

**ST. JOHN TOWN COUNCIL REGULAR MEETING**  
ST. JOHN MUNICIPAL BUILDING MAIN MEETING ROOM  
10955 W. 93<sup>RD</sup> AVENUE, ST. JOHN, INDIANA  
February 26, 2009 – 7:00 P.M.

Mr. Barenie called the meeting to order at 7:25 P.M. and asked Mr. Pharazyn to lead the Pledge of Allegiance. Roll call was taken with the following members present: Mark Barenie, President; Michael Forbes, Vice-President; Gregory Volk, Member; Michael Fryzel, Member; Jerri Teibel, Member; David Austgen, Attorney; Steve Kil, Town Manager and Sherry Sury, Clerk-Treasurer. Also present were: Fred Frego, Police Chief, Bob Pharazyn, Director of Operations; Chip Sobek, Parks Superintendent and John Mainwaring, Code Enforcement Officer. Absent was Fred Willman, Fire Chief.

**Approval of the minutes: January 15, 2009 Executive Session and Regular Meetings of January 15, 2009 and January 22, 2009** - Mr. Fryzel motioned to approve the minutes of the January 15, 2009 Executive Session, the January 15, 2009 Regular Session and the January 22, 2009 Regular Session. Seconded by Mr. Forbes. Motion unanimously passed.

Mr. Barenie stated that there would be an adjustment to the agenda and recognized Girl Scout Troop #192. Several Girl Scouts shared the dinner and decoration plans for 2<sup>nd</sup> annual Daddy/Daughter Dance event. Ms. Dawn Pelc the co-leader of Troop #192 asked for a \$300 donation from the Town to defray the cost of the D-Jay and the gifts for the attendees. The girls are working with this event planning to earn their Silver Award. **Mr. Fryzel motioned to approve a \$300.00 donation to Troop #192 for the Daddy/Daughter Dance. Seconded by Ms. Teibel. Motion unanimously passed.**

**Presentation: Mr. Ted Sommer concerning proposal for NIPSCO intervention** – Mr. Sommer distributed a packet of information to the Council members and explained the purpose of forming a consortium of municipalities to challenge the rate structure. He gave a brief overview of NIPSCO's rate history and a previous intervention that resulted in a credit to the customers.

#### **New Business**

**Ordinance #1487, an ordinance establishing a Town of St. John Finance Committee** – Mr. Barenie referenced slight changes to the verbiage on page two, Section Two Paragraph A and in Section Three. **Mr. Forbes motioned to approve the amended Ordinance #1487 establishing a Finance Committee for the Town of St. John. Seconded by Mr. Volk. Motion passed with three ayes and two nays by Mr. Fryzel and Ms. Teibel.**

**Consider 2009 Contract with St. John Volunteer Fire Department** – Mr. Kil stated that Mr. Austgen and Chief Willman have reviewed the document and it is ready to be considered by the Council. **Mr. Forbes motioned to authorize signing of the 2009 contract with the St. John Volunteer Fire Department. Seconded by Mr. Teibel. Motion unanimously passed.**

**Consider 2009 Contract with Lake Hills Fire Department, Inc.** - Mr. Forbes motioned to authorize signing of the 2009 contract with the Lake Hills Fire Department for dispatching services in the amount of \$6,884.52. Seconded by Ms. Teibel. Motion unanimously passed.

Mr. Kil stated that he received the last CF-1 Form for outstanding tax abatements earlier this week. This one is for SB Properties, Ltd. (Donald Bates), 9565 North Industrial Drive. He reviewed the CF-1 Form, he is in substantial compliance or exceeds what he estimated to take place, and recommended approval of the CF-1 Form. **Mr. Forbes motioned to approve the CF-1 Form for SB Properties, Ltd., 9565 North Industrial Drive. Seconded by Ms. Teibel. Motion unanimously passed.**

### **Reports & Correspondence**

Mr. Sobek stated that “Park Clean Up Day” is tentatively scheduled to be March 28th. He mentioned that it would just be for general clean up, twigs, trash, etc.

Mr. Pharazyn reported that the Patnoe Park emergency pipe overflow project was completed in February with restoration beginning in the spring. They are going to begin work to extend utilities to the newly annexed residents on 101<sup>st</sup> & Calumet next week. They changed out 45 meters in February as part of the meter replacement program, put down almost 12 tons of coal patch fixing the potholes, used approximately 59 tons of salt and also did a branch collection. Reimbursement from FEMA was received in the amount of \$18,105.00 for the funds spent by the Town for flooding that took place in September and October.

Mr. Mainwaring gave the Code Enforcement Report for the month of January; 14 violations were written and 13 permits were issued.

Chief Frego gave the January Activity Report.

Clerk-Treasurer – None

Town Council

Mr. Volk stated that Mr. Kil has been serving on the Plan Commission for the past several years and would like to step down. Mr. Volk would like to nominate Mr. Tom Redar who is the Public Improvement Inspector. Mr. Austgen asked if Mr. Kil has been appointed and is stepping down. Mr. Kil referenced his conversation with Mr. Volk and stated that he would still be attending the meetings as the staff representative like Mr. Redar does now. Discussion ensued on how this came about. **Mr. Volk motioned to accept Mr. Kil’s resignation from the Plan Commission. Seconded by Mr. Forbes. Motion passed with a vote of 4 ayes and 1 nay by Mr. Fryzel.**

**Mr. Volk motioned to appoint Mr. Tom Redar, Public Health Inspector to the Plan Commission. Seconded by Mr. Forbes. Motion passed with three ayes and two nays by Mr. Fryzel and Ms. Teibel.**

**Payment of Bills for the Corporation – Vouchers #7186 - #7379 in the amount of \$1,696,531.77 - Mr. Forbes motioned to authorize payment of the bills for the Corporation in the amount of \$1,696,531.77. Seconded by Mr. Volk. Motion unanimously passed.**

### **Public Comment**

Ms. Cheryl Cribbari, 9380 Olcott - asked for the contract amount that was signed with Waste Management for the garbage fee. Mr. Kil stated that the contract is with Illiana Disposal and is for two years with two renewable years and has an escalating rate schedule it is \$15.82, then to

something like \$16.61. Ms. Cibrari asked if the budget is balanced would the garbage fee be eliminated. Mr. Barenie stated that with the economic situation it is highly unlikely. Ms. Cibrari stated that she feels this is double taxation and asked how they can legally get away with that. Mr. Austgen stated that is very clear in IC 36-9-23-25 that this is permitted. This is sanitary disposal, it's considered as such under the Statute this rate was made in conformance with that statutory section.

**Adjournment - Ms. Teibel motioned to adjourn the meeting. Seconded by Mr. Forbes. Motion unanimously passed.** Meeting adjourned at approximately 8:10 P.M.

Attest:

/s/ Sherry P. Sury, Clerk-Treasurer