

**ST. JOHNTOWN COUNCIL REGULAR MEETING
ST. JOHN MUNICIPAL BUILDING MAIN MEETING ROOM
DECEMBER 28, 2006 – 7:00 P.M.**

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; 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; Chip Sobek, Director of Parks and Recreation; and John Mainwaring, Code Enforcement Officer. Absent were Gregory Volk, Member and Bob Pharazyn, Public Works Director.

Approval of the minutes – November 16, 2006 meeting minutes – Ms. Teibel motioned to approve the minutes of November 16th meeting as read. Seconded by Mr. Pearson. Motion passed with a vote of 4 - 0.

New Business

Resolution # 06-12-28, a resolution to encumber funds – Mr. Barenie motioned to adopt Resolution # 06-12-28. Seconded by Mr. Pearson. Motion passed with a vote of 4 - 0.

Award bids for 2007 Refuse and Recycling – Mr. Kil stated that he reviewed all the specifications and the bid as submitted and believes it would be in the best interest to reject all bids and that he be reauthorized to go out and rebid the refuse and recycling collection. **Mr. Pearson motioned to reject all bids and authorize the Town Manager to re-bid the refuse & recycling services.** Seconded by Mr. Barenie. Motion passed with a vote of 4 - 0.

Consider interim extension proposal from Performance Waste and Recycling for 2007 – Mr. Kil stated that he is proposing the town enter a month to month contract with the current waster hauler, Performance Waste and Recycling, not to exceed a six month period and would be at a \$13.00 per household cost per month. He anticipates getting the new bid out the door immediately and getting new bids on January 25th, the second meeting, which means an award can be considered in February. The current vendor has agreed to go month to month. Mr. Austgen suggested that the bid package be reviewed due to the lack of responsiveness in number of companies submitting bids. Mr. Kil stated that the bid specs are fairly detailed. **Ms. Teibel motioned to authorize an interim month-to-month extension for \$13.00 per household per month, not to exceed 6 months.** Seconded by Mr. Pearson. Motion passed with a vote of 4 - 0.

Resolution # 06-12-28A, a resolution authorizing a Transfer of Funds within a category of appropriations – Mr. Pearson motion to adopt Resolution # 06-12-28A. Seconded by Mr. Barenie. Motion passed with a vote of 4 - 0.

Consider agreement with Robinson Engineering Ltd. for 2007 – Mr. Barenie motioned to approve the agreement and authorize the Town Council President to sign the document. Seconded by Ms. Teibel. Motion passed with a vote of 4 - 0.

Consider adoption of Ordinance # 1429, Wachter Addition – Mr. Pearson motioned to adopt Ordinance #1429. Seconded by Ms. Teibel. Motion passed with a vote of 4 – 0.

Consider Resolution # 06-12-28B, a declaratory resolution requesting tax abatement – Petitioner: Lee Malizzo / Relentless LLC – Ms. Teibel motioned to approve the resolution and to authorize a Public Hearing for January 25th. Seconded by Mr. Barenie. Motion passed with a vote of 4 - 0.

Consider agreement with Austgen Kuiper & Associates, P.C. for 2007 – Ms. Teibel motioned to approve the agreement and authorize the Town Council President to execute same, the agreement with Austgen Kuiper & Associates, P.C. for 2007. Seconded by Mr. Pearson. Motion passed with a vote of 4 - 0.

Reports & Correspondence

Town Council – Ms. Teibel stated that she had something that she would like feedback from the Council on. The majority of the boards and commissions meet on their designated nights at 7:00 p.m. There are two boards that do not meet at 7:00 p.m. and meet at 6:00 p.m. She stated that she has received some e-mails from some residents, particularly regarding the water and sanitary board, it is difficult for some residents to get to the meetings because it is held at 6:00 p.m. It was always at 7:00 p.m. but it got changed two years ago to 6:00 and wanted to know if everyone here felt the same that by having the meetings at 6:00 restricts the residents from getting here to participate and would like to see all the boards and commissions meet at 7:00 p.m. so that there is some sort of uniformity for the meeting times. If it is agreeable, Ms. Teibel stated that she would send a memo out the following day to the boards and commissions and asked Mr. Austgen if a motion was warranted. Discussion ensued. **Ms. Teibel motioned that all board and commission meetings for the Town of St. John begin at 7:00 p.m. instead of 6:00 p.m. Seconded by Mr. Pearson. Motion passed with a vote of 4 - 0.**

Clerk-Treasurer – None

Staff – Mr. Kil provided the status of the Public Record Request regarding the Aqua case that he is working on with Ms. Sury. He stated that the written testimony is due January 9th, the production of documents request is due January 5th, and there will be live testimony on January 29th in Indianapolis.

Payment of Bills for the Corporation - #9508 - #9762 for \$1,460,635.55 – Mr. Barenie motioned to approve vouchers #9508 - #9762 in the amount of \$1,460,635.55 for the Corporation. Seconded by Ms. Teibel. Motion passed with a vote of 4 - 0.

Public Comment – Mr. Frank Revoir, 9766 Northcote Avenue – stated that he is the current president of St. John Youth Baseball. He thanked the Council for the use of Heartland Field and is grateful for the field, which is breathtaking. They have a safety concern and that is that spectators are getting hit by foul balls and is proposing that by April 1, 2007, a safety net be set up. The netting will cost close to \$30,000 and the April 2007 registration fee will cover 50% of the cost and they are asking the Town Council to split the cost. Ms. Teibel expressed her appreciation and complimented Councilman Barenie for all the hard work he has done on this project and he thanked and recognized

all the individuals that helped in this project. Discussion ensued. Mr. Kil stated that the Park Land Impact Fees would be used to pay for the Town's portion of the netting. **Mr. Pearson motioned to split the cost of \$30,000.00 for the safety netting with the St. John Youth Baseball with the Town's portion not to exceed \$15,000, and that the Park Land Impact Fees would be utilized for this expenditure. Seconded by Mr. Barenie. Motion passed with a vote of 4 - 0.**

Adjournment – Mr. Pearson motioned to adjourn the meeting. Seconded by Ms. Teibel. Motion passed with a vote of 4 - 0. Meeting adjourned at 7:20 p.m.

Attest:

Sherry P. Sury, Clerk-Treasurer