

ST. JOHN TOWN COUNCIL REGULAR MEETING  
St. John Municipal Building Main Meeting Room  
10955 W. 93<sup>rd</sup> Avenue, St. John, IN  
December 8, 2011

Mr. Forbes called the meeting to order at 7:00 P., Mr. Forbes recognized Ben Godlewski who completed the requirements for the rank of Eagle Scout and stated that he was a member of the review board for the award. Ben's project was to rebuild the bridge by Kolling School. Ben 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 Member; and Sherry Sury, Clerk-Treasurer. Also in attendance was Fred Frego, Police Chief; and Fred Willman, Fire Chief. Absent was Chip Sobek, Parks Superintendent.

**Presentation: St. John Police Department – Outstanding Traffic Safety Award** – Tabled until the December 29<sup>th</sup> meeting.

**New Business**

**Resolution #11-11-17, a resolution adopting the fiscal plan for the Casboni Annexation** - Mr. Barenie motioned to adopt Resolution #11-11-17. Seconded by Mr. Volk. Motion unanimously passed.

**Ordinance #1545, an ordinance annexing certain contiguous land (Casboni Estates)** – Mr. Forbes stated that this is a commercial and residential area alongside the Landheim Dog School. Mr. Austgen stated that the ordinance has been slightly amended to reflect the public meeting comments about the agreement to revert the zoning district classification in the event the church facility was not constructed. That change has been inserted into the ordinance and is accompanied by the letter dated November 23<sup>rd</sup> that outlines and ratifies the public meeting commitment made by the representative. **Mr. Gembala motioned to approve Ordinance #1545. Seconded by Mr. Barenie. Motion unanimously passed.**

**Authorization to close the office of the Clerk-Treasurer on Friday, December 30, 2011** – Ms. Sury stated that the office would be closed only to the public so that the clerk's office can close the books for 2011. **Mr. Gembala motioned to close the Clerk's office to the public on December 30th. Seconded by Mr. Volk. Motion unanimously passed.**

**Consider approval of a special exception for Triple "M" Motors at 9225 Wicker Avenue for operation of used car lot** (favorable recommendation from BZA) – Mr. Forbes stated that there was a public hearing at the BZA. Mr. Volk explained that this is a request by the petitioner for another used car lot that was there previously. The petitioner agreed to all the considerations that the previous petitioner had agreed to: hours of operation, parking spaces, use of the building in the back for repairs. Mr. Kil stated that there is a list of the contingencies in the council member's packet, nothing has changed. The petitioner has agreed to all the contingencies the previous owner agreed to. Mr. Forbes stated that there was a problem with the signage with the previous owner. Mr. Kil will discuss this matter with the new owner tomorrow. **Mr. Hastings motioned to approve the special exception and incorporate the**

**conditions and contingencies listed in the Finding of Facts. Seconded by Mr. Barenie. Motion unanimously passed.**

### **Reports & Correspondence**

Town Council

Mr. Gembala thanked everyone who came out to witness the swearing in of the Council members tonight.

Mr. Volk thanked Mr. Kil, public works and a couple of employees in the audience for the leaf collection this year; it seemed to go pretty smooth.

Mr. Forbes stated that they are now facing the deadline to advise the Lake County Solid Waste Commission whether the Town is going to commit to sending their trash to the proposed Powers ethanol plant. Mr. Austgen stated that the specifics of the agreement (if the town will be charged if they don't commit) may have changed due to a variety of circumstances such as public meetings, etc.; he will confirm the details for the next council meeting. Mr. Forbes added that sending their trash to the ethanol plant would save the town money for the dumping of the trash; the town would still pay for trash pickup.

Mr. Forbes stated that he has been contacted by residents regarding smoking inside the town office buildings. The request is to make all the buildings smoke free; discussion ensued regarding how the various buildings handle smoking in their facilities.

Clerk-Treasurer – Ms. Sury congratulated all the council members and thanked Mr. Hastings for his service and that she appreciated his attendance and participation.

Staff

Mr. Austgen stated that they are working on the sewer bond refunding. He spoke with their financial advisor today and they are soliciting proposals for the financing and also spoke with one of the bank institutions that is interested. They will know in the next handful of days whether the underwriter can place the financing with one of these institutions and if it can be done on or before December 19<sup>th</sup> that the refunding will occur this year. It is on track and dependent on the placement of the financing.

Mr. Kil referenced the new construction summary, he stated that they are catching up slowly; they still have new permits coming in.

### **Public Comment**

Mr. Adrian Bugariu, 11747 West 90<sup>th</sup> - summarized his problems since 2005 that were part of his law suit. Mr. Forbes told him that they cannot change history.

Mr. John Rainwater, 8737 N. Oakwood - stated that he has lived in St. John for 46 years and is starting a campaign against NIPSCO so they can get safe and reliable service in downtown St. John. The last two summers his voltage goes down when everyone turns on their air conditioning. He would like to know what can be done to have NIPSCO come out and look at

the problem. Mr. Forbes stated that he has a contact at NIPSCO and will advise them of their concerns. Discussion ensued.

**Adjournment – Mr. Barenie motioned to adjourn the meeting. Seconded by Mr. Gembala. Motion unanimously passed.** Meeting adjourned at 7:40 P.M.

ATTEST:

/s/ Sherry P. Sury, Clerk-Treasurer