

**ST. JOHN TOWN COUNCIL REGULAR MEETING  
ST. JOHN MUNICIPAL BUILDING MAIN MEETING ROOM  
10955 W. 93<sup>RD</sup> AVENUE, ST. JOHN, INDIANA  
APRIL 24, 2008 - 7:00 P.M.**

(Meeting immediately followed noticed Executive Session at 6:00 p.m.)

Mr. Fryzel called the meeting to order at 7:26 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; Mark Barenie, Member; David Austgen, Attorney; Steve Kil, Town Manager and Sherry Sury, Clerk-Treasurer. Also present were Fred Frego, Police Chief; Fred Willman, Fire Chief; Bob Pharazyn, Director of Operations; Chip Sobek, Parks Superintendent and John Mainwaring, Code Enforcement Officer. Absent was Council Member Michael Forbes.

**Approval of the Minutes: March 20, 2008 and March 27, 2008 Regular meeting minutes** – Ms. Teibel motioned to accept the minutes of the March 20, 2008, and the March 27, 2008, Regular Meetings as read. Seconded by Mr. Barenie. Motion passed with a vote of 4 - 0.

**Old Business** – None

**NEW BUSINESS**

**Consider Resolution # 08-04-24, fiscal plan submitted for Three Springs – Unit III** – Mr. Kil stated that this is the next step in the annexation process and is a voluntary annexation. Ms. Teibel motioned to consider Resolution # 08-04-24. Seconded by Mr. Barenie. Motion passed with a vote of 4 - 0.

**Consider award of bids for various Town equipment items** – Mr. Kil distributed a list to the Council Members of the items bid out that included the individual dollar amounts that were submitted for the items (Exhibit A). Mr. Barenie motioned to award to the high bidder and give them ten days to take possession and pay the town, if not, the item will be awarded to the next highest bidder. Seconded by Ms. Teibel. Motion passed with a vote of 4- 0.

**Consider Ordinance #1469, annexation of Three Springs – Unit III** – Mr. Kil stated that this is the final action that is needed for the annexation of Three Springs. This is to adopt the annexation ordinance that will then be published and the annexation will take place thirty days after publication. Ms. Teibel motioned to adopt Ordinance #1469. Seconded by Mr. Barenie. Motion passed with a vote of 4 - 0.

**Reports & Correspondence**

Town Council

Mr. Volk asked if there was any way to enforce the noise of motorcycles. Chief Frego stated that there must be a decibel count and there must be an ordinance that designates the decibel level of noise. Mr. Austgen stated that decibel level noise regulations are very, very difficult to administer much less enforce. There are nuisance

regulations that could be considered and recommended looking into a nuisance based ordinance with some components about what nuisances escape from a vehicle intruding into someone else's property.

Mr. Fryzel stated that any of the temporary signs that are up past this weekend, the builders and developers should be fined. Every sign receives a separate ticket, no warnings. He added that every construction site must have a dumpster and a portable restroom according to the Ordinance and they will get a ticket if they do not comply. He also mentioned that Olthof is the only builder in Town using Romex (which is okay to use by law) and does not comply with the town's suggestion of what to use. The town sees it as a safety issue and national code says they can use Romex.

Clerk-Treasurer – None

Staff

Mr. Kil reminded everyone that the May Town Council meeting has been cancelled and rescheduled for May 29<sup>th</sup>. He added the statistics for the Building and Planning Department for the month of April to date include 152 building inspections; 38 electrical and 9 plan reviews have been conducted.

Ms. Teibel stated that they are still not getting the minutes, to get posted on the Internet, from some of the recording secretaries for the board and commission meetings including the BZA. Ms. Sury stated that not all boards and commissions meet regularly, only when there is business and the meeting is posted, would there be minutes for the record. Discussion ensued.

Mr. Pharazyn reported that West 93<sup>rd</sup> Avenue (by Clark School) is tentatively scheduled to be re-paved on June 9<sup>th</sup>. The water main on U.S. #41 is complete, now in operation and the water tank raising at The Gates will be May 1<sup>st</sup>. They will begin in the next ten days, the replacement of the water main project on Forrest Avenue. National Drinking Water Awareness Week is May 4<sup>th</sup> – 10<sup>th</sup> and he will be giving speeches and passing out water bottles to the 4<sup>th</sup> grade classes. He also mentioned that they are in process of flushing hydrants across town, the project will be completed a week from tomorrow. They have solidified the fireworks date with Mad Bomber Fireworks Inc. for the night of July 5<sup>th</sup>; and the mosquito abatement program will begin, weather dependent, mid to late May.

Mr. Sobek stated that the summer brochure would be coming out about the first week in May and volleyball registration finished up this week with over 200 kids involved in the program.

Chief Frego summarized the monthly report for the month of March, (Exhibit B).

Chief Willman summarized the Monthly Call Summary for the month of March, (Exhibit C).

Mr. Mainwaring reported that on May 9<sup>th</sup> the Building and Planning and the Code Enforcement Departments are hosting a class on erosion control from 8:30 a.m. – 12:00 p.m. in the Public Safety Building. There will be approximately 4 guest speakers and eighty builders in town have been invited to attend.

**Payment of Bills for the Corporation - #7629 - #7836 in the amount of \$1,115,156.57**  
**– Ms. Teibel motioned to present vouchers #7629 - #7836 in the amount of \$1,115,156.57 for the payment of bills for the Corporation. Seconded by Mr. Barenie. Motion passed with a vote of 4 - 0.**

**Public Comment**

Ms. Nancy Simanek, 9005 Morse, Crown Point – asked if the county was notified about the decision to annex the Tiburon property as mentioned in the March 27<sup>th</sup> meeting. She summarized the status to date, mentioned that the County Council will hold a special meeting on May 13<sup>th</sup> regarding the zoning and asked if the town has any influence or input over the matter. Discussion ensued. Mr. Fryzel assured her that Mr. Kil is staying on top of the situation.

Ms. Patty Byars, 9111 Cline Avenue, Crown Point – referenced the previous presentation of Mr. Muenich and inquired why it was said that the process would take until 2009. Mr. Kil explained that an involuntary annexation takes much longer than a voluntary annexation. She stated that the section of 93<sup>rd</sup> between Blaine and Cline is being paved, she said a turning lane was to be added and there does not appear to be one. She asked if the Council would check on that. Discussion ensued.

Mr. Dale Robert, 11990 Heron Lake Road – He referenced the same complaint he stated last year, two pools in the neighborhood are still not to code. He stated that he called code enforcement two weeks ago about a fence; one is a privacy fence around a deck and provided details. Discussion ensued. Mr. Mainwaring stated that he thought the call was about the electric, which has since been completed and re-inspected and stated that he did not see any problem with the fence. Discussion ensued. Mr. Robert stated that another pool at 8199 Hawthorne, still does not have a fence around it; a plastic snow fence was placed around it, a temporary four-foot fence. Ms. Teibel inquired if the pool was in-ground or above. Mr. Robert stated that it was an above ground pool. Discussion ensued. Mr. Mainwaring stated that he will go out with the Building Inspector tomorrow to look at the fence on the deck and believes this is due to neighbor problems.

**Adjournment** – Ms. Teibel motioned to adjourn the meeting. Seconded by Mr. Barenie. Motion passed with a vote of 4 - 0. Meeting adjourned at 7:58 P.M.

Attest:

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Sherry P. Sury, Clerk-Treasurer