

ST. JOHN TOWN COUNCIL REGULAR MEETING
St. John Municipal Building Main Meeting Room
March 23, 2006

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 present were Police Chief Fred Frego; Fire Chief Fred Willman; Bob Pharazyn, Public Works Director; Chip Sobek, Parks & Recreation Director; Dan Szany, Carras-Szany-Kuhn & Associates; Ken Schneider, Lagestee-Mulder; John W Mainwaring, Code Enforcement Officer; Tina Fletcher, and Jeff.

Approval of the minutes: February 16th and February 23rd, 2006 Regular Meetings – Mr. Pearson motioned to approve the minutes of the February 16th and February 23rd, 2006 Regular Meetings. Seconded by Ms. Teibel. Motion unanimously passed.

Old Business – None

New Business

Bid Award – Municipal Complex Phase Two – Public Safety Facility – Mr. Fryzel read the list of bid award recommendations, Exhibit A, with noted corrections for the locations of the businesses of Ryan Construction and Precision Builders. Under category #27, electrical, the contract amount of \$590,250.00 by Midwest Electric was noted.

Ms. Teibel motioned to accept the bids as read. Seconded by Mr. Barenie. Motion unanimously passed.

Mr. Austgen stated that the record should reflect and the public minutes should reflect that bid #28, (bid #27 on Exhibit A) the electrical bid, had a deviation from the award to what appeared to be the lowest bidder. The lowest bidder was Boender Electric by way of number or amount; however, in the review of the bid submitted an investigation revealed there were some issues and questions related to whether that bid in fact was the lowest responsive and responsible bidder. For purposes of this record, for purposes of this proceeding and for purposes of the financing for the project, which will be closing in early April, all of which requires strict compliance with the laws of the State of Indiana; it appeared in the investigation that the bid was not responsive, in that there was an incomplete portion related to addendum attachments and recognition of same. Additionally, in regard to responsible components it was presented; information was presented and reviewed and verified there were issues pertaining to previous project work here in this town where non-compliance with several statutes was included. It was part of a post audit review. Information revealed that, on the certified list of payroll information and data required to be provided, certain of the employees were not properly registered as required. There is a labor agreement and contract that requires that. There is also a bid requirement that mandates that. Additionally the ratio of journeymen to apprentices was not adhered to as reflected in the public records that were reviewed. Finally, the benefit items reflected or required to be paid were not substantiated. In other words the post contract review revealed those deficiencies. Because of the strict nature

of compliance for the financing, your responsibility to the taxpayers, and conforming to law in undertaking these matters it was recommended (and apparently the council agreed by their actions tonight) that the lowest bid was not the lowest responsive and responsible bidder.

Consider Letter of Credit for The Gates of St. John in the amount of Two Million Nine Hundred Ninety-four Thousand Thirteen Dollars and fifty-one cents (\$2,994,013.51) (favorable recommendation from Plan Commission) – **Mr. Pearson** motioned to approve the Letter of Credit of the Gates of St. John in the amount of Two Million Nine Hundred ninety-four Thousand Thirteen Dollars and fifty-one cents (\$2,994,013.51). **Seconded by Mr. Barenie. Motion passed with four yeas and one abstention by Ms. Teibel.**

Consider award of Weather Warning System – Mr. Pharazyn stated that he received two proposals, he recommended awarding the proposal to Federal Sign paired with Tri-Electronics for the purchase of two systems which would give the town two sirens to start with, with the goal of building towards more of these systems. He believes these two systems will provide a solid foundation to expand this public municipal warning system. **Ms. Teibel motioned to award the project in accordance with the recommendation of the Public Works Director to Federal Signal Tri-Electronic not to exceed the amount of \$40,456.70. Seconded by Mr. Pearson. Motion unanimously passed.**

Reports & Correspondence

Town Council

Mr. Fryzel stated that on 12/31/03 a scanning system was ordered in the amount of \$19,771.00 and the equipment is still sitting in the warehouse in Elkhart, Indiana, two years and 3 months later. Ms. Sury stated that the intent of the equipment is to scan all the minutes, resolutions, etc. on a scanner so it can go on the computer and also be for resident access. It is anticipated maps and the like will also be put on it and not all the records would be accessible to the public. Due to the lack of a physical location that met the requirements of the equipment it was put on hold. With the relocation of the office it is anticipated it will be installed. Discussion ensued. Mr. Fryzel stated that the equipment will be picked up immediately and stored locally. Ms. Sury stated the funds were encumbered from her budget.

Clerk-Treasurer – None

Staff – None

Payment of Bills for the Corporation #7421 - #7615 for \$1,207,346.95 – **Ms. Teibel** motioned to accept vouchers #7421 - #7615 for \$1,207,346.95 payment of bills for the Corporation. **Seconded by Mr. Barenie. Motion unanimously passed.**

Public Comment

Gerald Hancock, 12042 West 97th Lane – Thanked the council and everyone else for their diligence in ensuring the work that is going to be done in the Town of St. John is of the best quality and will be done by the most qualified individuals.

Adjournment – Mr. Pearson motioned to adjourn the meeting. Seconded by Ms. Teibel. Motion unanimously passed. Meeting adjourned at 7:22 p.m.

Attest:

Sherry P. Sury, Clerk-Treasurer