Park Board budget.

NEW BUSINESS

[Nipsco Environmental Challenge Fund](#)

Eileen Butcher agreed to work on another application for funds, to be submitted by February 15th for Spring projects.

[Remonstrance](#)

Joe Hero, 11723 S. Oakridge Drive, asked to present a remonstrance against the Ice Arena and the surrounding facility general obligation bonds, against paying any bills from bond proceeds for Heartland Park, and requested that Park Board members who vote to pay any bills for Heartland Park be held personally liable to pay these funds back to the Town of Saint John, and be requested to make personal restitution for any such bond money expended.

Mr. Hero asked to have his remonstrance considered prior to the payment of bills, although Park Board members initially did not consider the presentation as New Business and felt the items had been presented previously. Mr. Hero read the statement with explanatory comments after copies had been presented to each member. He concluded by suggesting the Park Board members "exert due diligence" and investigate the points he has raised and not be used as a "rubber stamp" to endorse a wrongful project.

Paul Haller responded to Mr. Hero's points by reading a portion of the December 4th letter from James McGoff of Bingham, Summers, Welsh, & Spillman, Attorney at Law from Indianapolis. This letter states that the statute, Indiana code 5-1-11-3, does not require bids, submitted for the purchase of bonds of the Park District, to be opened at a public meeting. The letter further states that IC 5-1-11-3(e) prohibits any action to contest (i) the validity of the bonds after the 15th day following the first publication of notice (11/7/97), and (ii) the validity of the actual bond sale after the 5th day following the Bond Sale (11/24/97).

Paul expressed his objection to Mr. Hero's interruption of the meeting (the opening of the bond bids), his actions as a "spoiler", and the imposition of implied wrongdoing on himself and President Joan Millis. He demanded a written, published, public apology

from Mr. Hero and indicated his intent not to resign. Joan Millis clarified that the opening of the bids was not an official meeting; Park Board members were in attendance to witness the opening. Mr. Hero reiterated his objections to the procedures followed that day. J. Millis suggested that he contact David Wickland or Bingham, Summers, Welsh, & Spillman. Eileen Butcher expressed her frustration with his recurring remonstrances.

REPORTS

Programs

Average attendance and monies spent and received for each program for the month of December were presented. Overall, monies earned for aerobics are +\$60, men's basketball are +\$107, and coed volleyball are +\$29.

PAYMENT OF BILLS

Joan Millis read the following bills for payment from the Park Board '97 budget:

2688	Norma Yaeger	\$60.00	Recording secretary
2689	Leon Fisher	\$7.50	Prints and plats
2690	Susan Hynek	\$75.00	Aerobics
2691	Pam Zych	\$60.00	Volleyball
2692	Carl Decker	\$40.00	Basketball
2693	Debra Rokosz	\$100.00	Aerobics
2694	Judith Companik	\$15.00	Overnight mail
2695	Nipsco	\$25.08	Dusk to dawn lights
2696	Nipsco	\$17.54	Dusk to dawn lights

- Motion by Eileen Butcher, seconded by Paul Haller, to pay all bills 2688 through 2696 as submitted. Passed unanimously.

Joan Millis presented the following bills for payment from the St. John Heartland Park Construction Fund:

2606	Cumulative Sewer	\$436,052.31	
2607	Municipal Finance Consulting	\$6,862.07	
2608	Park Operating	\$112.26	
2609	The Times	\$149.94	Legal ad
2610	American Banker	\$500.00	Bond buyer
2611	JWP Hyre Electric	\$37,800.00	Lighting
2612	JM Crist Company	\$145,238.30	Cement
2613	Edward Kirk Company	\$25,464.00	Water, sewer
2614	Faso Excavating	\$14,400.00	
2615	Kencorp Construction Management	\$20,927.00	

- Motion by Eileen Butcher, seconded by Paul Haller, to pay all bills 2606 through 2615 as submitted. Passed unanimously.

ANY AND ALL

Joan Millis presented resolution PK 97-12-29A to transfer funds for payment of an invoice for \$1,002.50 to Hardesty Surveying to re-plat Heartland Park. Money is to be transferred from the account for Small Tools and Minor Equipment (1236) to the account for Engineering (1312).

- Motion by Eileen Butcher, seconded by Joan Millis, to pass resolution PK 97-12-29A. Passed unanimously.

Joan Millis presented a second resolution, PK 97-12-29B to transfer funds for payment of the secretary and for recreational personnel. Money (\$375) is to be transferred from the account for Small Tools and Minor Equipment (1236) to the account for the Secretary (+60 into 1114) and the account for Recreational Personnel (\$275 into 1315).

- Motion by Paul Haller, seconded by Joan Millis, to pass resolution PK 97-12-29B. Passed unanimously.

Joe Hero rose to request the resignation of this Board because he felt it was unconscionable to have gone through the whole project without having done "due diligence" to have a handle on all the elements necessary to build the Ice Arena. He felt there would not have been problems with liens on the property, money would have been in place. He held the Board directly responsible for the lack of investigation and the lack of up-front funds to build the building.

A member of the press inquired when funds from the bond money would be spent. Joan Millis responded that the Board tonight approved funds for existing bills for the parking lot, lighting, and the road into the Park, a total of \$556,995.88. Additional figures will be sought for further development of the ball fields, soccer fields, additional parking, a concession stand, and playground equipment. Funds will be expended as soon as weather permits construction and installation. Joan Millis indicated that monies from impact fees and the lease would help build up the Park Board budget over the annual 5% increase. There was some disagreement over the current amount of the annual budget.

Fred Kish extended his commendation for the ongoing work of the Park Board and wished them luck for the coming year.

Paul Haller inquired whether Joan would be continuing on the Board, as her term is due to expire. Fred indicated how much Joan means to the Park Board; Paul and Eileen concurred. Joan indicated she would decide before the end of the year.

ADJOURNMENT

Motion by Eileen Butcher, seconded by Paul Haller, to adjourn the meeting at 6:52 p.m. Passed unanimously.

Respectfully submitted,

By: /s/ Norma R. Yaeger
Recording Secretary