

ST. JOHN TOWN COUNCIL REGULAR MEETING
St. John Municipal Building Main Meeting Room
10955 W. 93rd Avenue, St. John, IN
December 29, 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 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 – Deferred to the first January meeting.

Approval of minutes: November 17, 2011 Executive Session and November 17, 2011 Regular Meeting minutes - Mr. Gembala motioned to approve the minutes of the November 17, 2011 Executive Session and the November 27, 2011 Regular Meeting. Seconded by Mr. Barenie. Motion unanimously passed.

New Business

Consider Ordinance #1547, 2012 Salary Ordinance – Mr. Forbes stated that they have two copies. He recommends accepting and approving the Ordinance #1547 that was in their packets; this is the ordinance that has been reviewed by the Town Attorney. It is the one that says “the pay period ending December 29, 2012”. He noted that the ordinance includes a 2% pay increase for all the employees of the Town of St. John excluding the elected officials. **Mr. Gembala motioned to consider Ordinance #1547 on first reading. Seconded by Mr. Barenie. Motion unanimously passed.**

Mr. Barenie motioned to adopt Ordinance #1547. Seconded by Mr. Volk. Motion unanimously passed.

Consider annual contract with the St. John Volunteer Fire Department for 2012 – Mr. Forbes confirmed that the dollar amount is the same. **Mr. Hastings motioned to approve the annual contract as presented for the St. John Volunteer Fire Department for 2012.** Mr. Austgen stated that the contract is identical to the ones of previous years except for the date. **Seconded by Mr. Volk. Motion passed 4 ayes and 1 abstention by Mr. Gembala.**

Consider Ordinance #1549, an ordinance authorizing the issuance of Tax Anticipation Warrants for Year 2012 – Ms. Sury confirmed that they received their disbursement yesterday from Lake County and that they were able to wire the money today to pay the tax anticipation warrant that was due. Preliminarily, because the books are not closed for the year, at this time the general fund has \$500,000 left until they receive the end of January, the TAW draw. That is why they are going for a tax anticipation warrant for 2012. Mr. Austgen asked Ms. Sury if they will need the entire amount in the proposed ordinance. She stated that she worked with Karl Cender and Bev; they will need \$1.3M at this time. Discussion ensued. Mr. Austgen stated that the terms of the TAW when issued require, upon receipt of the tax receipts, the immediate

payment of any TAW's. **Mr. Barenie motioned to consider Ordinance #1549 on first reading. Seconded by Mr. Gembala. Motion unanimously passed.**

Mr. Volk motioned to adopt Ordinance #1549. Seconded by Mr. Gembala. Motion unanimously passed.

Resolution #11-12-29, a resolution authorizing entry into a joint Interlocal Cooperation Agreement with the Town of Schererville for Building Inspection Services - Mr. Gembala motioned to adopt Resolution #11-12-29 and authorize the Town Council President to execute the same. Seconded by Mr. Hastings. Motion unanimously passed.

Consider Contract for Services with the St. John Township Trustee for Fire Protection and Emergency Medical Services – Mr. Kil stated that the actual amount of \$55,475 represents a 3% increase from last year. **Mr. Volk motioned to approve the contract for services and authorize the Town Council President to execute. Seconded by Mr. Barenie. Motion unanimously passed.**

Consider Contract for Services with the St. John Township Trustee for Senior Citizen Drop In and Senior Citizen Bus Service – Mr. Forbes stated that this is a yearly donation of \$1,500.00. **Mr. Hastings motioned to approve the contract for services and authorize the Town Council President to execute. Seconded by Mr. Volk. Motion unanimously passed.**

Consideration and discussion of entry into a joint Interlocal Cooperation Agreement with the Lake County Solid Waste District – Mr. Austgen stated that he reviewed this matter further since the last council meeting. The present circumstances of contracting by the Lake County Solid Waste Management District with its vendor are not complete. There is no site presently under contract or acquired for the proposed services, the financing is not complete or confirmed as final and/or transferred from vendor capitalist to the industrialist entity that is proposing this service. And it appears that no further action is occurring at this time by the district; hence, it appears the next action by the district when it next has a quorum will be to hold the term for the preferred pricing that is contemplated by the proposed joint Interlocal as presented to you, be held pending the ability and actual groundbreaking of a vendor successfully on an approved site so the member communities can appropriately decide by that point in time. That is a speculative and unknown date. Rather than enter into an agreement that has speculative terms, updates, modifications, complete party changes, it is advisable at this time to defer this pending more certainty from the district with confirmed terms or the proposed initiative. **Mr. Gembala motioned to table this agreement for lack of activity by the solid waste district. Seconded by Mr. Volk. Motion unanimously passed.**

Resolution #11-12-29A, Transfer of Appropriations within Department and into Other Departments – Ms. Sury stated that this is the normal routine done every year so that all the appropriations balance to the line items in the categories that were set up in the budget for the departments. **Mr. Barenie motioned to adopt Resolution #11-12-29A. Seconded by Mr. Gembala. Motion unanimously passed.**

Amend the agenda for Resolution #11-12-29B – Encumbrance of Funds - Mr. Barenie motioned to amend the agenda to include Resolution #11-12-29B. Seconded by Mr. Gembala. Motion unanimously passed.

Resolution #11-12-29B – Encumbrance of Funds - Mr. Gembala motioned to adopt Resolution #11-12-29B. Seconded by Mr. Hastings. Motion unanimously passed.

Consider Ordinance #1550, an ordinance amending the Town's Refuse Collection Ordinance – Mr. Forbes stated that this is in answer to the SBA; the only item that changes in the ordinance is the inclusion of a rate structure that was agreed upon. Mr. Austgen stated that the current ordinance does not include the actual amounts, it just references the contract. The SBA stated that the actual amounts must be in the ordinance. He recommends the ordinance be considered on first reading at tonight's meeting and a public hearing be held at the second meeting of January. **Mr. Gembala motioned to consider Ordinance #1550 on first reading. Seconded by Mr. Volk. Motion unanimously passed.**

Reports & Correspondence

Town Council

Mr. Gembala thanked the council for a good year.

Mr. Volk also thanked the council for a good year and thanked Mr. Hastings for his services the past six months.

Mr. Barenie said ditto to Mr. Volk's comments.

Mr. Hastings thanked the council, Mr. Kil, Chief's Frego and Willman, Ms. Sury for all the help they have given him. He stated that they all work very hard and as a private citizen, he is confident the Town is in good hands.

Mr. Forbes referenced the NIPSCO problem brought up by Mr. Rainwater at the last meeting. They were advised of several improvements that have been made; Mr. Rainwater was contacted by NIPSCO as well. There are a few things NIPSCO is going to address. A voltage regulator was installed. Mr. Kil added that their new friend at the NIPSCO electric side; is a resident of St. John.

Mr. Rainwater stated that NIPSCO may do the inspections but they don't do anything about them. The reliability of service has not changed. Discussion ensued. Mr. Kil stated that he is confident the NIPSCO employee that lives in town will follow up with their concerns.

Clerk-Treasurer – None

Staff

Mr. Kil asked to dispose of a copier from 1999 that is located in the Police Department. **Mr. Gembala motioned to deem the Canon 330S copier in the police department worthless and to dispose of it. Seconded by Mr. Volk. Motion unanimously passed.**

Mr. Austgen stated that the town has a four year loan that is at its term and will require a motion for its extension at this meeting and ultimately a resolution to comply with statute. Mr. Kil stated that the outstanding balance is approximately \$600,000. **Mr. Gembala motioned to extend the Sanitary District Loan (WWTP). Seconded by Mr. Barenie. Motion unanimously passed.**

Chief Willman read the November Activity Report for the Fire Department.

Chief Frego read the Activity Report for the Police Department. He also thanked the council for the salary increase on behalf of all the members of the police department. He also thanked them for their support in 2011 and looks forward to their continued support in 2012.

Payment of Bills for the Corporation – APV's #9212 - #9453 for \$1,869,423.34 - Mr. Volk motioned to approve the general APV's #9212 - #9453 in the amount of \$1,869,423.34. Seconded by Mr. Barenie. Motion unanimously passed.

Public Comment – None

Adjournment – Mr. Barenie motioned to adjourn the meeting. Seconded by Mr. Hastings. Motion unanimously passed. Meeting adjourned at 7:52 P.M.

ATTEST:

/s/ Sherry P. Sury, Clerk-Treasurer