

**ST. JOHN TOWN COUNCIL REGULAR MEETING**  
ST. JOHN MUNICIPAL BUILDING MAIN MEETING ROOM  
10955 W. 93<sup>RD</sup> AVENUE, ST. JOHN, INDIANA  
April 16, 2009 – 7:00 P.M.

Mr. Barenie 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: 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 in attendance were Fred Frego, Police Chief; Fred Willman, Fire Chief; Bob Pharazyn, Director of Operations; Chip Sobek, Parks Superintendent and John Mainwaring, Code Enforcement Officer.

**New Business**

**Ordinance #1490, an ordinance amending Ordinance #1478, being the 2009 Salary Ordinance** – Mr. Kil stated that this would amend the 2009 Salary Ordinance to add the new IT Director, Mr. Jason Dravet at a salary of \$55,000 per year and two weeks' vacation. Mr. Kil asked the Council to approve the two-week's vacation as it is outside the parameters of the personnel policy however; he is an exempt employee and this would treat him as other exempt employees and has been the practice. Mr. Fryzel asked the employee's date of hire. Mr. Kil stated that his first day of work was April 13, 2009. Mr. Fryzel asked who gave Mr. Kil permission to hire him and Mr. Kil stated that he hired him. Mr. Forbes stated that this position was discussed during the budget process. Mr. Fryzel quoted the November 24, 2008, meeting minutes whereas a motion was passed to freeze all promotions and hiring and that everything must come before the Town Council prior to hiring. He added that a background check was not done and this individual will have access to all of the Town's records, financials and referenced the Red Flag Rules & Regulations. Ms. Teibel stated that she would have liked to review all the resumes submitted. Mr. Barenie asked Mr. Austgen if he had any recommendations. Mr. Austgen stated that this can be handled tonight by the Town Council by ratifying the actions of the Town Manager, hiring the replacement IT individual employee and to act then thereafter on the salary ordinance that has been presented understanding the comments of Council Members Mr. Fryzel and Ms. Teibel.

Mr. Fryzel stated that the title of this position is not a PERF position; a survey must be taken to do that and that PERF money must be withheld until that is done. Mr. Austgen stated that he has not seen this ordinance until tonight and it is his understanding that the Town has an IT Department, an IT salaried job position in the salary ordinance and in the job descriptions. The previous IT Director was with the Town a number of years and had a well established position. PERF requires a hold period pending the establishment of a position if it is not already an established position and PERF recognized. He believes, without verification at this point, that there is a PERF position here and if this gentleman is an employee, qualifies, and will be enrolled in PERF immediately. If this is not a PERF position then there is a time period and you can catch up once the qualification happens. There is a process in Indianapolis for this to happen and it may take as long as six months.

Mapping capability of this employee was discussed. Mr. Kil stated that none of the candidates had mapping experience and added that the previous IT Director already submitted the revised maps for the census.

Mr. Fryzel expressed his concern that the Town is laying off employees and there is a hiring freeze and they hired someone at this salary. A consultant had been doing the work and he expected that he would do it until next year.

Ms. Teibel stated that the main issue is to find out after sitting in a meeting and the minutes clearly state there is going to be no hiring, then the next thing you hear is that you are taking applications; the next thing you hear is that the man is hired. She does not know who is talking to whom, or when these decisions are being made but she's hearing them after the fact and doesn't know if there is a violation of the Open Door Law but intends to look into it.

Mr. Barenie stated that through the process of being involved with the Town, they have attended some meetings with staff and Steve Kil is what would be considered the Chief Executive Officer of the Town. Mr. Kil's recommendation is parallel to what was done in the budget, which means investing in the Town infrastructure and technology by moving away from a consultant once or twice a month to a full time IT person they have had in the past for about the last 10 years. Through the process along with Mr. Forbes they read 180 resumes, which were narrowed down to 20 applicants who had enormous skill sets and experience. Those 20 applicants were given to Mr. Kil and then narrowed down to eight. From that point, the eight individuals were called in and they had some great interviews. Through a difficult process with Mr. Forbes, they had technical questions and work relations questions asked. It was a great process that took awhile and they came to the conclusion that it was Mr. Kil's choice.

Ms. Teibel asked who is Microsoft certified that interviewed the candidates, where is the computer experience knowledge and why is Mr. Kil qualified to do this interview? Mr. Kil stated that they solicited the help of Mr. Dan (inaudible) the IT Director for the Town of Schererville for the technical part of the interview. Ms. Teibel asked why the Town's IT consultant was not included since he is their IT consultant. Mr. Kil stated that Mr. (inaudible) would be independent; the town's processes are the same and gave him a tour of our operations.

Mr. Austgen stated that the record should reflect that Mr. Kil is the Town Manager and as the Town Manager has statutory authority that you have entrusted in him by your hiring of him to hire and fire. He apparently has done so and has presented the employee he has hired in the form of the Ordinance he proposes you consider for payment of the salary to that individual that has been hired. It would be appropriate this evening for the Council to consider an action, a motion, to ratify the actions of the Town Manager to hire this replacement IT employee. Hire that employee on probation effective April 13, 2009, to direct a background check and upon clearance of the background check, to full time hire the employee including the processing of the benefits in conformance with the ordinances. That would be his recommendation for an action.

**Mr. Forbes motioned to hire Jason Dravet effective April 11, probationary, pending his background clearance. Seconded by Mr. Volk. Motion passed with a vote of 3 ayes and 2 nays by Mr. Fryzel and Ms. Teibel.**

Brief discussion ensued regarding PERF accepting the job title of IT Director when the previous position was Computer Network Administrator. Mr. Austgen suggested that the Council amend the ordinance presented by the Town Manager to not delete the computer network administrator, to substitute the not to exceed pay that is proposed for the Information Technology Director for the Computer Network Administrator, delete the add, delete the delete and keep the title and job title that is at this point important for PERF purposes so it is a seamless transition. If he is doing the same job as Mr. Kil has indicated this probably only

needs an amendment of the salary amount. Mr. Kil stated that they are just amending the rate of pay downward.

**Mr. Forbes motioned to consider on first reading Ordinance #1490 with the amendments listed going back to the Computer Network Administrator with a not to exceed amount of \$2,115.38. Seconded by Mr. Volk. Motion passed with a vote of 3 ayes and 2 nays by Mr. Fryzel and Ms. Teibel.**

**Consideration of the 2009 Fireworks Presentation at Lake Central High School – Mr. Forbes motioned to defer the 2009 Fireworks presentation at Lake Central High School. Seconded by Mr. Volk. Motion unanimously passed.**

**Ordinance #1491, amending Master Traffic Ordinance # 511 – Mr. Kil stated that this is a ministerial act to clean up the Master Traffic Ordinance by the replacement of stop signs, speed control signs and the like. Mr. Forbes motioned to consider Ordinance #1491 on first reading. Seconded by Mr. Volk. Motion unanimously passed.**

**Mr. Forbes motioned to adopt Ordinance #1491. Seconded by Mr. Volk. Motion unanimously passed.**

**Consider approval of Settlement Agreement with St. John BLB – Mr. Fryzel motioned to approve the Settlement Agreement with St. John BLB and to authorize the Town Council President to sign the agreement. Seconded by Ms. Teibel. Motion unanimously passed.**

## **Reports & Correspondence**

Town Council

Ms. Teibel reminded everyone that the Town wide Garage Sale is approaching. The deadline to have their house listed is April 27<sup>th</sup>, she can call her at 365-6043.

Mr. Fryzel suggested that they look at Lake Central and closing the back gate. The Council members have been getting a lot of calls regarding the amount of traffic there. Mr. Forbes added that he asked Mr. Kil, Chief Frego and Chief Willman to put down any concerns they may have regarding emergency access. Discussion ensued. Chief Frego mentioned that if the back gate is closed there will be more traffic going out on Rt. 41 and create more problems there. Mr. Fryzel referenced the bond issue for Lake Central and possibly relocating signals and/or re-drawing the parking lot.

Mr. Kil stated that he attended a meeting at Lake Central with IDOT and V3, the design engineer, if the bond issue is approved, he suggested that if they are looking at moving the stop light, to move it to Lake Central Plaza where they have a defined traffic problem right now. Discussion ensued.

Mr. Fryzel stated that he has received a lot of complaints about Wall Street; they need a sign there. Ms. Teibel asked that a “Do Not Block Intersection” sign be also put up there. Discussion ensued.

Clerk-Treasurer

Ms. Sury stated that she had a conversation with a census worker, Ms. Terrie Menges, who asked the Town to provide a room beginning in the fall three times a week to do testing. They will need about four tables and the facility must be ADA accessible. The room would be used on Tuesdays, Wednesdays and Fridays and it would not interfere with any meetings. No more than 20 people would be using the room at a time; the testing would be for the enumerators. Discussion ensued and it was decided that the Public Safety Building would be used for this purpose.

#### Staff

Mr. Sobek stated that they had a very nice Easter Egg Hunt, there were between 600-700 adults and children there. The summer program will be coming out in the next two to three weeks and that they already have 100 registrations signed up for volleyball.

Mr. Kil stated they have received prices for the Schafer Drive Storm Sewer Project, Robinson Engineering did the design and they got some really good prices. Snow & Sons was the lowest price at \$48,819.00; Mr. Pharazyn has the Town of St. John listed as the general contractor for \$39,800. B&D came in second at \$53,988, Metro at \$58,082, Nelson at \$86,432 and LGS at \$81,204. Mr. Pharazyn stated that in many projects in the past he has taken the burden of being the general contractor and hire a local excavator to provide his equipment and labor to work in conjunction with the Town and the Town's forces to do the projects. Mr. Pharazyn stated that he will hire the landscaper, the asphalt contractor, the cement contractor, and the sprinkling system company to do all the restoration for the projects. He has learned that these are things they don't want to deal with and he has learned from his experience that you pay a premium to ask them to do that type of work. In this project, Public Works will supply the contractor with two of their laborers and two of their dump trucks because there is a significant amount of spoil that has to be hauled away and disposed of on this job. He would also purchase the materials direct. The start date will be when the weather is favorable as this is a side yard, which would be about four to six weeks. **Mr. Fryzel motioned to approve the Town as general contractor in the amount of \$39,800.00. Seconded by Ms. Teibel. Motion unanimously passed.**

#### Public Comment

Robert Ash, 10356 Adler Cove – advised the Council that many of the people that had their homes built in the Gates of St. John by Philippe Builders are having difficulties. He has filed information with Mr. Kil. The building inspectors have been to their homes a number of times. He is not the only person having problems; they have leaking, excavation is not correct on their property and they have water coming in their basements, walls and windows. He requested that the Council take the time to read the file and see if they can offer any help.

Ms. Brenda Bagherpour, 8347 Heron Lake Road – expressed her concern regarding the traffic at the Lake Central gate. Discussion ensued.

**Adjournment – Mr. Forbes motioned to adjourn the meeting. Seconded by Ms. Teibel. Motion unanimously passed.** Meeting adjourned at 7:51 P.M.

Attest:

/s/ Sherry P. Sury  
Clerk-Treasurer