

ST. JOHN TOWN COUNCIL REGULAR MEETING  
September 25, 2003

Mr. Forbes called the St. John Town Council Regular Meeting to order at 7:04 P.M and led the Pledge of Allegiance followed by a moment of silence.

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 August 19, 2003 Special Meeting, the Budget Public Hearing and Regular Meeting of August 28, 2003, and the Joint Study Session of the Town Council and Plan Commission on August 19, 2003** – Mr. Winterhaler motioned, seconded by Mr. Rudy to approve the minutes of the stated meetings. Motion unanimously passed.

**Old Business**

**Consider Ordinance #1297, procedure to dispose of Uncollectible Ambulance Bills (second reading)** – Mr. Rudy motioned, seconded by Mr. Volk, to adopt on second reading Ordinance #1297, an ordinance establishing a policy to declare uncollectible accounts for the Town of St. John. Motion unanimously passed.

**Consider employing the firm of Edwards & Kelcey, Inc. – update of Comprehensive Plan** – Mr. Volk would like to see copies of other proposals. Mr. Rudy brought copies of the proposal activity and related paperwork of the Plan Commission and the Planning and Development Advisory Committee. Discussion followed about what has been done to date. **Mr. Volk motioned, seconded by Ms. Aldridge, to defer this vote and go out for more proposals.** Ayes: Mr. Volk, Ms. Aldridge, Mr. Winterhaler; Nays: Mr. Rudy, Mr. Forbes. Motion carried 3 to 2.

Mr. Volk motioned, seconded by Ms. Aldridge, to reject the proposal from Edwards & Kelcey, Inc. and redirect the Plan Commission and Advisory Committee to regroup and resubmit for bids/RFP's/Proposals to at least three different consulting firms. Mr. Volk amended motion to reject all proposals received at that time. Ms. Aldridge seconded amended motion. Roll call vote: Mr. Rudy, no; Ms. Aldridge, yes; Mr. Winterhaler, yes; Mr. Volk, yes; Mr. Forbes, no. Motion carried 3 to 2.

**Ordinance #1313, an ordinance regulating the ethical behavior of Town Officials** – Mr. Rudy recommended several changes; Ms. Aldridge would like members of the proposed Ethics Board to provide input on the Ordinance. **Mr. Rudy motioned, to accept on first reading Ordinance #1313 with the amendments just read into the record.** Mr. Rudy amended motion to include that additional people who are defined as public officials in this may not be hired by the Town for a period of 90 days following termination of their duties and responsibilities with the Town. Motion failed due to lack of a second.

Ms. Aldridge motioned to table Ordinance #1313, an ordinance regulating the ethical behavior of Town Officials until further discussion, motion seconded by Mr. Volk. Three ayes - Mr. Forbes, Ms. Aldridge, Mr. Volk; nay – Mr. Rudy, abstain - Mr. Winterhaler. Motion carried.

**New Business**

**Resolution #03-09-25, a resolution adopting a Fiscal Plan for Christopher Drive, Jacobsen Drive and West 85<sup>th</sup> Avenue** – Mr. Rudy motioned, seconded by Mr. Winterhaler, to approve and adopt Resolution #03-09-25, a resolution adopting a Fiscal Plan for annexation to the Town of St. John. Motion unanimously passed.

**Ordinance #1312, an ordinance annexing certain real property to the Town of St. John (first reading)** – Mr. Rudy motioned, seconded by Mr. Winterhaler, to approve on first reading Ordinance #1312, an ordinance annexing certain real property adjacent to the Town of St. John. Motion unanimously passed.

**Ordinance #1314, an ordinance amending Ordinance #511, same being the Master Traffic Ordinance** – Mr. Rudy motioned, seconded by Mr. Winterhaler, to give unanimous consent to consider Ordinance #1314 an ordinance amending Ordinance #511. Motion unanimously passed. Mr. Rudy motioned, seconded by Mr. Winterhaler, to adopt Ordinance #1314, an ordinance amending Ordinance #511. Motion unanimously passed.

**Authorization for Public Works to re-grade Sun Meadows Retention Pond – not to exceed \$7,740.00** – Mr. Rudy motioned, seconded by Mr. Volk, to approve an amount not to exceed \$5,800.00 for landscaping, excavation and grading of Sun Meadows Pond based upon the recommendation from the Public Works Director in his memo dated August 22, 2003. Motion unanimously passed.

**Consider approval of Schafer Drive Drainage Project** – Mr. Rudy motioned, seconded by Mr. Volk, to approve an amount not to exceed \$5,500.00 for the Schafer Drive drainage problem near 9060 Schafer based upon the recommendation of the Town Engineer in his letter and drawing dated September 2, 2003. Motion unanimously passed.

**Consider approval of 2003 Sidewalk Replacement Program** – Mr. Rudy motioned, seconded by Mr. Volk, to approve and allocate \$20,000.00 for the 2003 Sidewalk Replacement Program for the year 2003. Motion unanimously passed.

**Award bid for Refuse and Recycling Collection** – Discussion about oil spots on the streets caused by Performance trucks. Mr. Rudy motioned, seconded by Mr. Winterhaler, to award the waste hauler contract for the years 2004 and 2005 to Performance Waste and Recycling based on the bid recently received from them. Motion unanimously passed.

**Consider approval for the acquisition of five (5) squad cars** – Mr. Rudy motioned, seconded by Mr. Winterhaler, to authorize the St. John Police Department to lease three new squad cars and to purchase two new ones for delivery in the year 2004. Motion unanimously passed.

**Discussion of Sale of F.F. & E. items from Ice Arena and Fitness Center** – Mr. John D. Argus of American Management Systems gave an overview of his business, why the Town hired him and the sales process. Mr. Rudy motioned, seconded by Ms. Aldridge, to express the Town's intent to hire American Management Systems International to serve in a capacity of developing a negotiated sale for the Town owned F.F. & E. equipment at the Ice Arena with a fee representing 20% of the gross sale, a minimum of \$500.00 for his effort and we await his final proposal for the Town's signature. Motion unanimously passed.

**Consider Letter of Credit for Weston Ridge – Unit 2 in the amount of \$692,837.90 (favorable recommendation by Plan Commission)** – Discussion regarding a discrepancy in the amount originally approved. Mr. Kil confirmed that the Town Engineer agreed with the

revised value of the letter of credit. **Mr. Rudy motioned, seconded by Ms. Aldridge to accept the irrevocable Letter of Credit #CL7238LC from People's Bank in the amount of \$692,837.90 for Weston Ridge – Unit 2 as represented on their memo dated 9/23/03. Motion unanimously passed.**

**Consider request to use Municipal Building Meeting Room and Public Works Facility for polling place on Tuesday, November 4, 2003 – Mr. Rudy motioned, seconded by Mr. Winterhaler, that the Town approve the use of the Municipal Building Meeting Room and the Public Works facility on White Oak Avenue for a polling place for the General Election to be held on Tuesday, November 4, 2003. Motion unanimously passed.**

## Reports and correspondence

### Town Council

Mr. Forbes stated that there is a petition for a public hearing regarding the Rybarski Farm at the Lake County level they are seeking rezoning. He would like the Town Council to send a letter to the Lake County Plan Commission and the Lake County Council stating that the St. John Town Council is actively pursuing annexation of these properties. **Mr. Rudy motioned, seconded by Mr. Volk, that the Town Council reaffirms its direction to the Town Attorney to proceed with the annexation of the Rybarski Farms property. Motion unanimously passed.**

**Mr. Rudy motioned, seconded by Ms. Aldridge, to authorize the Town Attorney to send memoranda and/or attend meetings of both the Lake County Plan Commission and as appropriate, the Lake County Council to represent the St. John Town Council's interest in annexing the Rybarski Farm as a part of the Town of St. John and to deny them use of water and sewer absent annexation. Motion unanimously passed.**

Mr. Forbes presented list of F.F. & E. items from the Ice Arena for the Police Department. **Mr. Rudy motioned, seconded by Mr. Winterhaler and Ms. Aldridge, to transfer the equipment listed in the September 22, 2003 letter from the Police Chief from the Ice Arena to the Police Department's use. Motion unanimously passed.**

Mr. Forbes stated that the BZA unanimously approved a special use permit regarding a church on the Weston Ridge property. **Mr. Rudy motioned, seconded by Ms. Aldridge, that the Town Council concur with the BZA to allow the construction of a church on the residential property commonly known as the Weston Ridge area. Motion unanimously passed.**

Clerk-Treasurer – None.

### Staff

Chief Guzik asked to amend the ordinance for parking on 97<sup>th</sup> & Keilman and Marquette Street.

Mr. Kil suggested the meeting calendar be changed due to overlapping dates and holidays. The study sessions will be on October 14<sup>th</sup>, November 11<sup>th</sup> and December 16<sup>th</sup>; the regular meetings will be November 20<sup>th</sup> and December 30<sup>th</sup>.

Mr. Forbes will not attend the IACT Conference; the itinerary indicates the Conference is for professional staff.

**Payment of Bills - #8355 through #8542 in the amount of \$515,506.57 for the Corporation**  
– Mr. Rudy motioned, seconded by Mr. Winterhaler, to pay the vouchers #8355 through #8542 for a total amount of \$515,506.57. Motion unanimously passed.

**Business from the Floor**

Mr. Ruben Pitman, 9021 Columbia Avenue - commented on the direction of the Master Plan and the funding for the Park Department employees.

Ms. Joan Mills, 9062 Howard - commented on Public Works hours, funding of labor and the budget.

Mr. Joseph Hero, 11723 S. Oakridge – asked if all of the Ice Arena litigation cases have been settled. Mr. Wickland stated there are two claims open.

**Adjournment** – Mr. Rudy motioned, seconded by Mr. Winterhaler, to adjourn. Motion unanimously passed. Meeting adjourned at 9:08 P. M.

Attest:

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Sherry P. Sury, Clerk-Treasurer