

ST. JOHN TOWN COUNCIL REGULAR MEETING  
ST. JOHN MUNICIPAL BUILDING MAIN MEETING ROOM  
NOVEMBER 16, 2006 – 7:00 P.M.

Mr. Fryzel called the meeting to order at 7:01 p.m. Girl Scout Troop 561 presented the flag 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 and John Mainwaring, Code Enforcement Officer. Absent were Bob Pharazyn, Public Works Director and Chip Sobek, Director of Parks and Recreation.

**Approval of the minutes: October 19, 2006 and October 26, 2006 Regular Meeting minutes** – Ms. Teibel motioned to approve the minutes of October 19 and October 26<sup>th</sup> as read. Seconded by Mr. Pearson. Motion passed with 4 yeas and one abstention by Mr. Volk, (absent the October 26th meeting).

**Presentation: Certificates of Appreciation for Service at 2006 Fall Fest / Spooktacular** – Ms. Teibel presented the participants (Exhibit A) with Certificates of Appreciation while a CD of the event was shown in the background.

**Old Business** – None

**New Business**

**Ordinance #1431, amending Open Burning regulations** – Mr. Volk referenced Ordinance #709 and asked what was changed that is in this amended ordinance. Mr. Austgen stated that this ordinance was prepared to conform to the current regulations of IDEM as a consequence of the grant recycling applications that have been made. **Ms. Teibel motioned to consider Ordinance #1431 on first reading. Seconded by Mr. Pearson. Motion unanimously passed.**

**Ms. Teibel motioned to adopt Ordinance #1431. Seconded by Mr. Barenie. Motion unanimously passed.**

**Resolution #06-11-16, a resolution amending the Bi-Laws of the Quad Town Safety Village** – Mr. Kil stated that the attorney for the Quad Town Safety Village revisited all the by-laws and the articles of incorporation. Fundamentally what this accomplishes is that the initial membership of the Quad Town Safety Village now from the four communities will be the Chief of Police, the Fire Chief and the Town Council President or their designee (which Mr. Kil expects will be him and the other Town Managers). This group of 12 individuals can then select 12 citizen appointments (three from each community). Basically, the Town Councils are going to recommend who they want to sit on the board with the 12 appointments. It also brings a quorum to do business down to eight. **Mr. Pearson motioned to adopt Resolution #06-11-16. Seconded by Mr. Barenie. Motion unanimously passed.**

**Division of Bi-Town Animal Control equipment as agreed by Animal Control Board on October 24, 2006** – Mr. Fryzel referenced the breakdown of the property and mentioned the division regarding two chemical mobilization units, rifle and a pistol. The

two mobilization units, rifle and pistol St. John is receiving as noted by Jane of Animal Control, inherited from Tri-Town, and may not be operable. The two units that Dyer is receiving are listed as operable and have a value attached to them. He suggested that each community receives one item that is operable and one that is inoperable. Mr. Kil stated that he spoke with the Dyer Town Manager and each community will receive an operable item. Discussion ensued. **Ms. Teibel motioned to ratify the Division of Assets of the Bi-Town Animal Control Department with the stipulation that the Town of St. John is to receive #1 listed chemical immobilization pistol and rifle inherited from the Bi-Town Animal. Seconded by Mr. Pearson. Motion unanimously passed.**

**Ordinance #1432, an ordinance regulating Storm Water Drainage (amending SCO #1252)** – Mr. Austgen stated that this is the ordinance that establishes the councils rules and regulations under Rules 5 and Rule 13 of the Indiana Administrative Code related to Storm Drainage Control. There is a mandate that there be an upgrade and implementation of regulations related to storm runoff and control and management of that storm water on improved parcels of real estate. This is supplemental to the design criteria within the Subdivision Control Ordinance. He also mentioned the ordinance is a technical document and is mostly engineering and the document is engineering driven. It has been provided to the town engineering consultant. **Ms. Teibel motioned to consider Ordinance #1432 on first reading. Seconded by Mr. Barenie. Motion unanimously passed.**

**Ms. Teibel motioned to adopt Ordinance #1432. Seconded by Mr. Pearson. Motion unanimously passed.**

**Ordinance #1433, an ordinance amending Ordinance #1308 pertaining to Credit Card Usage Regulations** – Mr. Austgen stated that this is an ordinance that updates and upgrades the Credit Card Usage Regulations of the town based on the report of the State Board of Accounts in its most recent Bi-annual audit. The clarification, simplification, stream-lining of the process consistent with the rules and regulations of the State Board of Accounts for credit card usage has been implemented into this ordinance and primarily so that use of a credit card is not limited to emergency. So they can be used in proper fashion for the proper and lawful government services uses on a regular and on-going basis subject to the controls set forth for same. Mr. Kil clarified that many purchases are being made on the web, especially the Public Works Department. It is with vendors with which they don't have a relationship set up with where they are on a billing cycle and that would cover instances such as this. We are becoming technology driven now and it will help out in that regard. Mr. Volk asked to defer this and mentioned that no one has had a chance to read the ordinance yet. Mr. Fryzel stated that this is for first reading and that he could have time in between for this. **Mr. Barenie motioned to consider Ordinance #1433 on first reading. Seconded by Mr. Pearson. Motion unanimously passed.**

**Ms. Teibel motioned to adopt Ordinance #1433. Seconded by Mr. Barenie. Motion passed with 4 yeas and one abstention by Mr. Volk.**

**Ordinance #1434, an ordinance amending Ordinance #1213 pertaining to Municipal Purchasing Regulations** – Mr. Austgen stated that this is also a regulation or legislation item resulting from the State Board of Accounts audit and in particular so that the practical needs of your department heads can be met in the purchasing

activities. Presently and this is a much scrutinied regulation, it has had a number of ordinances over the years and it seems be a yo-yo type of perception as to what is an appropriate threshold for the department heads and their purchasing activities. This particular ordinance amends the amount of permitted expenditure by the department heads to \$15,000. Essentially upgrading it from a \$1,200 number. There would be a submittal to the Town Manager for approval, if approved by the Town Manager the purchase order would be submitted to the Clerk-Treasurer. Between \$15,000 and \$25,000 a similar procedure but three Town Council members would be required for approval and between \$25,000 and \$75,000 quotations are required. This is to address present day needs and circumstances given the significant activities of your departments on behalf of the residents of this town. **Ms. Teibel motioned to consider Ordinance #1434 on first reading. Seconded by Mr. Pearson. Motion unanimously passed.**

**Ms. Teibel motioned to adopt Ordinance #1434. Seconded by Mr. Barenie. Motion passed with 4 yeas and one abstention by Mr. Volk.**

Mr. Fryzel asked Mr. Austgen if this would take care of both of the items for compliance with the State Board of Accounts. Mr. Austgen responded that this would take care of the items referencing this matter and added that there are a couple of items to complete yet.

### **Reports & Correspondence**

Town Council – None

Clerk-Treasurer – None

Staff

Chief Frego mentioned that the excess squad given to Schneider was picked up and some additional major mechanical problems were found. The frame was cracked so it is a junk vehicle and that the car will be used for spare parts. The Town of St. John has another 1997 Ford Crown Victoria and he would like to donate the squad with approval of the Town Council to the Town of Schneider Police Department. Discussion ensued. **Ms. Teibel motioned to honor Chief Frego's request and give the second 1997 Crown Victoria to Schneider to replace the first 1997 Crown Victoria that is inoperable. Seconded by Mr. Barenie. Motion unanimously passed.**

Chief Willman thanked the Town Council for passing the Open Burning Ordinance.

Mr. Kil mentioned that the Safety Village is holding a fundraiser tomorrow night and a dinner/dance fundraiser will be held in February. He also gave a construction update. Through the end of October there were 253 residential permits issued, five commercial permits and one industrial permit. The fees collected so far this year are \$2,104,950.26 through October.

Mr. Kil also stated that the Senate enacted Senate Enroll Act 55 extending the drop for the members of the 1997 fund. He asked Mr. Austgen for clarification. There are two officers that expressed interest in this. Discussion ensued.

**Public Comment**

Mr. Michael Forbes, 12466 West 105<sup>th</sup> Place – Stated that he recently had an opportunity to talk to several people regarding safety concerns at Lincoln School on Route 231. Concerns were expressed regarding children while they were in school and while they were crossing 109<sup>th</sup>. Mr. Forbes thought a way to protect the children would be to annex the school into the town so the Police Department would have a presence and be the first responders. Mr. Fryzel stated that the Lake County Police and the St. John Fire Department are the first responders. He also mentioned the St. John Police Department always goes to the calls as well. Mr. Forbes stated that he believes that by having the calls coming directly to the St. John Police Department it would be much better. Mr. Fryzel stated that the request for annexation must come from the school and this Board has not received a request for annexation. Discussion ensued.

Tim Boyle, 8442 Magnolia – Mentioned that his developer said a park was to be built in his subdivision when he purchased the lot. He has since been told that an ordinance was passed giving an amount of money per lot to the Parks Department for parks. He asked what ordinance was in effect for his property referencing the phases of this subdivision. Mr. Kil answered that the only place there is a park in Kilkenny is the land that was donated which is adjacent to Edgewood Park. He added that Kilkenny was just in front of the Plan Commission. Mr. Boyle asked if a pathway could be made to the park. Mr. Kil stated that there is a preliminary plan that has been approved in concept by the Plan Commission and they are waiting on the developer. Discussion ensued. Mr. Fryzel referenced the Lake Hills development, which was not allowed to go to the next phase until all commitment for parks and sidewalks had been met. He added that he would meet with Mr. Kil and Mr. Kennedy, the developer, on this matter.

Mr. Volk requested the status of the eastside annexation (Tiburon & Grouse Pointe). Mr. Kill stated that they are in the process of gathering all the parcel data and all the assessed value data. Discussion ensued.

**Payment of Bills – Mr. Barenie motioned to approve the November 16, 2006 docket for accounts payable vouchers #9284 - #9507 for \$649,945.97. Seconded by Mr. Pearson. Motion unanimously passed.**

**Adjournment** – Mr. Fryzel adjourned the meeting at 7:45 p.m.

Attest:

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Sherry P. Sury, Clerk-Treasurer