

ST. JOHN TOWN COUNCIL REGULAR MEETING
St. John Municipal Building Main Meeting Room
10955 W. 93rd Avenue, St. John, IN
March 24, 2011

Mr. Forbes 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: Michael Forbes, President; Mark Barenie, Vice-President; Gregory Volk, Member; Michael Fryzel, Member; Ken Gembala, Member; David Austgen, Attorney; Steve Kil, Town Manager and Sherry Sury, Clerk-Treasurer. Also in attendance was Fred Willman, Fire Chief. Absent were Fred Frego, Police Chief and Chip Sobek, Parks Superintendent.

Mr. Martin Dzieglowicz of American Legion Post #369 along with Legion First District Commander John Rassbach presented the Town of St. John with a Certificate of Appreciation in recognition of the Town flying the POW flag.

Approval of minutes: February 10, 2011 Regular Meeting and February 24, 2011 Regular Meeting – Mr. Barenie motioned to approve the minutes from the February 10th and the February 24th meetings. Seconded by Mr. Fryzel. Motion unanimously approved.

New Business

Ordinance #1534, an ordinance amending Ordinance No. 1252, providing standards requirements for “Traffic Circles” (favorable recommendation from Plan Commission) – Mr. Volk stated that this is an amendment to the current subdivision control ordinance. It concerns the traffic circles in some of the subdivisions in Town; they made considerable changes, the size changed and the radius so fire trucks and bigger trucks can get around it. The construction of the road and speed signs were addressed. Mr. Forbes added that there was a favorable recommendation from the Plan Commission and the Plan Commission held a public meeting. Mr. Austgen stated that this is a single reading adoption only. **Mr. Fryzel motioned to approve Ordinance #1534. Seconded by Mr. Barenie. Motion unanimously passed.**

Ordinance #1535, an ordinance providing for Electronic Bill Payments through “PayGOV” – Mr. Forbes stated that this service will be provided to the residents through the Clerk’s office. It is basically a pay as you use service. The town is hands off with this; it protects the users of the service from a user information standpoint.

Ms. Sury confirmed that this will be used for utility bills only at first and will expand for other payments in the town. Mr. Gembala asked if this will be used to make credit/debit card payments for utilities and the company takes care of all the paperwork and payments. Ms. Sury explained that residents will be able to pay online, in person, or on the Internet. The company deposits the money every night in a special municipal account that will be set up, and every morning the company will send the Clerk’s office a report with the payments that were made that will include the utility account numbers, and the amounts paid. The payments will be posted to their accounts with the payment splits as to trash, sewer and water. Then the fees collected will be transferred from the municipal holding account as designed to the specified trash, sewer and water accounts. The same process would be done when we would accept payments for park programs, etc. they would all be coded as to the type and not comingled. She stated that we would not be involved with any credit card numbers, so with the Red Flag Regulations, we don’t have to worry about adding any extra security. If they want to pay by phone, they provide

their card number directly to the company using the toll free number they handle everything. Ms. Sury stated that all we will have in our office is the machine for the swipe card and we will have no access to their account numbers. She added that in the event of a potential utility shut off, the town can find out within 15 to 20 minutes if a credit card payment made through PayGOV was good to avert the shutting off of the utilities. Mr. Forbes stated that it was a very positive service that we can offer.

Ms. Sury stated that a lot of the municipalities in Indiana are with them, and mentioned the towns that are utilizing this service. She referenced the different options and services that are available. She stated that this service was convenient and only the customers utilizing their credit/debit cards for payments pay the transaction fees. Mr. Forbes stated that with this service the transaction fees would be not spread out to all the customers. He stated that there was also a resolution from the Sanitary Board and the Waterworks Board supporting the use of credit cards as a form of payment for the utilities. Mr. Gembala asked if the normal method of paying by cash or check remains the same, and the use of credit/debit cards is not a requirement, only an option. Mr. Forbes confirmed that yes; any form of payment can be made. **Mr. Gembala motioned to consider Ordinance #1535 on first reading. Seconded by Mr. Barenie. Motion unanimously passed.**

Mr. Fryzel motioned to adopt Ordinance #1535. Seconded by Mr. Gembala. Motion unanimously passed.

Mr. Austgen stated that the agenda is misleading on this item that the Ordinance is providing for Electronic Bill Payments through “Pay Gov”; actually, the Ordinance adopted the alternate method of payment as described here as permitted by the Indiana Code. It also mentions the Town Council President’s authority to enter into a contract; to contract with a vendor the alternate payment methods that have been indicated here. So they have a second act to undertake if they want to commence the contractual relationship with PayGOV but it’s now authorized by ordinance that you do so. He suggests that the Council motion to enter into a contract with PayGOV even though the contract presented needs some work. Discussion ensued. **Mr. Fryzel motioned to enter into a contract with the PayGOV Service contingent upon the agreement with the St. John Town Attorney. Seconded by Mr. Volk. Motion unanimously passed.**

Authorization to bid a new Snow Plow – Mr. Forbes stated that this is for a complete truck: truck, plow, bed, and salt spreader. The only thing that is not there is the radio, which would be an additional \$600-\$700 over what the bids come in as. Discussion ensued. This can be done either direct purchase or lease purchase. Mr. Gembala stated that he looked at the equipment and there is one truck on its last leg, it is a 1984 and is basically unusable so this is a required replacement. **Mr. Fryzel motioned to authorize bidding for a replacement truck. Seconded by Mr. Gembala. Motion unanimously passed.** Discussion ensued as to the time- frame for the notice to bidders, the methods of purchase and the payment to be from the CCD fund.

Consideration and discussion of the issuance of a Memorandum of Understanding (MOU) for the purpose of a Swat Team – Mr. Forbes stated that a copy of the memorandum is in the Council members’ folder. Discussion ensued whether a resolution is necessary. Mr. Austgen stated that he has worked with Chief Frego on this for several months. The terms of the agreement are satisfactory; they meet the legal requirements for such an agreement and the initiative that is proposed. It is his understanding from his discussion with the Chief that he

would review this with the Board, the fiscal impacts, personnel impacts and the other things that pertain to it as they relate to their department. Apparently he has, it now requires a resolution to adopt. Discussion ensued. **Mr. Gembala motioned to defer to the next Town Council meeting. Seconded by Mr. Volk. Motion unanimously passed.**

Reports & Correspondence

Town Council

Mr. Forbes referenced the invoice for R&R Sewer, Water & Excavating that was hired to remove snow during the blizzard. He stated that Mr. Fryzel's questions have been answered. **Mr. Fryzel motioned to approve payment of the invoice from R&R Sewer, Water & Excavating in the amount of \$11,285.00. Seconded by Mr. Barenie. Motion unanimously passed.**

Mr. Kil asked for authorization to dispose of a Public Works vehicle that has been inoperable for some time due to a broken steering column. He asked the Council to declare the vehicle worthless and authorize him to scrap it. **Mr. Barenie motioned to approve the removal and disposal of the pickup truck. Seconded by Mr. Fryzel. Motion unanimously passed**

Clerk-Treasurer

Ms. Sury thanked the Council for passing the ordinance for the credit cards. She stated that for the customers that want it, it will make their life easier. It will also be reassuring to the utility billing customers and resident taxpayers that their money is not being used to pay convenience fees for the others. She stated that they will get it all worked out, will notice it on the utility billing and be ready to go subject to the contract being taken care of. Ms. Sury stated that she would postpone the scheduled installation on Tuesday, have them work with Mr. Austgen to get the contract taken care of and then move forward.

She asked permission to use the Public Works Building on Election Day, as a polling place for Precinct's #2, #4, and #10. **Mr. Fryzel motioned to authorize the use of Public Works Building for the May 3rd Primary. Seconded by Mr. Volk. Motion unanimously passed.** Discussion ensued whether the VFW will also be used as a polling place for the residents of Tiburon and Grouse Pointe.

Mr. Forbes mentioned that the Town Wide Garage Sale will be April 28th through May 1st. No registration is required and does not count against the maximum number of garage sales that they can have in town.

Staff

Chief Willman gave the February Activity Report for the Fire Department.

Payment of Bills for the Corporation - Mr. Volk motioned to approve APV's #7392 - #7562 in the amount of \$1,135,132.92. Seconded by Mr. Fryzel. Motion unanimously passed.

Public Comment

Ms. Therese Smierciak, 11904 West 107th Place, Weston Ridge – Stated that she is concerned about the pending placement of three story Statue of Mary being placed in the parking lot upon arrival on April 10 at the St. John Church for two years before its permanent placement at the

Shrine. She stated that she lives in the first townhouse next to the house owned property facing the parking lot and is concerned about her view being blocked and the lights that will illuminate that statue do not shine onto her property. Ms. Smierciak stated that she would not be concerned if it would be for a month or two months and asked to take into consideration the little gal of the town. She thanked the council for hearing her.

Mr. Adrian Bugariu, 11747 West 90th Ave – Asked for information on who approved the installation of expensive street lights on Wall Street and along 90th and Patterson, replacing the NIPSCO lights with the fancy lights. He stated that this is wasting money. Second, he referenced the \$90,000 for the retirements of Officers Kouder and Chapranda and asked where the money came from. Third, he asked who approved over \$800 for the toy for Fryzel's Hummer.

Ms. Vanessa Knutsen, 11745 West 105th Street – Stated that she agrees that the traffic circles are a good idea. She is concerned about the Gates of St. John signage – some of the drivers are confused. She asked if there are plans to bring the signage up to date. Mr. Forbes stated that they will review all of their signs. Mr. Kil added that they have signs and need to wait until the ground is ready. Discussion ensued.

Mr. Bugariu – Referenced the triangle (entrance) by Walgreens, and stated that there is a problem with (a/k/a) pork chops the right in and right out directions and would like them eliminated. Mr. Forbes stated that INDOT will not allow an intersection within a certain distance of another intersection, the reason for the right in and right outs. Discussion ensued.

Adjournment – Mr. Barenie motioned to adjourn the meeting. Seconded by Mr. Fryzel. Motion unanimously passed. Meeting adjourned at 7:42 P.M.

ATTEST:

/s/ Sherry P. Sury, Clerk-Treasurer