

ST. JOHN TOWN COUNCIL REGULAR MEETING
St. John Municipal Building Main Meeting Room
August 19, 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; Bob Pharazyn, Public Works Director; Chief Frego, Chief of Police; and Sherry Sury, Clerk-Treasurer.

Bid Opening – Dump Truck for Public Works Department – Mr. Austgen confirmed that the proofs of publication were in order from the **Times** and **Post Tribune**. Three bids were received and opened in order of receipt:

Truck City of Gary	\$91,344.00
Great Lakes Peterbilt of Portage	\$86,189.00
Lindco Equipment Sales of Merrillville	\$94,944.45

Mr. Austgen confirmed that all bidders submitted bid bonds and product specifications; the bids were in proper form. **Ms. Teibel motioned to take the bids under advisement. Seconded by Mr. Pearson. Motion unanimously passed.**

Old Business – None

New Business

Resolution #04-08-19A, a resolution authorizing the Clerk-Treasurer to create a new line item in the Solid Waste Budget – Mr. Volk questioned the reasoning for this resolution being the purchase of the leaf vacuum. After confirmation, Mr. Austgen suggested that the Town Council have a discussion on this item and then take action. Item L from the agenda was addressed.

Authorization to purchase Leaf Vacuum for Public Works Department – Mr. Pharazyn stated that this purchase would bring the total number of units to three, the two existing units are approximately ten years old and inevitably break down causing delays in pick up. Mr. Volk expressed concern regarding the number of purchases made by Public Works this year. Discussion ensued. **Ms. Teibel motioned to approve the purchase of a leaf vacuum in an amount not to exceed \$32,000.00. Seconded by Mr. Barenie. Motion carried with four ayes and one nay by Mr. Volk.**

Resolution #04-08-19A, a resolution authorizing the Clerk-Treasurer to create a new line item in the Solid Waste Budget – Mr. Pearson motioned to adopt Resolution #04-08-19A. **Seconded by Ms. Teibel. Motion carried with four ayes and one nay by Mr. Volk.**

Resolution #04-08-19B, a resolution providing for the transfer of appropriations for the various funds of the Town of St. John - \$30,000.00 from Solid Waste / Garbage Pickup to Solid Waste / Other Equipment – Mr. Barenie motioned to adopt Resolution #04-08-19B. **Seconded by Ms. Teibel. Motion carried with four ayes and one nay by Mr. Volk.**

Ordinance #1355, an introduction of a schedule of rates and charges for properties served by the Sewerage Works – Mr. Kil stated that this ordinance re-establishes the rate table due to the \$3,000,000 bond issued for the installation of the east-side interceptor sewer and for the various improvements to lift stations. It raises the base monthly rate of a 5/8 – 3/4

inch meter 30 cents and a 1-inch meter 65 cents and incrementally goes up. This ordinance does require a public hearing, which will be held on September 16, 2004. However, at this time the ordinance can be passed on first reading only with the authorization of the public hearing to be scheduled. **Ms. Teibel motioned to consider Ordinance #1355 on first reading only. Seconded by Mr. Pearson. Motion carried with four ayes and one nay by Mr. Volk.**

DeYoung Interiors – Letter of Credit in the amount of \$65,000.00 (favorable recommendation from Plan Commission) – Mr. Barenie motioned to accept the Letter of Credit in the amount of \$65,000.00 for DeYoung Interiors with a favorable recommendation from the Plan Commission. **Seconded by Ms. Teibel. Motion unanimously passed.**

Weston Ridge – Unit Four – Letter of Credit in the amount of \$626,730.50 (favorable recommendation from Plan Commission) – Mr. Pearson motioned to accept the Letter of Credit in the amount of \$626,730.50 with a favorable recommendation from the Plan Commission. **Seconded by Ms. Teibel. Motion unanimously passed.**

Weston Ridge – Unit Five – Letter of Credit in the amount of \$271,217.10 (favorable recommendation from Plan Commission) – Ms. Teibel motioned to accept the Letter of Credit in the amount of \$271,217.10. **Seconded by Mr. Pearson. Motion unanimously passed.**

Renaissance Subdivision – Unit One – Letter of Credit in the amount of \$612,571.65 (favorable recommendation from Plan Commission) – Mr. Pearson motioned to accept the Letter of Credit in the amount of \$612,571.65 with a favorable recommendation from Plan Commission. **Seconded by Ms. Teibel. Motion unanimously passed.**

Novo Selo Subdivision – reduction to Letter of Credit to the amount of \$57,055.90 (favorable recommendation from Plan Commission) – Mr. Barenie motioned to reduce the Letter of Credit to \$57,055.90 with a favorable recommendation from the Plan Commission. **Seconded by Mr. Pearson. Motion unanimously passed.**

Ordinance #1356, Traffic Court Fee Increase – Mr. Austgen stated that this is a corresponding increase with that of the County, which is covered by State Statute. Discussion ensued regarding the fine costs. Mr. Austgen will prepare a re-draft of the ordinance to increase the fines to keep the town costs even. **Mr. Pearson motioned to consider Ordinance #1356 on first reading. Seconded by Ms. Teibel. Motion unanimously passed.**

Mr. Barenie motioned to adopt Ordinance #1356. Seconded by Mr. Pearson. Motion unanimously passed.

Ordinance #1353, an ordinance amending Ordinance #537, specifically removing Section 6(a) of said ordinance, regarding sewer tap fees – Mr. Fryzel explained that the town no longer provides this service nor collects fees for the taps, therefore the ordinance needs to be taken off the books. **Ms. Teibel motioned to consider Ordinance #1353 on first reading. Seconded by Mr. Pearson. Motion unanimously passed.**

Ms. Teibel motioned to adopt Ordinance #1353. Seconded by Mr. Pearson. Mr. Austgen stated that this ordinance requires a public hearing because it concerns rates and charges. Mr. Kil stated that this would be included in the September 16, 2004, public hearing. **Motion withdrawn.**

Contract with N.I.R.P.C. for NPDES MS4 Storm Water Phase II – (1) Public Education and (2) Public Participation and Involvement – year 2005 through 2009, total contract of \$22,516.40 – Mr. Kil stated that this is to cover the public outreach; this amount will be paid in equal amounts over the next four years. **Mr. Pearson to approve the N.I.R.P.C. contract for the year 2005 through 2009 for a total contract of \$22,516.49. Seconded by Mr. Volk. Motion unanimously passed.**

Reports & Correspondence

Town Council

Mr. Fryzel presented a plaque of recognition to Mr. Keith Boros for his military service protecting the country against terrorists throughout the world.

Mr. Volk requested that the annexation of Tiburon and the Baacke parcel be placed onto next week's agenda. Mr. Kil suggested these areas and Grouse Point be included with the Lotton annexation that would square off the town and match the sanitary district. Discussion ensued regarding the actual parcels Mr. Kil proposed adding to the annexation. This item will be discussed further during the September meeting.

Clerk-Treasurer

Ms. Sury deferred to Mr. Austgen who stated that donations have been accepted and need to be deposited for the Town's Christmas Events Fund. Discussion ensued. Mr. Fryzel questioned the opinion rendered by Mr. Bennett and the State Board of Accounts that the town council will need to approve a fund for each event. Mr. Austgen explained the rationale and stated that he will have a resolution for next weeks meeting. **Ms. Teibel motioned to accept the three donations for the Town's Christmas Events Fund. Seconded by Mr. Pearson. Motion unanimously passed.**

Staff

Mr. Austgen requested that an executive session on August 26th at 6:00 p.m. be scheduled to discuss pending litigation.

Public Comment

Mr. Lawrence Acheff of the Lake County Public Library presented a resolution by the Library Board for a waiver of permits and fees in the amount of approximately \$41,000.00 for the new library. Mr. Fryzel stated that the Town depends on the building fees to meet expenses and that they have not received any tax revenue this year. Discussion ensued. Mr. Acheff was asked to prepare the figures and the matter would be addressed at the next meeting.

Adjournment – Mr. Pearson motioned to adjourn the meeting. Seconded by Ms. Teibel. Motion unanimously passed. Meeting adjourned at 8:10 p.m.

Attest:

Sherry P. Sury, Clerk-Treasurer