

PARK BOARD
ST. JOHN, INDIANA
July 28, 1998

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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,
Attendee 3, Mary Anne Koke	Attendee 6, John Taylor, Town Council

The following members absent:

Absent 1, Fred Kish, Council Liaison	Absent 4
Absent 2,	Absent 5
Absent 3,	Absent 6

PLEDGE OF ALLEGIANCE

The July meeting was called to order at 7:05 p.m. by President Eileen Butcher, 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 June 29th meeting as presented. Passed unanimously.

OLD BUSINESS

[St. John Heartland Park](#)

No report.

[Prairie West Park Drainage](#)

Joan Millis was uncertain whether the drainage and fill work had been completed on the problems on the north and south ends. The playground equipment will be installed on a

90' x 90' area on the ridge. An additional manhole will be installed in the easement north of the sidewalk to alleviate the water problem along 93rd.

Paul Haller inquired about the park equipment; Joan clarified that it will be east of the pavilion, where the sand is. Eileen Butcher noted that the Town Council paid for the drainage; she extended thanks.

[Basketball Courts - Homestead Acres and Lancer Estates](#)

This will remain on the agenda until funds become available. Mary Anne Koke asked that the condition of the playground equipment in Homestead be addressed at next month's meeting. Joan offered to have Public Works' staff look at the bridge.

[Lantern View Park Drainage](#)

Joan reported that the Town Council offered to pick up the cost of the storm-water contract, which was awarded, to J. Metro Excavating for \$8,720.00. Paul Haller inquired about the bad smell in the park; this is in Larimer Park, not Lantern View. The girls' softball team notices it in the infield when they set the pegs for the bases when the land has been wet. He suggested that the soil be tested, as it seems to be wet and rotten, and that drainage to the pond has to cross the field. John Taylor suggested that a biohazard company would be more appropriate than an engineering firm.

[Sun Meadows Easement Encroachment](#)

John Taylor, 10111 Northcote Court, spoke first to "allay fears" about the letter mailed to the residents around Sun Meadows park. He stated that he was neither for nor against sending the letter, but had attended a discussion with the Town Attorney, David Wickland, regarding "adverse possession." This is a legal term, which describes a court action to award property to the non-property owner if it has been taken care of for a period of ten years. David Wickland was involved in a Hammond case where the property owner lost commercial property in this manner. John Taylor felt this action would not likely occur, and would not be of great concern to the Town. However, the Park Board does have the right to condemn property to regain that, which has been deeded to them.

John Taylor felt that the letter was an "exercise in academics" to make people aware that they may be encroaching on park property. The possibility of renting property to adjacent property owners was addressed but found to be very complicated, according to state statute. The statute requires two appraisals and a formula for establishing rates.

A resident inquired whether the parkland has a value. Park values were established two years ago when the master plan was completed (they are non-taxable). Paul Haller suggested John explain the process by which the Park Board gets parks. In the past, the park area or cash was provided as a percentage portion of each new development. Now the impact fee sets a rate per residence.

John Taylor reiterated his feeling that the letter was a "perfunctory notification that made a reasonable effort to notify people that you may or may not be encroaching on park property." However, residents strongly objected that the letter did not say "may or may

not", that it implied that every resident was in violation, and that a matter of this importance should have been specific to each residence. John felt that no malice was intended. Residents also objected to first learning of the Park Board's intent to control encroachment in a newspaper article. The "courteous" action would have been to approach each homeowner, instead of coming up to people's backyards taking pictures (in reference to Mary Anne Koke, who was on public park property).

John Taylor explained that since this incident, all members of Town boards and commissions have received identification badges to present when they are making inspections.

A resident inquired whether property owners could sign a document to waive their rights to the park property. He expressed the residents' interest in keeping the area attractive and well mowed. The document would have to be recorded and run in perpetuity with the parcel, in case of any future sale of the property.

John also addressed comments about development of the parks. Walking paths, soccer and ball fields are planned in Central Park, along with playground equipment in other parks, in accordance with the master plan. The process will be very slow, since most improvements are very costly, e.g., a walking path costs about \$65,000.00 per mile. Most of the Park Board funds go to grass cutting each summer.

Kathy O'Leary, 8847 Verbena Drive, inquired about the depth of the easement between the homes and the park. The easement is 12', split evenly between the homeowner and the park. Joan confirmed that each house has a platted survey showing the easements. Mary Anne confirmed that no permanent structures are to be placed on easements. The resident clarified that the homeowner would have to be willing to remove any structure or impediment.

Mrs. O'Leary inquired whether the residents should not be cutting the grass; this is what David Wickland has recommended. However, John Taylor felt this was just "technical semantics", since someone could sue the Town for possession, but that the Town could condemn it to regain it.

Mrs. O'Leary felt that 25 homes was not an excessive number to review for possible encroachments, then have the Park Board deal only with those in violation. Eileen confirmed that after 90 days, the Park Board will review compliance. John Taylor weighed the pros and cons of expending \$1200 per household for a survey versus a visual review and voluntary compliance.

Wayne Pondinas, 8781 Verbena Court, inquired about the liability of dead tree limbs that have fallen that have never been picked up by the Town. John Taylor confirmed that the Town has a general liability policy.

Mrs. O'Leary inquired whether all the other parks have been checked for encroachment; this will be done incrementally.

Vicky Jahaske, 8800 Schillton Dr., stated that when she moved in, there was no master plan and the developer explained that there would not be any development behind them because of the wetlands; she would prefer that it remain this way. She explained that

she and Park Board members had walked around the whole park to become more familiar with it. Residents had heard that there was a five-year plan for their park, which had to be in place in the next two years; this is not the case. There is a five-year conceptual plan to develop the parks' potential, but it is a long-range ("wish list") outline for when funds are available.

Eileen Butcher explained that the original master plan was developed in 1991 and did call for walking paths in the park. The developer should not have stated that "nothing would be done." A resident inquired whether the residents could help plan the walking paths; although funding for the paths is a long way off, residents were encouraged to attend every meeting, or to send a representative who could share the information in a neighborhood flyer. John Taylor reiterated that any proposed action for capital expenditure would be well publicized.

Mrs. Pondinas inquired whether the Board planned to back up the statements in the letter to review the situation in 90 days. John Taylor responded that the letter helped "place an impediment in the pathway of someone who envisions themselves condemning the property for adverse possession," no more and no less. The Park Board confirmed that they had followed the advice of the attorney, and they were working off the platted survey on the deed to the park property.

A resident inquired how the Park Board rented the property from Lake Central, and why they improved a property they do not own. Joan Millis confirmed that Girls Softball and Boys Baseball contributed substantial funds to help with the improvements.

Paul Haller inquired whether a resident of 11 years had any intent of claiming the property; the homeowner said he had none, and many others expressed concurrence. However, the same sentiment may not be that of future buyers. Paul indicated that if the waiver process is possible, the attorney will advise the Park Board. It will be on the August agenda for discussion of the costs, recording, liability, etc.

Mary Anne Koke agreed that while some residents are conscientious about maintenance and improvements on park grounds, others have abandoned their efforts and they now "look horrible." She read from the 1990 master plan, noting that the three entrances would provide access to a "natural area, with minimal playground equipment." Long range plans called for walking paths, a covered pavilion, picnic tables, additional playground equipment, basketball, tennis or volleyball courts, or a level area for sandlot baseball. Residents in attendance concurred that they did not want the park developed. If other residents in the subdivision want developments, they should attend and make their preferences known. Residents expressed concern about additional usage behind their homes, since that the park is hard to access and patrol. One resident expressed her preference for using the sidewalks in the front of the house.

Eileen Butcher reiterated that concerns for additional development were premature, since the Park Board only has \$56,000/year, and that \$29,000 is used each summer for grass cutting. Other funds are spent to improve the ponds, pay insurance, etc. Park equipment would probably take priority over walking paths, but the wetlands will not be disturbed.

Charlene Purcell, 8850 Schillton Dr., summarized the residents' concern about the way the issue was handled, i.e., that they saw a newspaper article, then they received a "threatening letter." Residents inquired whether the Park Board would have the grass cut weekly, if they all removed their personal property. Grass cutting is contracted to be done "as needed." Residents are encouraged to notify the Park Board of areas that need attention.

A resident inquired whether the interpretation of the law could change with the rotation of the Park Board and the change in the Town's attorney. This was not answered, as it is just conjecture, nor is the Board's action 90 days from now known. Mary Anne Koke responded that the Park Board had an obligation to make the residents aware they were using park land for private purposes. She extended apologies for "upsetting the apple cart", but reiterated that the Park Board could require residents to remove personal items.

Eileen Butcher wanted to clarify that the Sun Meadows park has been in the minutes several times over the past two years, and this issue has nothing to do with the neighbor's new pool.

Gina Myers, 8901 Verbena Court, thanked the Board for doing a nice job on the easement, but inquired whether a sign could be posted for the hours of the park, and one prohibiting pets. Joan Millis will look into signs. Joan Taylor explained that any concern can be phoned into the Public Works department to initiate a case sheet for a requested action.

Mrs. Faulkner of 8720 Schillton, inquired whether some black dirt could be acquired to fill in an access area. She was asked to call Public Works to look into the request.

Dave Wilken, 8741 Verbena Court, inquired whether he should continue to mow past his boundary, as there are many trees back there, which is not easily accessed. Eileen Butcher confirmed that the attorney has left the impression that neighbors should not mow park areas that the contractor is responsible for. However, he may continue to cut it until the Park Board meets again in August.

The residents expressed their thanks to the Park Board for listening to their concerns.

NEW BUSINESS

[St. John Eagle Scout Project, Troop 550](#)

Brian King, 2120 Sherwood Lake Dr., #2, is a 16-year-old Boy Scout looking for an Eagle Scout project. Joan Millis recommended that he construct 2 wooden benches for the Lantern View park playground equipment. If approved by the Boy Scout Council, he will make the benches from treated wood; the materials must be donated, or he is required to raise funds to buy them. Mary Anne Koke inquired whether the Park Board could be the donor; Joan Millis suggested that the Park Board contribute whatever Brian is unable to acquire or raise. Paul Haller suggested that Brian submit his plan with costing for review by the Park Board. The benches could be installed any time, coordinated by Public Works to place them in concrete.

- Motion Mary Anne Koke, moved, and Joan Millis seconded, that Brian King prepare a plan and obtain approval from the Scout Council, and that the Park Board consider assisting him with funding, and provide assistance in the placement of two benches in Lantern View Park. Passed unanimously on voice vote.

St. John Garden Club

Rebecca Waddell, president of the new St. John Garden Club, would like to do a community project. They offered to beautify Prairie West with plants, to prepare a plan, and incorporate any Park Board suggestions. Verbal approval was extended to proceed with the plan. New members would be welcome to the Garden Club.

REPORTS

Programs

Joan Millis confirmed that Pam Zych will continue next fall.

PAYMENT OF BILLS

1857	Norma Yaeger	\$30.00	Recording secretary
1858	Ruim Equipment	\$56.55	Mowing blade
1859	Quality Auto	\$14.25	Oil filter for mower
1860	Pam Zych	\$15.84	Rope for volleyball
1861	Leon Fisher	\$2.50	Blue line drawings
1862	Leon Fisher	\$1.25	Print
1863	MTS Supply	\$25.82	Pipes and fittings
1864	Schilling	\$22.26	Concrete – supplies
1865	Pam Zych	\$80.00	Volleyball
1866	Lynn VanDerZee	\$7.00	Certified mail, postage
1867	General Fund	\$70.56	Stamps
1868	Nipsco	\$42.62	
1869	St. John Municipal Utilities	\$44.40	
1870	St. John Municipal Utilities	\$7.47	Water
1871	Touch of Grass	\$4,533.00	Mowing
1872	Doug’s Decks	\$2,650.00	White Oak house
1873	Bruce’s Septic	\$415.00	Porta-potties
1874	McNamara Aquatics	\$1,300.00	July treatments

Motion by Mary Anne Koke, seconded by Joan Millis, to approve the bills as read. Passed unanimously on voice vote.

ANY AND ALL

Eileen Butcher reported receiving a thank you note from St. John Baseball for the Board's help.

Cindy Sawyer, 10562 Mallard, noted that the ditches are plugged. She also inquired whether the process for Patnoe Park could be speeded up to get grass. However, this park has not been deeded to the Park Board. Joan Millis reported that there may be an

ongoing dispute between Paul Whitener and Mr. O'Day because of the deed; Public Works continues to inspect it. The subject needs to return to the Plan Commission to work out the problem between the developer and the contractor. Joan will write the letter to get the lights in.

Dave with St. John Girls Softball requested information from the Park Board to begin planning for next year. They are interested in making improvements (e.g., fences, lights, and enlarged concessions) to host tournaments, but want to know where they will be playing. Joan Millis responded that proposals will be sought and plans known in 30-45 days, following the leveling of the grounds at Heartland, which is not yet deeded to the Park Board. She and Eileen discouraged him from putting money into a park that is owned by Lake Central School district. Joan noted that the residents have already complained about the concession stand light.

The softball organization can now acquire light poles from Nipsco if they get approval from the Park Board. Board members agreed that lighting at Heartland would be most welcome. John Taylor indicated that the Town has about \$300,000.00 in funds to spend at the park, and he has many proposals for the contracts to prepare the ball fields. He expects that the fields will be planted yet this fall, but is uncertain if they will be ready for play in the spring. He accepted the poles and find a place to stockpile them.

ADJOURNMENT

Motion by Paul Haller, seconded by Mary Anne Koke, to adjourn the meeting. Passed unanimously.

Respectfully submitted,

By: /s/ Norma R. Yaeger
Recording Secretary