

ST. JOHN TOWN COUNCIL REGULAR MEETING  
St. John Municipal Building Main Meeting Room  
10955 W. 93<sup>rd</sup> Avenue, St. John, IN  
October 27, 2011

Mr. Forbes called the meeting to order at 7:05 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; Ken Gembala, Member; Stephen Hastings, 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; and Chip Sobek, Parks Superintendent.

**Approval of minutes: September 22, 2011 Regular Meeting Minutes – Mr. Barenie motioned to approve the minutes of the September 22, 2011 Regular Meeting. Seconded by Mr. Gembala. Motion unanimously passed.**

#### **New Business**

**Consider release of escrow money for Maple Ridge Subdivision (favorable recommendation from Plan Commission) – Mr. Barenie motioned to release the escrow money for Maple Ridge Subdivision in the amount of \$2,500.00. Seconded by Mr. Volk. Motion unanimously passed.**

**Consider Ordinance #1544, repealing Town Code section pertaining to firearms regulations – Mr. Austgen stated that this ordinance directly references two sections of the previous ordinance in the body of the ordinance, which are the weapons control regulations of the town code. The Indiana General Assembly adopted provisions that amended Indiana Code §35-47-2-1 and §35-47-11 that pre-empted all local regulation of firearms possession. It is a broad pre-emption. The town cannot regulate that firearms must be unloaded. It does not affect bows and arrows. Mr. Austgen added that it is a blanket pre-emption (the state statute) and has severe penal consequences for local violation of that pre-emption. The law is now controlled by the State of Indiana. Mr. Hastings motioned to consider Ordinance #1544 on first reading. Seconded by Mr. Volk. Motion unanimously passed.**

**Mr. Gembala motioned to adopt Ordinance #1544. Seconded by Mr. Volk. Motion unanimously passed.**

**Ordinance #1541, an ordinance establishing the 2012 Municipal Budget – Ms. Sury stated that the budget was sent to the county for a non-binding review and the county approved the budget prior to the adoption process as required. Mr. Barenie motioned to adopt Ordinance #1541 the 2012 Municipal Budget. Seconded by Mr. Hastings. Motion unanimously passed.**

#### **Reports & Correspondence**

Town Council

Mr. Volk stated that he received a phone call this afternoon regarding how fast the County Police cars go down 93<sup>rd</sup> when they are responding to calls. A resident by Clark and 93<sup>rd</sup> claims that they go over 100 mph and Mr. Volk stated that he believes this to be closer to 60 or 70 with

their lights and sirens on. Chief Frego stated they are authorized to do that with their lights and sirens on with no kids or cars around. Mr. Volk said the concern is why the county is responding to a call in town. Mr. Forbes stated that there is a square area that the county responds to. Chief Frego suggested the resident contact the County with their concern.

Mr. Hastings thanked Mr. Kil and the town for addressing a problem one of the residents had in Tiburon, there was a lack of 20 mph speed limit signs.

Mr. Forbes stated that they need to put a notice in the newspaper for applications for Boards and Commission Members for next year with a deadline of December 31<sup>st</sup> so the appointments can be made by the new Council. He also stated that he received a letter from Operation SOS (Support Our Service members) seeking donations of products and/or monetary donations. They are sending 600 care packages to the soldiers. A wish list was attached. Mr. Forbes asked that the letter be posted on the town's website and posted in the Clerk's office.

Mr. Forbes stated that he also has a Request to Purchase for MS4 from HACH Company. The MS4 are materials (a spectrophotometer and ammonia) which are used to track the outfalls in the ditches throughout town. The materials cost \$3,768.95. **Mr. Barenie motioned to authorize this request to purchase. Seconded by Mr. Volk. Motion unanimously passed.**

Mr. Forbes stated that he has a request to purchase a 2012 Chevy Tahoe in the amount of \$32,899.00; the Fire Department has the opportunity to purchase this vehicle at a very reasonable cost by working with other communities. This is to replace Unit #1 which is 10 years old and has over 100,000 miles on it. This vehicle is the one that accompanies the ambulance. Chief Willman stated that they are going to pull the radio unit out of Unit #1 and put it in the new vehicle. He added this is a special service vehicle which already has a lot of things pre-wired. **Mr. Barenie motioned to authorize the purchase of the 2012 Chevy Tahoe for the Fire Department in the amount of \$32,899.00. Seconded by Mr. Hastings. Motion unanimously passed.**

Clerk-Treasurer – None

Staff

Mr. Sobek reported that the Boo Bash last weekend went off very well with about 300 kids plus parents attending. The leftovers were taken to Schererville for the special needs kids. It was very successful. The winter program flyers will go out in the water bills on Thursday. They have started putting up the Christmas decorations; they are going to need a lot of new stuff as they haven't been buying anything the last couple of years. He anticipates needing lights for all the trees which is about a minimum of 50 sets. The "maypole" tree has a lot of lights broken and expects many of those will be need to be replaced. Mr. Barenie stated that there will be a potential meeting in December or January with the Parks Departments in Northwest Indiana regarding the challenges of the summer help in some of the programs and what the communities will be doing to address those challenges.

Mr. Kil stated that Public Works will be used as a polling place and asked that the Council entertain that motion. **Mr. Barenie motioned to utilize the Public Works Building as a Polling Place for the upcoming election. Seconded by Mr. Volk. Motion unanimously passed.** Mr. Kil confirmed that Clark Middle School will now be used as a polling place instead

of the VFW. Both Mr. Forbes and Mr. Volk stated that they believe that postcards have been sent out advising residents of their polling place.

Chief Frego gave the September Activity Report. He stated that they added six Reserve Officers the beginning of September, they have been equipped, completed their 40 hours of class training and are currently with FTO's for about eight weeks after which they will be evaluated again. He mentioned they received a grant to have a drug box in the lobby for prescription drugs that people want to discard and they can safely deposit them, it is a locked box, the drugs are placed into evidence and the DEA will pick then pick up the drugs. This Saturday the drug box will be attended from 9:00 a.m. – 2:00 p.m.; the drop box will be in the lobby of the police station 24/7.

Chief Willman gave the September Activity Report. The members of the Fire Department thanked TransCanada formerly ANR Pipeline of St. John for the 2002 pick-up truck that was recently donated to the department.

**Payment of Bills for the Corporation – APV's #8808 - #9010 for \$1,104,461.41 – Mr. Barenie motioned to approve general APV's #8808 - #9010 in the amount of \$1,104,461.41. Seconded by Mr. Volk. Motion unanimously passed.**

**Public Comment – None**

**Adjournment – Mr. Gembala motioned to adjourn the meeting. Seconded by Mr. Barenie. Motion unanimously passed. Meeting adjourned at 7:33 P.M.**

ATTEST:

/s/ Sherry P. Sury, Clerk-Treasurer