

ST. JOHN TOWN COUNCIL REGULAR MEETING  
St. John Municipal Building Main Meeting Room  
June 16, 2005

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 and Sherry Sury, Clerk-Treasurer. Also in attendance were Fred Frego, Police Chief and Bob Pharazyn, Public Works Director.

**Award Ceremony – Commander Frank M. Chapranda** – Mr. Pearson presented a plaque to Commander Chapranda and read the inscription commending him for 30 years of dedicated service to the St. John Police Department.

**Bid Award – Municipal Complex Project Phase Two** – Mr. Stephen M. Maish with the law firm of Maish & Mysliwy representing Gil Behling & Son requested to address the Town Council. He referenced a letter and its contents that included Mr. Behling's interpretation of the bid requirements that was sent to the Town Council and requested that the bid of Gil Behling & Son be withdrawn. Mr. Fryzel expressed concern that Mr. Behling's story changed several times regarding his understanding of the bid. Discussion ensued. Mr. Maish stated that his might be due to the fact that Mr. Behling did not make a copy of his bid form when he turned it in. **Ms. Teibel motioned to table this item to the meeting of June 23<sup>rd</sup>. Seconded by Mr. Pearson. Motion unanimously passed.**

#### Old Business

**Resolution #05-06-16, a resolution authorizing the participation of the Town of St. John with respect to the IDEM Recycling Grant for the purpose of securing a "chipper truck" for the Public Works Department** – Ms. Teibel motioned to adopt Resolution #05-06-16. Seconded by Mr. Pearson. Motion unanimously passed.

**Resolution #05-06-16A, a resolution authorizing the issuance of bond anticipation notes by the St. John Building Corporation** – Mr. Kil stated that the BANs would give the Town the flexibility to immediately award the bids for the project. **Ms. Teibel motioned to adopt Resolution #05-06-16A. Seconded by Mr. Pearson. Motion passes with four ayes and one nay by Mr. Volk.**

#### New Business

**Consider Ordinance #1391, amending Zoning Ordinance, Title XVII – Special Regulations: Section K concerning building construction along U.S. 41** – Mr. Kil stated that this ordinance pertains to any building construction within 1200 feet of U.S. 41, to be a brick building with specifications on the type of brick to be used and also addresses the trash and fencing enclosure requirements under item B. Mr. Volk asked if this ordinance could be retroactive. Discussion ensued. **Ms. Teibel motioned to amend Ordinance #1391 to add Section One, Subsection K, and Section C to add, "all parcels subject to the regulations of this amendatory ordinance as amended from time to time shall come into compliance within six months." Seconded by Mr. Pearson. Motion unanimously passed.**

**Mr. Pearson motioned to adopt amended Ordinance #1391. Seconded by Mr. Barenie. Motion unanimously passed.**

**Consider Ordinance #1395, authorizing the firm of Waddel & Reed as a deferred compensation provider to the Town of St. John for Town employees – Ms. Teibel motioned to consider Ordinance #1395 on first reading. Seconded by Mr. Barenie. Motion unanimously passed.**

**Ms. Teibel motioned to adopt Ordinance #1395. Seconded by Mr. Barenie. Motion unanimously passed.**

### **Reports & Correspondence**

Town Council – Mr. Fryzel stated the he has some concerns regarding the recycling and garbage collection firm. He referenced a copy of a letter he received dated the 15<sup>th</sup> to Mr. McDaniel, the owner and operator of Performance Waste, from Mr. Edwin Bodley who resides at 9750 Acorn Drive in St. John. Mr. Bodley stated that there is asphalt across his property where he parks his vehicles in the winter and the garbage trucks use this area to turn around. There is damage to the asphalt and he has been unable to resolve the problem on his own with them. Mr. Fryzel stated that he would like Mr. Austgen to send a letter to Performance Waste. He also mentioned that he has not seen the new garbage trucks Performance Waste promised to have in operation, that there is garbage juice on the roads and also the issue of garbage trucks blocking the streets. Mr. Fryzel requested these items also be included in the correspondence to Performance Waste.

Clerk-Treasurer – None

Staff – None

### **Public Comment**

Mr. Dale Robert, 11990 Heron Lake Road - stated his concerns with the on-going two-year construction activity of a residence at 11950 Heron Lake Road. He stated that a permit is not displayed in the window and the house is graded too high causing water problems on his property. He questioned whether this construction complies with town code and the amount of time this construction is taking. Discussion ensued. Mr. Roberts stated that he would contact the developer with his concerns regarding the subdivision covenants. Mr. Kil stated that he would have a silt fence installed the next day and a swale cut on the property. Mr. Austgen will check into amending the ordinance to place a time limit for construction.

**Adjournment – Mr. Pearson motioned to adjourn the meeting. Seconded by Ms. Teibel. Motion unanimously passed. Meeting adjourned at 8:00 p.m.**

Attest:

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Sherry P. Sury, Clerk-Treasurer