

**ST. JOHN TOWN COUNCIL REGULAR MEETING
ST. JOHN MUNICIPAL BUILDING MAIN MEETING ROOM
FEBRUARY 15, 2007 - 7:00 P.M.**

Mr. Fryzel called the meeting to order at 7:01 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; David Austgen, Attorney; Steve Kil, Town Manager and Sherry Sury, Clerk-Treasurer. Also present were Fred Frego, Police Chief; Fred Willman, Fire Chief and John Mainwaring, Code Enforcement Officer. Absent were Mark Barenie, Member; Bob Pharazyn, Public Works Director and Chip Sobek, Parks & Recreation Superintendent.

Old Business – None

NEW BUSINESS

Consider Contractual Agreement with the St. John Township Trustee's Office for Senior Citizen Drop-In Center and Bus Service - Ms. Teibel motioned to approve the agreement for the calendar year 2007 with the St. John Township Trustee's Office and authorize the Town Council President to execute same. Seconded by Mr. Pearson. Motion passed with a vote of 4 – 0.

Consider annual CF-1 Form for Rassel & Associates – 9620 Industrial Drive - Ms. Teibel motioned to accept the Form CF-1 as presented and to authorize the Town Council President to sign. Seconded by Mr. Pearson. Motion passed with a vote of 4 – 0.

Consider annual CF-1 Form for Meyers Development – 8400 Wicker Avenue - Mr. Pearson motioned to accept Form CF-1 as presented and to authorize the Town Council President to sign. Seconded by Ms. Teibel. Motion passed with a vote of 4 – 0.

Consider annual CF-1 Form for St. John Professional Center – 10200 Wicker Avenue - Mr. Pearson motioned to accept Form CF-1 as presented and to authorize the Town Council President to sign. Seconded by Ms. Teibel. Motion passed with a vote of 4 – 0.

Consider Letter of Credit for The Gates of St. John – Unit 10B, in the amount of \$12,897.06 (favorable recommendation from Plan Commission) – Deferred to the meeting next week.

Consider Letter of Credit (Certified Check) for Georgiou's Addition – Lot 1, in the amount of \$1,500.00 (favorable recommendation from Plan Commission) - Mr. Pearson motioned to accept the certified check in the amount of \$1,500.00. Seconded by Ms. Teibel. Motion passed with a vote of 4 – 0.

Consider Independent Contractor Consulting Agreement with Rassel & Associates for design services for the Public Safety Facility – Mr. Volk asked what the final estimate would be including the floral, design, decorating, furniture, etc. Mr. Kil stated that this agreement was for the design only; they did not know what materials

they wanted so the cost could not be included. Discussion ensued. **Ms. Teibel motioned to approve the agreement with Rassel & Associates and to authorize the Town Council President to execute same. Seconded by Mr. Pearson. Motion passed with a vote of 3 ayes, 1 nay by Mr. Volk and 1 absent.** Mr. Kil questioned and it was confirmed that the effective date for the agreement is February 15, 2007.

Consider Consulting Agreement with Michael L. Muenich and Waiver of Conflict of Interest Agreement – Discussion ensued regarding the proposed annexation and time frame. Mr. Kil stated that essentially this is just an engagement letter stating the cost per hour for when services are needed. **Ms. Teibel motioned to approve the Consulting Agreement and the Waiver of Conflict of Interest Agreement for Michael L. Muenich. Seconded by Mr. Pearson. Motion passed with a vote of 4 – 0.**

Ordinance # 1439, an ordinance reclassifying certain real property within the Town of St. John – Docter estates from R-1 residential to R-2 residential (favorable recommendation from Plan Commission) – Mr. Fryzel questioned if there was any comment from the floor, with no response he stated that he had a lot of issues with this ordinance. The rezoning part he did not have an issue with however after reviewing the Plan Commission minutes, plans and the waivers requested, for the record he referenced his concerns that included on where the water lines would end at the end of lot three or the end of the development. The open ditch was referenced whereas no sewers on the front or back of the property were noted. Mr. Fryzel stated that the sewer is mandatory with no open ditch. He stated his preference to see sidewalks in this subdivision and referenced the curbs; catch basins, streetlights and the easement for lot two. Discussion ensued with the petitioner on these issues and lot three that will be addressed at the Plan Commission Study Session in March. **Ms. Teibel motioned to adopt Ordinance #1439. Seconded by Mr. Pearson. Motion passed with a vote of 4 – 0.**

Consider award of Refuse and Recycling Bid – Discussion ensued regarding the placement of the emptied refuse containers of the households. **Ms. Teibel motioned to award the bid to Allied Waste Services in accordance with Alternate Bid #2 Year 1 - \$14.35 and Year 2 - \$15.07 to commence no later than May 7th. Seconded by Mr. Pearson. Motion passed with a vote of 4 – 0.**

Ordinance #1440, an ordinance amending Ordinance #1408 concerning rates and charges to customers of the Municipal Water Works – Mr. Austgen stated that this is the introductory reading of a water rate amendment ordinance. It is based on the recommendation of the financial consultant, Steve Carter at H.J. Umbaugh and is intended to capture a sales rate that was not included in the towns' rate structure. A public hearing is scheduled and is advertised for next week at the next regular meeting. Mr. Kil added his comments. Discussion ensued regarding the receipting of the funds collected from the dispensing machine and the upcoming hearing and effective date for the ordinance for the declining rate block. **Ms. Teibel motioned to consider Ordinance #1440 amending Ordinance #1408 on first reading only and to authorize a public hearing on February 22. Seconded by Mr. Pearson. Motion passed with a vote of 4 – 0.**

Resolution #07-02-15, a resolution opposing the Target Corporation liquor license application – Mr. Fryzel referenced the hearing he attended on this matter and stated that Target did not indicate they would like to sell liquor when the company approached

the town to build a store. Mr. Austgen added that the citizen residents that signed a petition and came forward at a public hearing stating they did not want liquor sold in the store persuaded the County Liquor Board. Discussion ensued that questioned if this resolution only addressed the liquor license application for Target or if this resolution could apply for any other entity that may submit an application for a license. Mr. Austgen stated that it only pertained to Target because of their application. **Ms. Teibel motioned to adopt Resolution #07-02-15. Seconded by Mr. Pearson. Motion passed with a vote of 4 – 0.**

Reports & Correspondence

Town Council – None

Clerk-Treasurer – None

Staff – Mr. Kil stated that Mr. Pharazyn received a very nice e-mail from a resident complimenting the department on snow removal during the recent snowstorm. Ms. Teibel complimented the Public Works, Police and Fire Departments on the good job they did during the recent snowstorm.

Public Comment – None

Adjournment – Mr. Pearson motioned to adjourn the meeting. Seconded by Ms. Teibel. Motion passed with a vote of 4 – 0. Meeting adjourned at 7:42 P.M.

Attest:

Sherry P. Sury, Clerk-Treasurer