

ST. JOHN TOWN COUNCIL REGULAR MEETING
July 24, 2003

Mr. Forbes called the St. John Regular Town Council Meeting to order at 7:03 P.M and led the Pledge of Allegiance.

Roll Call - Roll call was taken with the following members present: Michael Forbes, President; Jerome Rudy, Vice-President; Kristie Aldridge, Member; William Winterhaler, Member; Gregory Volk, Member; Steve Kil, Town Manager; David Wickland, Town Attorney; and Sherry Sury, Clerk-Treasurer.

Approval of minutes of the June 17, 2003 Executive and June 26, 2003 Town Council Regular meeting - Mr. Winterhaler motioned, seconded by Ms. Aldridge; to approve the minutes of June 17 and June 26, 2003. Motion carried 4 to 1. Mr. Rudy abstained as he was absent from both meetings.

Presentation of:

***Recognition of Eagle Scout – Kenneth Thomas Banaszak**

Mr. Banaszak was unable to attend; Mr. Forbes read the letter of recognition.

****Loyalty Day Parade Presentation by VFW Post #717**

Mr. Gene Kijanowski, District Commander; parade received First Place in the State of Indiana. He presented plaque to Mr. Forbes.

Old Business

Consider Ordinance #1303, rescinding Ordinance #1285 (Ethics Ordinance) – second reading – Ms. Aldridge motioned, seconded by Mr. Winterhaler, to approve Ordinance #1303, rescinding Ordinance #1285 the Ethics Ordinance on the second reading. Mr. Rudy stated there are two items truly in error: The second recital says: “whereas, the Town Council has been required to amend said Ordinance in several respects”. That is not true, the Ordinance as it stands was adopted on March 27th. One amendment was offered with first reading only. There has never been another one but that. To say that it is required to be amended in several respects is in error. The third recital also indicates that the Council finds that this Ordinance has caused considerable turmoil and uncertainty among members of the various boards and commissions with the Town and has been unwieldy. That is also patently false. They have heard of one person who resigned who for fear of not being in compliance at some point in the future. He feels this is also in error. Ms. Aldridge stated that a couple of individuals on other boards brought it up to her. As liaison, she brought it up to the Council. **Roll Call Vote: Mr. Rudy, no; Ms. Aldridge, yes; Mr. Winterhaler, yes; Mr. Volk, no; Mr. Forbes, yes. Motion carried 3 to 2.** Ms. Aldridge would like rewriting to occur as soon as they can.

Consider Ordinance #1285, amendment of “Ethics Ordinance” – second reading – removed from the agenda. Mr. Wickland stated that the prior action (Item A - above) rescinds any prior Ethics Ordinance.

Mr. Rudy asked that in the future, they follow the long standing practice of the Council, that if an ordinance is to be offered for consideration at a public meeting, that the ordinance number and name be actually listed on the agenda which was not done with Ordinance #1303 last month. It was just handed out at the meeting and the public was not aware that this Council was

considering rescinding the ordinance by the agenda that was published. He also asked that they in good faith always list the agenda item rather than bringing it up as a surprise.

New Business

Consider Ordinance #1297, procedure to “dispose of uncollectible Ambulance bills” – Mr. Rudy spoke with Social Security Administration and shared his findings of how Medicare determines payment. He is concerned we are writing off bills that have not gone through the Medicare / secondary insurance process. Mr. Wickland stated this Ordinance is in response to the State Board of Accounts’ concern of how the Town handles bad debt. He recommends they receive the Social Security Administration’s procedure in writing and recommend changing the sentence after the bold face in section G of the ordinance. Mr. Kil stated there have been no bad debt write offs to date. Mr. Volk also received information from SSA regarding a MediGap Program. Discussion followed. **Ms. Aldridge motioned, seconded by Mr. Winterhaler, to table Ordinance #1297 to August study session. Motion unanimously passed.**

Consider Ordinance #1298, an ordinance regulating Municipal Credit Card purchases (second reading) – Mr. Rudy motioned, seconded by Mr. Winterhaler, to modify the second resolution of Ordinance #1298 which would begin with the following language: “Be it further ordained, that a maximum number of five (5) Town of St. John credit cards shall be obtained by the Town Manager for the use of all Town employees and officials” and the balance of the resolution and paragraph remain intact. Four ayes and one nay by Ms. Aldridge. Motion to amend carried.

Mr. Rudy motioned, seconded by Mr. Winterhaler, to adopt Ordinance #1298 on second reading with amendment just read in prior motion. Four ayes and one nay by Ms. Aldridge. Motion to adopt carries.

Consider Resolution #03-07-24A, providing for the additional appropriation of various funds (Hazardous Material Response) – Mr. Rudy motioned, seconded by Mr. Volk, to approve and adopt Resolution #03-07-24A appropriated funds for the purposes of Hazardous Materials Response. Motion unanimously passed.

Consider Heron Lake – Unit 4 (Phase I) – Letter of Credit in the Amount of \$135,239.50 (favorable recommendation by Plan Commission) – Mr. Rudy motioned, seconded by Ms. Aldridge, to approve the irrevocable Letter of Credit #2003-ILC-486 written by Bank Calumet for a total of \$135,239.50 for Heron Lake – Unit 4 (Phase I). Motion unanimously passed.

Consider Novo Selo – Letter of Credit in the amount of \$75,000.00 (favorable recommendation by Plan Commission) – Ms. Aldridge motioned, seconded by Mr. Volk, to approve the Letter of Credit in the amount of \$75,000.00 for Novo Selo with the favorable recommendation from the Plan Commission. Motion unanimously passed.

Review of Recycling / Waste Specifications – Mr. Kil reviewed the specifications. Discussion followed regarding yard waste. **Mr. Rudy motioned, seconded by Ms. Aldridge, to authorize the publication of the legal notice requesting bids for the Town’s waste haul and recyclable program subject to the amendments discussed tonight under yard waste, service required of contractor, standards of service, roll off container, public facilities, and special refuse and amnesty days. Motion unanimously passed.**

Consider authorization for the Police Department to hire a part-time secretary – Mr. Rudy motioned, seconded by Ms. Aldridge, to approve the hiring of Annette Hanusin as a part

time secretary for the St. John Police Department averaging three days a week. Motion unanimously passed.

Consider request from the Public Works Department to purchase two (2) vehicles – Mr. Kil would like to table until August 19th study session. He has received a response from Ford but has not received a response from Chevy or GMC yet. He would like to consider all the big manufacturers. Ms. Aldridge requested quotes for different vehicles; she also suggested the Council look at who will be using the vehicles. Vehicles being replaced will be traded in. **Mr. Rudy motioned, seconded by Ms. Aldridge, to table consideration of the Public Works vehicle replacement to the August study session. Motion unanimously passed.**

Consider authorization to Public Works Department to hire an Employee (replace retiree – Herman Monix) – Mr. Kil has conducted the second interviews and has requested that Mr. Pharazyn present two new people. It did not go that well and his is not ready to recommend anyone. He would like to table for August 19th study session. **Mr. Rudy motioned, seconded by Mr. Aldridge, to table the authorization to hire a replacement Public Works employee to the August study session. Motion unanimously passed.**

Reports and correspondence

Town Council

Mr. Rudy will be unable to attend the meetings of the N.I.R.P.C. and cannot accept the appointment. Mr. Volk has accepted the appointment until the end of the year. **Mr. Rudy motioned, seconded by Ms. Aldridge, to appoint Mr. Gregory Volk to be the Town of St. John's representative on the new, expanded Northwest Indiana Regional Planning Commission. Motion unanimously passed.**

Mr. Rudy – Plan Commission has asked to meet in a joint study session with Town Council regarding the Comprehensive Plan. He will send a letter to Plan Commission members to see if they can attend the joint August 19th study session.

Mr. Rudy – Regarding the proposal from Kencorp some months ago for a smaller suit they were involved in; **Mr. Rudy motioned, seconded by Ms. Aldridge, that the Council formally decline Kencorps' proposal to acquire any FF&E assets the Town has at the Ice Arena as evidenced in their letters of February and March of this year. Motion unanimously passed.**

Mr. Rudy – Suggested the Council move forward to request bids for the Town owned assets at the Ice Arena. Mr. Forbes concerned that contract with new owner includes right of first refusal to purchase items. Does the last motion conflict with that? Mr. Wickland will check. **Mr. Rudy motioned, seconded by Mr. Winterhaler, that the Council authorize the publication of the legal notice requesting bids for the Town owned assets at the Ice Arena so long as such publication does not conflict with court approved settlement agreement. Mr. Rudy amended the motion to include that the bids are for the entire block of the inventory list. Motion unanimously passed.**

Ms. Aldridge – Announced that the Park Board will have Movie Night in September and stated why she wanted to have the Highland Concert Band perform in St. John. Also, would like to have a way to tell why the alarm system in town is ringing; car accident, tornado, etc.

Clerk-Treasurer

Fire Services Contract – St. John Township Trustee, St. John Fire Department and Town of St. John. Need to execute contract, so money can be secured tomorrow. Mr. Rudy would like to table for August study session.

Mr. Forbes mentioned he would like to hold a special meeting before the August study session to award the 2003 street resurfacing contract.

Mr. Rudy motioned, seconded by Mr. Volk, to hold a special meeting prior to the August 19th study session at 7 P.M. for the following two purposes: 1) to award the 2003 street resurfacing contract; and 2) to consider approval of the contract with the St. John Township Trustee for fire service. Motion unanimously passed.

Staff

Mr. Kil – Mosquito abatement – would like to know whether he should purchase additional barrels of insecticide. **Mr. Rudy motioned, seconded by Ms. Aldridge, to purchase two additional drums of mosquito repellent for the Mosquito Abatement Program. Motion unanimously passed.**

Mr. Kil – Flooding on Rt. 41, he believes this was caused exclusively by the construction project on Rt. 41. He would like Council's authorization to proceed with reimbursement from INDOT. **Mr. Rudy motioned, seconded by Ms. Aldridge, to authorize the Town Manager to collect and submit a detailed claim to the appropriate State of Indiana agencies for reimbursement to the Town for its extraordinary costs related to flood control on U.S. 41 and other parts of the Town. Motion unanimously passed.**

Payment of Bills - #7970 through #8146 in the amount of \$563,601.25 for the Corporation – Mr. Rudy motioned, seconded by Mr. Winterhaler, to authorize payment of vouchers #7970 through #8146 in the total amount of \$563,601.25. Motion unanimously passed.

Business from the Floor –

J Thiel, 9490 Keilman – asked about the placement of the flag in the meeting. Mr. Kil stated it was moved for a previous meeting and not put back in place.

Ron DeRosa, 9601 Oakridge – asked if the Town Council voted against another movie night? Mr. Rudy stated it was not voted on, it was discussed in a study session. Mr. DeRosa is concerned the Park Board is over budget, the Council gives them more money, yet they are paying for a Movie Night. Ms. Aldridge responded to his concerns.

Adjournment – Mr. Rudy motioned, seconded by Ms. Aldridge, to adjourn. Motion unanimously passed. Meeting adjourned at 8:40 P. M.

Attest:

Sherry P. Sury, Clerk-Treasurer