

PARK BOARD
ST. JOHN, INDIANA
June 29, 1998

Document Title PARK BOARD OF ST. JOHN, INDIANA
Document No.
Approval Date June 29, 1998
Archive Date
Published In
Document Type Park Board Minutes

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

Attendee 1, Eileen Butcher	Attendee 4, Paul Haller
Attendee 2, Joan Millis	Attendee 5, Fred Kish, Council Liaison
Attendee 3, Mary Anne Koke	Attendee 6, John Taylor, Town Council

The following members absent:

Absent 1,	Absent 4
Absent 2,	Absent 5
Absent 3,	Absent 6

CALL TO ORDER

The June meeting was called to order on June 29th followed by the recitation of the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Joan Millis, seconded by Paul Haller, to approve the minutes of the May 18th meeting as presented. Passed unanimously.

OLD BUSINESS

[St. John Heartland Park](#)

Eileen Butcher reported that Doug Wynkoop's proposal was accepted and the work completed to repair the damage to the rental property's fascia and soffits. The insurance company paid \$1,300.00, and the Park Board paid an additional \$1,300.00 to complete the work.

Eileen noted that there was also a problem with the propane water heater; this caused additional expense for Meyer's to do the work. Paul inquired whether it was necessary to get bids for emergency work; Joan noted that the expense was under \$1,200.00.

Joan explained the work, which Compton's did to switch over and separate the electrical metering for the rental property and Animal Control housed in the pole barn. Two meters had been on a pole by the driveway; the house meter was moved to the house and the Animal Control meter to the pole barn when the switchover was done, costing \$706.00.

Prairie West Park Drainage

Joan Millis explained that on June 25th the Town Council approved the proposal from Metro for \$6,000.00. They will do the drainage work and level the ground for seeding to accommodate future park equipment.

Basketball Courts

The item will remain on the agenda, even though there are no funds to install backboards or resurface them in Homestead Acres and Lancer Estates. Civic Park currently is being re-done by the Town Council. Eileen felt the prices quoted were too high, e.g., \$9,755.00 from K & M and \$4,975.00 from Lancer. A member of the audience felt these bids were comparable to those he was familiar with.

Lantern View

Last week, Joan went with John Metra and Tom Redar from Public Works to review the drainage problem around the front. Rough fill and clay are needed to reduce the wetlands, along with 125 yards of good topsoil. One or two manholes and drain tiles are needed to drain the water into the ditch on the east side of the park. In addition, a "fine swale" is needed to go to the grassy area and cover the exposed storm sewer, to be seeded for a future trail. Eileen inquired whether Nipsco would contribute the fill while they are working in that area; this work is still a year away. Costs are still unknown. Assistance will be sought from the Town Council for the storm-water relief. Joan indicated that this park would be complete with this work and the installation of the 40' sidewalk, perhaps yet this year.

NEW BUSINESS

Resolution

Eileen noted that there is no resolution for discussion.

Sun Meadows

Eileen noted that a resident, Sherrie Clota (sp?), requested permission to use an easement for a pool in their yard and offered to be responsible for any damages. Pictures were provided of the trucks' damage to the sidewalks and grass. The resident indicated that the sidewalks would be repaired within the next two weeks, following the completion of the pool. Yellow safety ribbons were installed around the damage.

Mary Anne Koke explained photos she took of several encroachments by homeowners in Fairview subdivision. For example, residents have installed concrete pads for basketball hoops in the streets, which is unsafe for people and snowplows. She suggested that the homeowners be contacted and asked to utilize portable hoops, which can be removed from the street.

Another photo shows the park property around Sun Meadows where homeowners have planted gardens, built sheds, placed swing-sets, encroached on and/or altered the landscaping, and put up permanent fences in the Park's 20' easement. She felt there should not be any permanent thing on the easement so as to keep access to the lines free and clear. She felt some had increased their own yards by about an additional 1/2-acre of parkland. She stressed that the park's square design and the symmetrical streets were to allow four entrances and walking trails. Paul Haller inquired whether the homeowners were caring for the property.

Dave Wickland explained a similar situation of a homeowner who had extended their property by planting a garden, claiming not to know who owned the property. Dave represented the owner of the property who had given verbal permission, and the court gave the gardeners the property based on time (10 years) and possession.

The Park Board can do two things:

- 1) Contact each homeowner by letter not condoning their actions and keeping the letters on file. However, he indicated the homeowner could file an "adverse possession" suit. Or,
- 2) The Park Board could give them a "continuing license until revoked by the Park Board" to leave the gardens or structures as is; such a license would have to be signed by the homeowner. The license then should be recorded for the subsequent homeowner. Dave recommended, at a minimum, corresponding with every homeowner abutting the park telling them not to continue the practice, and would prefer not to allow such actions at all.

Paul suggested that once the Park Board makes homeowners retreat, they will expect corresponding constructive action by the Park Board, i.e., trails and walking paths. He felt that as long as the homeowners were making an attractive contribution, then it should be allowed, but this is not always the case. Joan suggested, and Dave concurred that every homeowner should receive a certified letter; the homeowners that rebut the letter should be asked to sign the license. Eileen inquired how someone would have been able to obtain a permit to build a shed. Dave felt that anyone wishing to file suit for adverse possession would face the Park Board's power of eminent domain, subject to evaluation of the cost of litigation versus the value of the land.

Mary Anne suggested that the owners of these encroachments may not be the original owners, and may not know the true boundary lines. Joan inquired whether a surveyor should lay out the lines prior to the letter of notification; this was considered to be too expensive. Dave Wickland felt there probably would be pipes and electrical boxes to trace the line. Joan has copies of the final plats for reference should anyone contest it.

Mary Anne inquired about the wording of the letter, i.e., you (the homeowner) are encroaching on Town property and you must stop what you are doing. Dave Wickland felt this should come from the Park Board, not the attorney. Paul reiterated that the letter makes the homeowner aware they he/she is using Park land, and makes them aware that the Park Board is aware of their actions, with the intent of taking action to force compliance. Gardens could be allowed until the end of the season.

Eventually, someone will have to determine the lot line, and this will have to be policed to determine who has not complied. Mary Anne inquired whether homeowners could be billed for removal of their structures, etc. (Comments by Town Council John Taylor on the tape at this point are unclear.) Joan felt it was incumbent upon the Park Board to take action now, as the subdivision is eight to ten years old.

The reporter in attendance was asked to report the Park Board's intention to have gardens and sheds removed from Park property.

- Motion by Joan Millis, seconded by Mary Anne Koke, to send certified correspondence to every homeowner abutting Sun Meadows Park, making them aware of the need to remove encroachments and permanent structures, e.g., sheds, gardens, playground equipment, etc., by September 30 to allow park maintenance and mowing, with copies to Public Works for follow-up. Discussion: Joan offered to draft the letter for review by the attorney. Members of the Park Board will revisit the Park after Sept. 30 to assess compliance. The photos will be kept in the Public Works office. Passed unanimously on voice vote.

REPORTS

Joan reported that aerobics classes have stopped.

PAYMENT OF BILLS

Eileen Butcher read the bills, which can be paid immediately upon approval:
(*To be paid from the Park Development Fund)

1449*	McNamara Aquatic Weed Control	\$1,300.00
1448	Kopton Electric	\$706.00
1447	St. John Municipal Utilities	\$7.40
1401	Nipsco	\$60.16
1445	St. John Postmaster	\$32.00
1444	Pam Zych	\$100.00
1443	Carl Decker	\$20.00
1442	Pam Zych	\$122.50
1441	MTS Supply	\$20.36
1440	Walgreen's (film)	\$6.11
1439	Schilling	\$63.62
1919	Scherer Trump Equipment	\$48.16
1437	T & M Tire Service	\$95.00
1436	Ruim Equipment	\$73.78
1435	Quality Auto Parts	\$56.88
1434	Baxter Printing	\$49.00

- Motion by Mary Anne Koke, seconded by Paul Haller, to approve these bills as read. Passed unanimously on voice vote.

Eileen then read bills for approval to be paid when the draw is received (expected on June 30):

\$609.42	Meyer's (water heater)
\$415.00	Bruce's Septic Service
\$135.00	IPRA (Board membership)
\$4,533.00	Touch of Grass (lawn mowing)
\$199.00	Nelson Construction (sand delivered to Homestead Park for volleyball)

Paul Haller inquired about last month's report of a septic leak at Larimer Park. Eileen responded that she had not heard from girls' softball; Public Works has checked the field. Joan noted that the merry-go-round has been installed. The memorial will be straightened.

- Motion by Paul Haller, seconded by Joan Millis, to approve the additional expenses. Passed unanimously on voice vote.

ANY AND ALL

White Oak Pond

Joan Millis discussed the drain situation raised by Buck O'Day for the White Oak / Patnoe Pond. The original plan called for an extra control valve for the retention pond to create a skating rink. The pond was planned to be shallow, but has become a deep and dangerous pond with steep sides. The Plan Commission has given him 30 days in which to complete the pond, and he is suggesting that the valve not be installed. If the Park Board still wants the valve. Mr. O'Day is asking to be removed from the liability for the pond.

Joan felt that the pond should not be a skating rink. There will be a very large grate to cover the drainage culvert to keep children from playing in it. Paul Haller inquired about the original plan for the pond; it was intended to be shallow pond, but got enlarged with the construction of the adjoining subdivision.

- Motion by Paul Haller, seconded by Joan Millis, that the construction and maintenance of an ice skating pond with a valve to control the water flow be abandoned. Passed unanimously on voice vote.

Church Festival

Sherry Corte is asking the Park Board and Public Works to contribute about 30 tables for the annual St. John festival. Paul inquired whether a fee should be collected for the cost of moving the tables and the wear and tear on them. Mary Anne Koke reminded members of the expense incurred to have the tables built. She recalled that a minimal fee, e.g., \$3/table, had been set for the Park Board to move them; Eileen recalled a fee

of \$10. Paul suggested that an event be provided 5 or 10 tables, but over that, a fee should be imposed for transporting them from other parks.

- Motion by Mary Anne Koke, seconded by Paul Haller, to donate the use of 15 tables for the 1998 church festival; additional tables will be provided at \$5/each to offset the transportation costs. Passed unanimously on voice vote.

Mosquito spraying will be handled by Public Works.

ADJOURNMENT

Eileen declared the meeting adjourned.

Respectfully submitted,

By: /s/ Norma R. Yaeger
Recording Secretary