

**ST. JOHN TOWN COUNCIL REGULAR MEETING**  
ST. JOHN MUNICIPAL BUILDING MAIN MEETING ROOM  
10955 W. 93<sup>RD</sup> AVENUE, ST. JOHN, INDIANA  
SEPTEMBER 24, 2009 – 7:00 P.M.

Mr. Barenie called the meeting to order at 7:18 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; David Austgen, Attorney; Steve Kil, Town Manager and Sherry Sury, Clerk-Treasurer. Also in attendance were: Fred Frego, Police Chief; Fred Willman, Fire Chief; Chip Sobek, Parks Superintendent and John Mainwaring, Code Enforcement Officer. Absent were: Jerri Teibel, Member and Bob Pharazyn, Director of Operations.

**Bid Opening – Fire Department Rescue Vehicle** - Mr. Austgen confirmed that the Proofs of Publication were in order and published twice (on September 10th and September 17th) in the newspaper as required by law. He opened the two bids that were received in order of receipt.

Mr. Austgen stated that the first bid was from Emergency Mobile Technologies, and contained a cover letter stating that they will not be submitting a bid. The second bid was from Fire Service, Inc. He stated that the bid submitted was in the amount of \$127,255.00 for a 2005, 4400 Series International deliverable immediately. The bid bond is present in the amount of 5%; there is a non-collusion affidavit executed and notarized; and an apparent recognition of the specs by attachment of it. Mr. Austgen advised the Council to take the bid under advisement for review and recommendation. **Mr. Fryzel motioned to take the bid under advisement for review and recommendation. Seconded by Mr. Forbes. Motion passed with a vote of 4-0.**

### **Public Hearings**

**Ordinance #1496, an ordinance establishing the 2010 Municipal Budget** - Mr. Austgen stated that he has reviewed the Proofs of Publication, the publisher's affidavit of each of the newspapers. They meet the requirements of law for the public hearing. (Published on August 31st and September 7th).

### **Town Council Comments**

Mr. Kil stated that in light of the 2010 deficit that the Council accepts the recommendations made by him to restructure the staff to the tune of about \$250,000, which is his first recommendation. Mr. Barenie asked if they could still look through operating expenses and Mr. Kil confirmed that they would look at operating expenses until the end of the year.

Mr. Barenie opened the hearing for public comment. (Exhibit 1)

### **Open to the Floor**

Janet Brennan, 10151 Delmar St. – stated that the budget information was on the web, thanked the Council and inquired if there was any information available regarding the restructuring. Mr. Austgen stated that there is a report recommendation that is a work in progress by the Town Manager to the Council. You will hear some affirmation by the Council this evening that the Town Manager will be directed to work through those recommendations as presented to restructure, reorganize the employee functions and the employee positions. To answer your

question directly, it is not firm, but there is a presentation on how to go about it. It is not final yet though.

Tom Busch, 10178 Walsh St. – asked where does it leave them. Mr. Austgen stated that the budget is balanced for 2009 and that the Town is operating correctly within an approved budget and fund balances. Discussion ensued.

Dawn Pelc, 12701 Rosewood Court – gave suggestions on how to reduce the shortfall by the increase of revenue for having out of state vehicles registered and referenced programs in Hammond and Merrillville and the grant money they receive. She asked why St. John is considering taking on the mortgage of Quad Town Safety Village. Discussion ensued.

Chief Frego summarized the programs offered by the Safety Village and mentioned that they received a grant for the Village. Chief Willman added they have been involved since it's inception in 1993. There is not enough to keep it up and it is a worthy cause. It is not the same as when they go out to schools. Mr. Barenie stated that if they are going to support the term long term and if they have the money available in a particular fund – not the General Fund – it would save thousands of dollars in interest and feels it is the responsibility of the Council to keep the Safety Village going for the benefit of the children.

Mr. Barenie closed the floor to public comment.

Mr. Fryzel left the meeting during the public comment.

#### **Closed to the Floor**

**Mr. Forbes motioned to accept the recommendation of the Town Manager. Seconded by Mr. Volk. Motion passed with a vote of 3 - 0.**

**Mr. Forbes motioned to consider Ordinance #1496 on first reading only. Seconded by Mr. Volk. Motion passed with a vote of 3 - 0.**

**Ordinance #1497, an ordinance establishing PILT (Payment in Lieu of Tax) for the Waterworks District** - Mr. Austgen confirmed that the Proofs of Publication were in order to conduct the Public Hearing and stated that he has examined the publisher's affidavits (published on September 14th).

#### **Opening Remarks**

Town Council Comments – None

**Open to the Floor – None**

#### **Closed to the Floor**

**Mr. Forbes motioned to defer Ordinance #1497 until a later date to do some more review and work with the financial advisor regarding some of the fee structures. Seconded by Mr. Volk. Motion passed with a vote of 3 - 0.**

**Ordinance #1498, an ordinance establishing PILT (Payment in Lieu of Tax) for the Sanitary District** - Mr. Austgen confirmed that the Proofs of Publication were in order (published on September 14th).

### **Opening Remarks**

Town Council Comments – None

**Open to the Floor** – None

**Closed to the Floor**

**Mr. Forbes motioned to defer Ordinance #1498. Seconded by Mr. Volk. Motion passed with a vote of 3 - 0.**

### **New Business**

**Ordinance #1499, an ordinance-amending Ordinance #1483 (Master Zoning Ordinance) for Sign Regulations** – Mr. Austgen stated that this ordinance deals solely with political signs. Mr. Volk added that this was discussed at the Plan Commission level and this is their recommendation. **Mr. Volk motioned to adopt Ordinance #1499. Seconded by Mr. Forbes. Motion passed with a vote of 3 - 0.**

**Ordinance #1500, an ordinance amending Ordinance #1483 (Master Zoning Ordinance) for Development Plan Process** – Mr. Kil stated that this ordinance provides for the development plan to be done at a public meeting and not a public hearing; it's a housekeeping item. **Mr. Volk motioned to accept Master Zoning Ordinance (#1500) for the Development Plan Process of Ordinance #1483. Seconded by Mr. Forbes. Motion passed with a vote of 3 - 0.**

**Agreement with BLB St. John LLC regarding the Soccer fields in The Gates** – Mr. Austgen stated that the amendment requested by the Council last week has been inserted and accepted by the property owner; that is, that the Town's Park Department would supervise and oversee the scheduling for usage in the soccer field facilities. Mr. Forbes stated that he is concerned that it eliminates the 50/50 split on ownership; the homeowner's association was to get 50% of ownership. Mr. Austgen stated that he did not address ownership only the scheduling and coordination aspect. **Mr. Forbes motioned to approve the license agreement and authorize the Town Council President to sign. Seconded by Mr. Volk. Motion passed with a vote of 3 - 0.**

**Consider \$2,000.00 donation to the Tri-Town Safety Village** - Mr. Forbes motioned to grant the \$2,000.00 to the Tri-Town Safety Village. **Seconded by Mr. Volk. Motion passed with a vote of 3 - 0.**

### **Reports & Correspondence**

Town Council

Mr. Volk stated that on Tuesday, Councilman Forbes, Attorney Austgen and he attended a forum on the Illiana Group regarding the expressway and were looking for feedback from the communities that would be involved and referenced the feasibility study. Mr. Austgen added

that Senator Sue Landske was also in attendance and she is the Chair of the Committee that is studying this project for the State of Indiana and will be conducting several committee meetings in Lake County over the next year for input, status update, technical reports, feasibility updates, briefings and the like. He stated that there was such a meeting this Wednesday at the Purdue Tech Center in Crown Point and that Senator Landske will monitor this and invites everyone here, Town officials, staff and everybody involved, to be in attendance.

Clerk-Treasurer – None

Staff

Chief Frego read the August Activity Report for the Police Department and invited everyone to the Open House at the Fire Station on October 4<sup>th</sup> from 11:00 A.M. to 3:00 P.M.

Chief Willman read the August Activity Report for the Fire Department and a summary of the in-service training.

Mr. Mainwaring read the Code Enforcement Report for the month of August.

Mr. Sobek stated that the Parks Department has been doing some upgrades and some safety things in the parks the past month or so and will continue to do that. He stated that the Park Board is planning a “Boo Bash” at Prairie West Park on October 24<sup>th</sup> from 12:00 P.M. to 3:00 P.M.; it is still in the planning stages at this point.

Mr. Barenie thanked the residents for coming out the past two meetings; he stated that there has been a larger than usual turnout and that there has been some great questions, dialogue and ideas for the future.

Mr. Austgen stated that about two or three weeks ago Ms. Sury gave the Council a report on the fund availability for the purchase of the Fire Rescue vehicle. He stated that he funds are available and recommended that to avoid the necessity of waiting three weeks between now and the next Town Council meeting, that the Council would consider making an award subject to verification of compliance of the bid requirements in all respects. **Mr. Forbes motioned to award the bid subject to verification of the bid submittal for the Fire Emergency Rescue vehicle. Seconded by Mr. Volk. Motion passed with a vote of 3 - 0.**

Mr. Austgen asked Mr. Barenie to request that Chief Willman and the Town Manager, Mr. Kil, write a letter to the Clerk for that verification. Mr. Barenie stated that he would do so.

**Payment of Bills for the Corporation - #8588 - #8794 - \$1,924,980.76** – Mr. Forbes asked about three bills for resident landscape services; page seven, and referenced the mowing of weeds at 9415 Villagio. Mr. Kil stated that if a resident does not comply with mowing, the Town would have the lot mowed. Ms. Sury stated that she has a couple of properties that she needs to place liens on for this reason. Mr. Forbes referenced two other bills from Redbud Landscaping Service, one is for the sled hill at Heron Park and the other is for the Lake Hills Splash Park. Mr. Forbes stated that he went out to Lake Hills several times and he does not know what the \$3,400.00 bill (APV #8650) is for. Mr. Forbes stated that he would like to hold the splash park bill until they know what it is for and would like to hold the sled hill bills (including APV #8688 for \$1,000 – Metro Excavating) because it was made very clear by the Park Board that the project was not to be over \$10,000 and it is \$1,000 over as identified under APV #8650.

Mr. Forbes referenced a bill from Leons Fabrication in the amount of \$1,360.00 for a snow -plow part that needed approval for payment that is not on the docket and stated that it was previously incorrectly coded under the utility district.

**Mr. Forbes motioned to approve bill payment memo's #8588 - #8794 in the amount of \$1,924,980.76 less the bills just discussed along with the approval of payment for the snow-plow part. Seconded by Mr. Volk. Motion passed with a vote of 3 - 0.**

#### **Public Comment**

Mr. Robert Ash, 10356 Adler Cove - read a statement and submitted a petition from residents in The Gates subdivision regarding their builder, Phillippe Builders. (Exhibits 2 and 3)

Mr. Barenie asked Ms. Sury to distribute copies of the statement and petition to the Council members and appropriate department heads. He also asked Mr. Kil to arrange a meeting in the next week or so with himself and Mr. Kil, Mr. Forbes, the electrical inspector and to see if he can get Mr. Phillippe to attend. He stated that the meeting would be held at town hall.

Mr. Forbes stated that he knew there were some concerns, but he was not aware of the level involved.

Mr. John Jacobson, 8890 West 103<sup>rd</sup> Lane – stated that he closed on his house three years ago and has not had resolution of his construction problems. He also mentioned that he lives on the pond and it is not being maintained.

Mr. Volk added that they would also need to talk to Mr. Lotton regarding the pond maintenance.

Ms. Margaret Ash, 10356 Adler Cove – stated that there are no vents in her attic.

**Adjournment – Mr. Forbes motioned to adjourn the meeting. Seconded by Mr. Volk. Motion passed with a vote of 3 - 0. Meeting adjourned at 8:22 P.M.**

ATTEST:

/s/ Sherry P. Sury, Clerk-Treasurer