

ST. JOHN TOWN COUNCIL REGULAR MEETING  
St. John Municipal Building Main Meeting Room

June 17, 2004

Mr. Fryzel called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Roll call was taken with the following members present: Michael Fryzel, President; Jerri Teibel, Vice-President; Gregory Volk, Member; Charles Pearson, Member; Mark Barenie, Member; David Austgen, Attorney; Steve Kil, Town Manager; Phillip Faccenda, Jr. and Nicholas Kile, Barnes & Thornburg; Steve Carter, H.J. Umbaugh and Associates; Sherry Sury, Clerk-Treasurer, was absent.

**OLD BUSINESS**

**Consideration of Ordinance #1349, establishing certain system development charges for the Town of St. John Water Works.** Mr. Austgen verified that the Proofs of Publication were in order. Mr. Phil Faccenda, Jr. from Barnes & Thornburg explained that the system development charge is based on historical calculations using the existing customers of the waterworks that have paid for the capital costs of the waterworks system. The concept behind the charge is to apply it to new customers and referenced the explanation previously provided by Mr. Steve Carter, of H.J. Umbaugh and Associates, Financial Advisor. The new customers will be charged upon connection and this is to pay for a proportionate share of the costs of facilities required to serve them, which proportionate costs have been paid by or on behalf of the existing customers. Mr. Faccenda Jr., provided a synopsis of the presentation made previously by Mr. Carter and referenced the credentials of H.J. Umbaugh and Associates. Mr. Carter, addressed the two ordinances presented for consideration and explained the methodology used in preparing the rate calculations using the equity method as recognized by the American Water Works Association. Mr. Volk asked if the rates could be applied directly to the developer or development upon approval. Discussion ensued.

**Public Hearing on Ordinance #1349**

Tim Henderlong, 734 N. Main Street, Crown Point, Indiana – remonstrated against this ordinance. Mr. Austgen acknowledged his written remonstrance presented at the meeting that will become part of the public record.

**Public Hearing Closed**

**Comment from the Town Council**

Mr. Barenie asked Mr. Carter to explain the other method besides the equity method. Mr. Volk referenced the footnote at the bottom of the remonstrance indicating that the report was “locked up” and asked for clarification. Mr. Austgen noted this footnote and Mr. Kil advised that Mr. Muenich was supplied with copies of everything he requested on June 16<sup>th</sup>, 2004.

**Mr. Pearson motioned to adopt Ordinance #1349, establishing certain system development charges for the Town of St. John Water Works with the base charge as presented at \$1,000.00, seconded by Mr. Barenie. Motion unanimously passed.**

**Consideration of Ordinance #1350, establishing certain system development charges for the Town of St. John Sewerage Works.** Mr. Austgen verified that the Proofs of Publication were in order. Mr. Phil Faccenda, Jr. explained the system development charges for the sewerage works and the similarity of this ordinance with the Water Works ordinance using the equity method and is also based on the \$1,000.00 base charge. This is to provide that new customers will pay a proportionate share of the costs of facilities required to serve them, which proportionate costs have been paid by or on behalf of existing customers.

#### **Public Hearing on Ordinance #1350**

Tim Henderlong, 734 N. Main Street, Crown Point, Indiana - remonstrated against this ordinance. Mr. Austgen acknowledged his written remonstrance, along with the inclusion of the other mentioned parties, presented at the meeting that will become part of the public record. He requested that the reference earlier made regarding the footnote contained at the bottom of the remonstrance be part of this public record also. Mr. Kil verified the statement made previously regarding the production of records and stated that the request from Mr. Muenich was made verbally. Mr. Austgen stated that the Public Access Law permits verbal requests.

#### **Public Hearing Closed**

#### **Comment from the Town Council – none**

**Ms. Teibel motioned to adopt Ordinance #1350, establishing certain system development charges for the Town of St. John Sewerage Works as presented with the base charge of \$1,000.00, seconded by Mr. Pearson.** Mr. Austgen requested that the letter he received dated June 17, 2004, from Mr. Carter regarding the St. John (Indiana) System Development Charges be incorporated as a supplement to the ordinance. **Motion unanimously passed.** An inquiry was made to ascertain if Mr. Dewey Snow was in attendance for either public hearing. It was noted that he was not and it was requested that the record reflect this.

#### **New Business**

**Reduction of Letter of Credit for Heron Lake, Unit 4 – Phase Two in the amount of \$84,122.50 (Favorable recommendation from the Plan Commission) – Ms. Teibel** motioned to approve the letter of credit in the amount of \$84,122.50 for Heron Lake, Unit 4, - Phase Two. **Seconded by Mr. Barenie. Motion unanimously passed.**

**Public Works Department – Authorization to bid a 2005 7300 Dump Truck with snowplow and salt spreader** – Mr. Kil stated that this vehicle would be an addition to our fleet. Discussion ensued. **Ms. Teibel motioned to authorize the bidding of a new dump truck, a 2005 7300 model with a snowplow and salt spreader. Seconded by Mr. Pearson. Motion unanimously passed.**

#### **Reports & Correspondence**

Mr. Barenie reported the progress in the candidate selection for the park superintendent position and should have a recommendation by next week.

Police Chief Frego stated that the ordinances assessing fines is not specific as to the occurrences whereby it is unclear the amount of the fine to be collected by the clerk's office. He requested that these ordinances be amended to be more specific. Mr. Austgen will review.

**Public Comment - none**

**Adjournment** – Mr. Pearson motioned to adjourn the meeting. Seconded by Mr. Barenie. Motion unanimously passed.

Attest:

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Sherry P. Sury, Clerk-Treasurer