

ST. JOHN TOWN COUNCIL REGULAR MEETING  
St. John Municipal Building Main Meeting Room  
10955 W. 93<sup>rd</sup> Avenue, St. John, IN  
June 10, 2010

Mr. Barenie called the meeting to order at 7:00 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 was Fred Frego, Police Chief and Fred Willman, Fire Chief. Absent was Chip Sobek, Parks Superintendent.

**New Business**

**Consider Bid Award for 2010 Pavement Patching Program – Mr. Fryzel motioned to award the bid to Reith-Riley in the amount of \$131,041.62 as the lowest most responsive and responsible bidder. Seconded by Mr. Forbes. Motion passed with a vote of 4 - 0.**

**Consider Special Exception Request from Mr. Kevin Baradziej, who resides at 9480 Julia Drive, for the construction of a Sport Court** – Mr. Barenie stated that he does not understand why this is here; he went through the letters and the highlights of the letters were about noise. He stated that there were not going to be any lights put in and that the letters also talked about cars and congestion in the street. Mr. Barenie stated that the children he saw come with their parents into the meeting room were eight and nine years old. He addressed the issue of property values and stated that all the homes that had additions to their property like swimming pools are always more expensive because they add property values to their homes. Mr. Barenie stated that St. John is a community of families not a retirement community. He stated that he went through Bramblewood and there are 52 basketball hoops or pools. Same parking dilemma, same noise dilemma. There are probably another 50 that have jungle gyms and swing sets. All these are great things for kids to play with and enjoy. He is surprised they are at this point.

Mr. Fryzel stated that he agrees 100% with what Mr. Barenie said. He stated that one of the goals when they (he and Mr. Barenie) took office was to get St. John to a family community and keep it a family community. There are kids everywhere and the Parks Department is oriented towards kids. They are looking at a basketball hoop here; it makes no sense to him.

Mr. Volk stated that the problem with this particular request is that six or seven letters came in. Mr. Barenie stated that three letters came from one home. There was only one letter in support. A member of the audience stated that she lives next door and supports the homeowner. Ms. Amy Bogenrief, 9505 Genevieve Drive stated that she lives behind the homeowner and stated that she is in favor of the homeowner; the hoops in the front of a house are not safe and the parents of the neighborhood children look out for each other's children.

Mr. Volk added that if there were no letters of opposition, they would not have to discuss this matter. The lights were discussed at the BZA level and there will be no lights.

Two audience members entered into a discussion with each other about drainage problems in this neighborhood. An unidentified audience member stated that the Homeowner's Association is not in favor of this construction. Mr. Kil stated that the homeowner is going to build at grade so it will not affect the drainage with the site plan reviewed prior to the issuance of the permit.

**Mr. Forbes motioned to approve the installation of the Sports Court at 9480 Julia Drive and not accept the recommendation of the BZA (Board of Zoning Appeals). Seconded by Mr. Fryzel. Motion passed with a vote of 4 - 0.**

**Resolution #10-06-10, a resolution authorizing entry into a Joint Interlocal Cooperative Agreement with the Lake County Drainage Board (Hart Street culvert replacement)** – Mr. Volk stated that about six months ago he received some complaints from residents that live on the north side of 101<sup>st</sup> and east of Hart that the water levels back up into the wetlands behind their homes and that water level has been increasing over the last year or two. Mr. Kil and Mr. Faberbock looked at it and there is a culvert that has problems. The Lake County Drainage Board looked at it and agreed to do the project and split the cost with the Town. It is estimated at \$75,000 and half of that would be the Town's responsibility. Mr. Kil stated that the cost in the agreement is in the high end; Mr. Faberbock's estimate of the total cost was under \$40,000. Mr. Kil said this is a very easy project to construct because you isolate the road, there aren't any traffic concerns, and they can just go out and get it done. The bids are due on the 16<sup>th</sup> and they want to get on this right away. **Mr. Volk motioned to adopt Resolution #10-06-10 a Joint Interlocal Cooperative Agreement with the Lake County Drainage Board for the Hart Street culvert replacement, a 50/50 share with the funding coming from the Cumulative Sewer Fund. Seconded by Mr. Forbes. Motion passed with a vote of 4 - 0.**

## **Reports & Correspondence**

### Town Council

Mr. Volk referred to the problem that they were having about residents putting out their trash too early and since the notice was posted on the water bills, he has not seen anyone out of compliance lately and the complaints have stopped.

Mr. Forbes stated that he was contacted by the Haunted House consultant. They would like to get in there and start working and suggested that they look at the contract again for the council's next meeting. Mr. Barenie asked Mr. Austgen about insurance coverage if the consultant goes into the Haunted House before the contracts are completed. Mr. Austgen stated that they would be covered by the comprehensive insurance/general liability so they can give permission and authorize inspection. He does not recommend they permit or authorize the commencement of improvements. He mentioned that the condition of the house was a concern of the Council last year and a comprehensive inspection was done last year by the Fire Chief and another individual. Mr. Austgen suggested that they bring in an outside consultant as well.

Clerk-Treasurer – None

### Staff

Mr. Kil stated that they received \$1,325.00 in CMAQ grant funds for bicycle racks and they need to execute a contract for final approval. **Mr. Fryzel motioned to authorize the Town Council President to execute the contract with the State for the \$1,325.00 in CMAQ funds for bicycle racks. Seconded by Mr. Forbes. Motion passed with a vote of 4 - 0.**

Mr. Kil also referenced a change order in the packets from Gary Cole, the Project Manager, for the Joliet Street storm sewer project. He stated that with Stimulus Funds changes above and beyond the original contract is borne by the LPA (local public agency) meaning the Town. Discussion ensued. The Council decided to defer to the next Council meeting.

**Public Comment**

Mr. John Berenc, 13985 West 94<sup>th</sup> Court – stated that he is not moving to Florida and he is a senior citizen. Discussion ensued. Mr. Barenie apologized to Mr. Berenc for any misunderstanding of his comment. Mr. Berenc stated that they passed an ordinance regarding this and asked why they aren't they enforcing it?

**Adjournment – Mr. Fryzel motioned to adjourn the meeting. Seconded by Mr. Forbes. Motion passed with a vote of 4 - 0. Meeting adjourned at 7:40 P.M.**

ATTEST:

/s/ Sherry P. Sury  
Clerk-Treasurer