

ST. JOHN TOWN COUNCIL REGULAR MEETING
November 20, 2003

Mr. Rudy called the St. John Town Council regular meeting to order at 7:06 P.M. and led the Pledge of Allegiance.

Roll call was taken with the following members present: 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. Mr. Michael Forbes was absent.

Mr. Rudy asked that two items on the agenda be amended: Item 5A, add the following language to description: annexing property known as Rybarski Farm and Tram Development. And change Item 6C: to label "consider Ordinance #1320, annexing property known as Lake Hills Golf Course (first reading)" as C1; and follow with a C2 that says: "Consider adoption of Fiscal Plan for property known as Lake Hills Golf Course." There was unanimous consent for the changes proposed by Mr. Rudy for Items 5A and 6C.

Approval of minutes of the October 2, 2003 Executive Session, October 23, 2003 Executive Session and the October 23, 2003 Regular Meeting - Mr. Winterhaler motioned to approve the minutes of the October 2, 2003 Executive Session, October 23, 2003 Executive Session and the October 23, 2003 Regular Meetings. Seconded by Ms. Aldridge. Motion unanimously passed.

Old Business

Public Hearing – Ordinance #1317 – Annexing property known as Rybarski Farm and Tram Development – Mr. Wickland stated the proof of publication of a Public Hearing is on file as required by law. Mr. Rudy gave a background of the property's annexation activity. This will be handled as an involuntary annexation.

Public Hearing

Susan Brey Meyer, 9531 Dover Lane – stated that the developer took the plan to the County and they will vote on R-2 zoning on December 9th. There is concern that the property will be annexed in as county R-2, which are smaller lots. She has a petition with 130 names supporting R-1 zoning.

Mr. Winterhaler motioned to set aside and decline further readings of Ordinance #1317 as read on October 23rd. Ms. Aldridge seconded. Motion unanimously passed.

Mr. Winterhaler motioned to add an agenda item for the Special Meeting scheduled for November 26th that will include the adoption of a fiscal plan under an involuntary annexation of the Rybarski Farm and the first reading of the Ordinance to annex that same property. Ms. Aldridge seconded. Motion unanimously passed.

New Business

Consider Ordinance #1318, an ordinance establishing wages and salaries for employees, fire and police personnel and town officials – Mr. Winterhaler motioned to unanimously consider on first reading Ordinance #1318, an Ordinance establishing a schedule of wages and salaries for employees, fire and police personnel and town officials for the Calendar Year 2004. Ms. Aldridge seconded motion. Motion unanimously passed.

Ms. Aldridge motioned that the Council adopt on second reading Ordinance #1318, an Ordinance establishing wages and salaries for 2004. Mr. Winterhaler seconded. Motion unanimously passed.

Consider Ordinance #1319, establishing an equitable Impact Fee (favorable recommendation from Plan Commission) – Ms. Aldridge motioned to adopt Ordinance #1319 an Ordinance establishing a change in the Impact Fees. Seconded by Mr. Volk. Motion unanimously passed.

Consider Resolution #03-11-20D adopting a Fiscal Plan for the property known as Lake Hills Golf Course – Mr. Rudy stated for the record that the initial offering of the Fiscal Plan was done by and on behalf of V-3 Realty. Substantial corrections to errata were made in this plan at the request of the Town Council. This is the version received in the Town offices on or about September 12th. He classifies this as a Fiscal Plan jointly developed in collaboration with that developer and the Town Council, which puts the Council in standing as adoption as their Fiscal Plan. The Resolution will be #03-11-20D. **Mr. Winterhaler motioned to approve and adopt Resolution #03-11-20D a Fiscal Plan for the Lake Hills annexation. Ms. Aldridge seconded. Motion unanimously passed.**

Consider Ordinance #1320, annexing property known as Lake Hills Golf Course (first reading) – Mr. Rudy amended the Ordinance to include the acreage / area to be annexed. The bottom of Exhibit A which is the legal description was amended to add: “the total area being approximately 325 acres more or less.” **Ms. Aldridge motioned to approve on first reading Ordinance #1320, an ordinance calling for the involuntary annexation of the Lake Hills development. Mr. Winterhaler seconded. Motion unanimously passed. The Public Hearing will be scheduled for Thursday, January 29th.**

Mr. Winterhaler motioned to authorize the Attorney to make the proper legal notifications for the Public Hearing for the Lake Hills annexation such dates to be on or about January 29th, 2004. Seconded by Ms. Aldridge. Motion unanimously passed.

Consider Resolution #03-11-20A, adopting a Fiscal Plan for the property commonly known as Christopher and Jacobson Drive(s) and rescinding Resolution #03-09-25 – Mr. Winterhaler motioned to table items D & E on the agenda until November 26th. Ms. Aldridge seconded. Motion unanimously passed.

Consider Ordinance #1323, annexing certain adjacent and contiguous territory commonly known as Christopher and Jacobson Drive(s) and rescinding Ordinance #1312 - Mr. Winterhaler motioned to table items D & E on the agenda until November 26th. Ms. Aldridge seconded. Motion unanimously passed.

Consider Resolution #03-11-20B, adopting a Fiscal Plan for 8167 Wicker Avenue – Ms. Aldridge motioned to approve Resolution #03-11-20B adopting a Fiscal Plan for 8167 Wicker Avenue. Mr. Volk seconded. Motion unanimously passed.

Consider Ordinance #1324, annexing certain adjacent and contiguous territory commonly known as 8167 Wicker Avenue – Ms. Aldridge motioned to approve and pass on first reading Ordinance #1324, an annexation of 8167 Wicker Avenue. Seconded by Mr. Winterhaler. Motion unanimously passed.

Ms. Aldridge motioned to authorize the Town Attorney to make the proper legal notices and establish the Public Hearing date for the annexation of 8167 Wicker Avenue to on or about January 29th, 2004. Seconded by Mr. Winterhaler. Motion unanimously passed.

Consider Ordinance #1321, amending Town Personnel Policy Ordinance – Mr. Winterhaler motioned to unanimously consider on first reading Ordinance #1321, an amendment to the Personnel Policy Ordinance. Seconded by Ms. Aldridge. Motion unanimously passed.

Ms. Aldridge motioned to adopt Ordinance #1321, an amendment to the Personnel Policy Ordinance. Mr. Winterhaler seconded. Motion unanimously passed.

Consider Ordinance #1322, regulating parking provisions of the Town Zoning Ordinance (as recommended by Plan Commission) - Mr. Winterhaler motioned to adopt Ordinance #1322 with the change on page 4 from truck stop to truck terminal. Seconded by Mr. Volk. Motion unanimously passed.

Consider Resolution #03-11-20C, providing for the transfer of appropriations of various funds – Ms. Aldridge motioned to approve and adopt Resolution #03-11-20C, appropriations of various funds. Seconded by Mr. Volk. Motion unanimously passed.

Consider reduction of Letter of Credit for Weston Ridge Cottage Homes in the amount of \$185,147.60 (favorable recommendation from Plan Commission) – Mr. Winterhaler motioned to accept Letter of Credit #CL7243LC in the amount of \$185,147.60. Seconded by Ms. Aldridge. Motion unanimously passed.

Consider application form for openings on Boards and Commissions and authorization for posting of same – Ms. Aldridge motioned to approve and implement the application for the openings for the Boards and Commissions and the authorization for the postings. Mr. Winterhaler seconded. Motion unanimously passed.

Mr. Volk motioned to run a box type ad in the local section of the Sunday Times and Post Tribune in the month of November advertising for candidates for Boards and Commissions. Seconded by Mr. Winterhaler. Motion unanimously passed.

Discussion of Public Works Department radio equipment – Mr. Winterhaler motioned to authorize the expenditure for up to \$11,000.00 for the Public Works radio equipment. Ms. Aldridge seconded. Motion unanimously passed.

Consider Town Employee Christmas gift – Mr. Winterhaler motioned to extend the Christmas gifts in the amount of \$30.00 to the Town employees limiting it to a gift certificate for one of the four stores discussed (Stop-N-Shop, K-Mart, Blockbuster Videos and Louise's Hallmark). Seconded by Mr. Volk. Motion unanimously passed.

Consider contract for services of St. John Volunteer Fire Department for Year 2002 & 2003 and also contract for services of Lake Hills Fire Department for Year 2002 & 2003 – Mr. Winterhaler motioned to approve the contract with the St. John Volunteer Fire Department and authorize the Town Council President to sign it. Seconded by Ms. Aldridge. Motion unanimously passed.

Mr. Winterhaler motioned to approve the contract with the Lake Hills Fire Department and authorize the Town Council President to sign it. Ms. Aldridge seconded. Motion unanimously passed.

Consider purchase of used ambulance for replacement of E.M.S. suburban unit – Ms. Aldridge motioned to authorize the Town Manager and Fire Chief to negotiate a purchase

of this used ambulance for a grand total of all costs not to exceed \$25,000.00. Seconded by Mr. Winterhaler. Motion unanimously passed.

Mr. Winterhaler motioned that the offer to purchase the ambulance from Merrillville have a drop dead date (i.e., both parties agree) of December 1, 2003. Seconded by Ms. Aldridge. Motion unanimously passed.

Consider authorization for Police Department to hire additional police officer – Ms. Aldridge motioned to acknowledge the Town Council’s intent to approve the hiring of an additional police officer when the Police Chief provides the Council with a name. Seconded by Mr. Winterhaler. Motion unanimously passed.

Consider bid proposals for West 93rd Avenue ditch elimination project – Ms. Aldridge motioned to award to St. John Plumbing the 93rd Avenue ditch elimination project for the total of \$66,777.00. Seconded by Mr. Volk. Motion unanimously passed.

Reports and correspondence

Town Council

Mr. Rudy distributed a remonstrance filed today on behalf of Tram Development Group opposing the annexation of the Rybarski Farm – Tram Development project.

Clerk-Treasurer

Request to close office on December 31st to the residents for the close of the books – Mr. Winterhaler motioned to authorize the Clerk-Treasurer to close her office to the public on December 31st. Seconded by Ms. Aldridge. Motion unanimously passed.

Staff – None.

Payment of Bills - #8725 through #8871 in the amount of \$406,526.22 for the Corporation – Mr. Winterhaler motioned to approve vouchers #8725 through #8871 for a total amount of \$406,526.22. Seconded by Ms. Aldridge. Motion unanimously passed.

Business from the Floor

Dan Marias, 9200 Park Drive – asked about the development zoning for the Lake Hills Golf Course and the date of the development’s fiscal plan.

Dave St. Clair, 10303 West 93rd Avenue – questioned the subdivisions up for approval on the East Side of town, (Tram Development - Maginot) he stated that the retention pond did not hold water in the bad storm last summer. His land was flooded. The Ditch is blocked and county said they would dredge. Mr. Kil stated they are well aware of the problem.

Pete Monix, 9364 Belmont – stated that there is a 12” tile across to the new one by the ditch.

Adjournment – Mr. Winterhaler motioned to adjourn. Seconded by Ms. Aldridge. Motion unanimously passed. Meeting adjourned at 8:20 P. M.

Attest:

Sherry P. Sury, Clerk-Treasurer