

The Town Council of the Town of Burns Harbor, Porter County, Indiana, met in its regularly scheduled session on Wednesday, July 8, 2026, in the Town Hall and streamed electronically with YouTube. The meeting was called to order by Council President Toni Biancardi at 7:00 p.m.

The Pledge of Allegiance to the American Flag was recited.

Roll Call: Councilwoman Roseann Bozak ----- Present
 Councilwoman Lisa Draves -----Present
 Councilwoman Jennifer McHargue-----Present
 Councilman John (Jack) McGraw -----Present
 Councilwoman Toni Biancardi ----- Present

A quorum was attained.

Additional Officials Present: Attorney Clay Patton, Police Chief McHargue, Building Commissioner Lawson, Superintendent Downey, Fire Chief Nowacki, and Deputy Clerk Parker.

Approval of Minutes

Councilwoman Bozak made a motion to approve the meeting minutes of June 10, 2026. Councilwoman McHargue seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Aye, Councilwoman Biancardi-Aye. Motion passed.

Councilman McGraw made a motion to approve the Executive Session minutes of June 22, 2026. Councilwoman McHargue seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Aye, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman McHargue made a motion to approve the Special meeting minutes of June 29, 2026. Councilwoman Bozak seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Aye, Councilwoman Biancardi-Aye. Motion passed.

Consideration of Claims, Purchase Orders, and Financial Reports

Approval of Pay Claims with 3 or More Signatures

Councilwoman Bozak made a motion to pay claims with 3 or more signatures. Councilman McGraw seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Abstain, Councilwoman Draves- Aye, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman Biancardi stated that we received invoices from Susan Alyea- a consultant providing support to the Clerk-Treasurer's office. The invoices are from February to June, and the total is less than \$1,000.00.

Councilwoman McHargue made a motion to approve payment of invoices 208, 209, 210, 211, and 212 for Susan Alyea of Flex Local Government Consulting. Councilwoman Bozak seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Aye, Councilwoman Biancardi-Aye. Motion passed.

Biancardi noted that there were two Purchase Orders that required approval. The first was PO #3430 for the purchase of a desktop computer for the Clerk-Treasurer's office, so that our secretary may gain access to our Boyce Systems Softwares. The total for the PO is \$1,491.80 to Brainstorm Computers to be paid from CEDIT- Other Equipment.

Councilwoman Bozak made a motion to approve PO #3430 in the amount of \$1,491.80 to Brainstorm Computers to be paid from CEDIT- Other Equipment. Councilwoman Bozak seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Aye, Councilwoman Biancardi-Aye. Motion passed.

The second PO was #3409 in the amount of \$11,589.64 to be paid to Line 6 Security for the installation of FOBs for the Building and Street Department as well as installing cameras- to be paid from CCD- Other Equipment. Biancardi asked Attorney Patton if we would need multiple quotes for this project considering we recently used the same vendor to FOB the Town Hall. Patton stated that it makes sense to do that, as opposed to have different companies coming to do the same thing.

Councilman McGraw made a motion to approve PO #3409 in the amount of \$11,589.64 to Line 6 Security to be paid from CCD- Other Equipment. Councilwoman McHargue seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Aye, Councilwoman Biancardi- Aye. Motion passed.

Approval of Financial Reports (Fund Report, Appropriation Report, and Revenue Report)

Councilwoman Biancardi asked if there were any questions regarding the financial reports. There were none.

Reports:

Clerk-Treasurer's Office

Deputy Clerk Parker stated that she had received her signature stamp for checks, and that the office has been preparing for her absence next week while she is out at training. She also thanked everyone for their patience while we continue to get a handle on things. Biancardi agreed and thanked Departments for continuing to check over Claims and notifying the office of any mistakes.

Biancardi also stated that we have not had anyone come forward to say that they were interested in the Clerk-Treasurer's position. Currently, we have Maddie as the full-time Deputy Clerk, Jill who works on Mondays, and Michelle who is quarter time with the Clerk Treasurer office. She commended them for doing a "fabulous" job- payroll, payments to vendors, complying with the SBOA and the DLGF. She stated that things are happening the way they should be, and that she has been meeting with the office staff weekly.

Biancardi related to the Clerk Treasurer's seat- raised the question: "Where do we go from here?" In our discussions, we are very grateful to have the help of Susan with flex Local Government Consulting, who has been very helpful. She mentioned that there is a community east of us who has not had a Clerk Treasurer for a year. So, that could be something. Another option is outlined in Indiana Code 36-5-6-9 which states that, in a situation like ours where we do not have someone to fill the vacancy, that the Town legislative body may select a legislative body member who would assume the role of the Clerk Treasurer in an ex-officio manner. The selected member would not get paid for it, and it would not be considered a second office. Biancardi stated that she has been given the authority from the DLGF to make our Gateway submissions and do the things we need to do on the financial side. She asked if Council would like to keep going down the road that we have been going or if they would like to utilize this Indiana Code. She asked Attorney Patton if he had anything to add. Patton responded that there are other options as well: you can enter into an interlocal agreement with a Clerk Treasurer and town legislative body from another town to assist, you can enter into a contract with a CPA to have them assist the town, or you can hire a qualified person to perform the duties of the Clerk Treasurer. The option noted by the Council President would be that the Town Council appoint a member of the legislative body to serve as the representative to sign off on various things, but there would be no additional pay. Biancardi noted that using that option would then take the Clerk Treasurer's salary where we could pay a consultant- such as Susan. She asked that Council ask any questions, have discussions regarding this, and prepare to decide by August so that our staff and our community know how we are going to manage our current situation. Election year is next year, so we are in a short time to put someone in. Fire Chief Nowacki asked Biancardi how someone would let Council know that they are interested. Biancardi replied that they can email her.

Staff Anniversaries

Biancardi stated that Deputy Clerk Parker's two-year anniversary is today and thanked her. She also stated that Vernon Davis has been our custodian for two years, and we are thankful for that. Building Commissioner Joe Lawson has also been here for two years. Councilman McGraw thanked Lawson for all he does.

Town Council

Biancardi said that she wanted to give kudos to all our Departments in the last month. We had the storm, and most of the Town was out of power for five days, which meant that none of our lift stations had power- except for one that had a generator. Our Public Works Department had to take the generator and move it. There was also a tree down on West North Boo Road with an electric line down, and they had to take the generator down the trail to lift station 4 because of the tree. The police were watching the stations for us, and Joe was out the next day. She thanked everyone for coming together. We also just had the annual Footloose event and the 4th of July. She said we appreciate you and your commitment to our community.

Councilwoman Bozak stated that, in May, the friends of Marquette Greenway commissioned a newly released Marquette Greenway poster which is signed and framed by Chesterton artist Kristina Knowski. This poster was donated to the Town by RDC consultant Tina Rongers to commemorate the Town of Burns Harbor's effort that began in 2014 and will be completed in 2027. She stated that at tonight's RDC meeting Global came to talk to us about the issue that we are having with water near the Frey property, and RDC gave Global the direction to get some quotes for that. Bozak noted that Patton pointed out, when we get the quotes, because of the complexity of the project, the Town Council will have to agree to the project of the quote; and the RDC will have to agree to the cost of the project. Biancardi asked Bozak if she would like to talk about TIF. Bozak said that she did not know that she was fully prepared to discuss it, as it is a lot of information, but she would send it out. Biancardi also asked Bozak about the notice of intent to participate in the proposed merger of the railways. Bozak declined to speak on it at present.

Councilman McGraw noted that the patching of the road on Stanley Street has been completed. He said he believes that Superintendent Downey should go out and inspect the work done.

Biancardi reminded everyone of the Town wide garage sale- which will be on July 24th and 25th. She also said that the new Twon website is now live. Our "burnsharbor-in.gov" should be re-directing to the new site. If you have trouble viewing the website, you may need to clear your cache or delete the bookmark that you have made for it. If anyone has suggestions or notices something missing or something that can be added, they can let her know. Switching the website saved us \$4,000.00 a year.

Biancardi noted that it is budget season. Next week, on the 15th, Biancardi stated that she and Police Clerk Watkins will be in a webinar with Tina Market from the DLGF, because there is a new budget system- "budget 2.0". She said that by the 17th, budget spreadsheets will be ready for Departments. We need to close out June with our bank reconciliation, and we will schedule some budget workshops in August. Our plan is to have our public hearing in September and to adopt the budget in October, as it has to be adopted by November 1st.

Shared Ethics Advisory Commission Representative

Nothing to report.

Building Commissioner

Nothing to report.

GM/Street/Sanitation Superintendent

Councilwoman McHargue stated that Superintendent Downey could not make it to the meeting tonight, but he did say that street sweeping started on Monday and will

continue on schedule until it is complete. Brush pickup is still every Monday, and they are closer to being caught up on everything after the storm.

McHargue stated that Downey had also emailed Council two quotes for the Town Hall remodel, and they both do include the verbiage of moving furniture. Biancardi asked Deputy Clerk Parker if she had the old purchase orders from last year. Parker replied that she did not, but she could go and grab them. Biancardi and Parker agreed that the original quote was for about \$11,000. Biancardi noted that items needed to be added to the quote that were missed in the estimate from last year. We had to get new quotes, because we knew the cost would increase. Biancardi, McHargue, and Parker discussed that, even upon deciding to use the company from the first quote in 2025, a second purchase order would need to be written to cover the difference. McHargue then stated that the new quote from America's Construction Experts was \$17,555, and the second quote to consider from R W Construction came in at \$19,750. Biancardi noted that Downey did reach out to vendors for more quotes, but he did not receive any back. Biancardi asked Parker to get the previous purchase order to know how much would be needed to approve for the difference. In the meantime, McHargue stated that Downey said that he will resume to kitchen remodel as soon as they get everything caught up.

Police Chief

Police Chief McHargue stated that the Department had been busy all month with the events. Our program prosecuting attorney Gary Germann, in conjunction with the US Secret Service, is putting on a cyber crime and financial fraud seminar. It will be held at the Portage high school auditorium on Saturday, August 1st, and it is free of charge to be held from 9:00am to 10:30am. A similar seminar had been held before which was primarily targeted at senior citizens, but this event is intended for a broader spectrum.

Biancardi asked Chief McHargue how we are doing on the FOB project. McHargue replied that he and Michelle are working on scheduling a meeting with the installer regarding implementation. Everything after that will be handled in house.

Biancardi then noted that Parker had returned with the 2025 encumbered purchase order for America's Construction Experts, and that it was in the amount of \$11,410. The difference of the new quote and the previously approved purchase order is \$6,145, if we would choose to award the project to America's Construction Experts. This would be coming from our LIT miscellaneous services or it could come from CCD.

Councilwoman McHargue made a motion to continue with the use of America's Construction Experts and approve the additional cost of \$6,145.00. Councilwoman Bozak seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Aye, Councilwoman Biancardi- Aye. Motion passed.

Fire Chief

Chief Nowacki stated that, just like everyone else, they had a very busy month; and the department did a great job responding to the incidents. He said he would like to note that, in the event of power outages, personal or private power generators should be kept 20 feet away from your house at a minimum, The Fire department went to multiple houses with high carbon monoxide levels inside. As they visited other homes, they saw some people with the generators in their garage or right next to houses, and they asked multiple people to move their generators away from their homes. The installers say that as long as there are no doors or openings near, its safe. Nowacki stated that the gas still gets into your soffit up at the roof, gets into your attic, and leaks into your house.

Nowacki also stated that the ladder truck went yesterday to Interstate Power Systems for a complete top-to-bottom inspection. We got the truck back today, and we will be getting their report on that by tomorrow. Biancardi asked Nowacki if he had gotten the two questions answered for Interstate Power Systems so that we could get a line of credit set up for the Fire Department. Nowacki replied that the person that he would need to speak to about that was not there. He said that he would contact them about that tomorrow.

Park Board Representative

Park Director Tumblin stated that on July 16th, the Park Foundation will be hosting Giving Thursday at 219 Taproom from 4:00pm to 8:00pm. All their tips will be donated to the Park Foundation. She said that we will also be hosting- along with the Deep River Bowman- a free youth archery event. Pre-registry is required, and you will need to email "kburton@burnsharbor-in.gov"

Correspondence

Biancardi stated that last week we received a donation request from the Burns Harbor Fire Department Incorp. She asked if Fire Captain and Incorp President Adam Friday would like to speak on that. Friday stated that this year is the 50th year of the Burns Harbor Volunteer Fire Department, and that kind of milestone deserves some sort of celebration. He said that everything that has been done for the Fire Department, we have done ourselves- whether it is the spaghetti dinner, the pancake breakfast, the golf outing, or the 5k. We are talking about some sort of celebration where we do not have to do anything for a change. Town employees, past members, and citizens are invited. The event center that they would like to use is Duneland Falls, and, unfortunately, the cost is steeper than their budget will allow. Friday continued saying that they have hit every business in the Duneland area for their fundraisers, and they do not want to keep asking them for every penny that they need. At this time, they would like to ask for help from the Town Board. He stated that they are looking to spend about \$7,000 on this celebration. Biancardi asked when the event was. Friday responded that the tentative date would be October 10th. Councilwoman Draves asked how much had already been donated. Friday responded "zero". He said that they have already been asking other Duneland area organizations, and the Incorp is not going to keep hitting the same people every week for donations. With the Golf Outing, we have already made about \$5,000 there, so we can move some of that; and we do have some entry fees for that which have not come in yet. Biancardi asked if they will be selling tickets. Friday responded: yes. Biancardi asked that if a community member wanted to come, they would need to buy a ticket. Friday responded: yes. Draves asked how much the tickets or tables would cost for attendees. Friday responded that, if no help comes from Council, it would be about \$80 a ticket. Councilwoman Bozak asked if they are asking for \$7,000. Friday said that would only be for the vending and does not include any mementos- which they would like to do for the 50-year celebration. Right now, they just want to get the venue cost covered; so, we are not asking you for the full \$7,000. Draves asked when they would need to make the reservation by. He said they would like to have it reserved by Council meeting next month. Biancardi said that, not having this planned into the budget, we are going to need to look; because normally something like this would come from Promotion of Business; but there is not currently that much in there. Discussion continued. Bozak asked that if the Town gave the Incorp, say, \$3,000 for the event; and then the event was unable to take place, what would happen to the \$3,000. Friday replied that it would come back to the Town. Biancardi stated that she believes she will have more questions, and we will need to look at the budget. She suggested that Friday and Draves- as the Fire Department liaison- continue to communicate about it, and we can put it on the Agenda for August. Friday agreed. Councilman McGraw asked if the mill has been contacted. Friday said that they have been contacted twice and have not responded.

Councilwoman Biancardi then asked Councilwoman Bozak to read out the other items of correspondence. Bozak stated that we have one item from IDEM for Pheonix Global, Burns Harbor, LLC- contractor of Cleveland Cliffs 127-49005006, another item from IDEM notice of public comment for O-N Minerals Company LLC d/b/a Carmeuse Lime & Stone F127-50331-00038, another item from IDEM for Cleveland Cliffs Burns Harbor LLC 127-4698400001, and lastly from IDEM for Powder Processing and Technology LLC 127-49772-000021.

New Business

Ordinance 329-2026- Harbor Crest PUD

Biancardi stated that this is to be the first reading of this Ordinance, and Harbor Crest has come to the board with a favorable recommendation from the Plan Commission who held a public hearing and worked through the Ordinance with them. It did come

with the recommendation, but here was a meeting with the engineer and some other things that needed to be addressed. It is our job as the Council to approve it, if we choose to do that. She then offered the floor to Todd Cleven- Vice President of Land. Cleven introduced their attorney council- Todd Leeth, Luke Fricke- Accounts Manager, Andre **Hatami**- Land Acquisition Manager, and Michael Moore with Atwell Engineering.

Cleven stated that this is the first time that they have been before this body, and they had been seen by the Plan Commission three times: first unveiling the concept, talking about the size of the lots, and they engaged Attorney Leeth to help draft the PUD. The PUD Ordinance was the choice of the Plan Commission to proceed with this project. The difference between a PUD and standard zoning is that they were needing variances to meet the product that we are proposing here. The PUD also leaves no ambiguities and no questions for this property. Everything being proposed is in the Ordinance itself. Cleven continued that the Plan Commission gave a favorable recommendation to this board, and we have been working with the engineer to answer any questions over the last month. He asked Attorney Leeth if he had anything to add. Leeth replied: no, and that he thinks that engineering provided a detailed review, and Mr. Fricke is going to address those comments and how we incorporated those into the PUD. Councilwoman Biancardi noted that herself and Councilwoman Bozak are on the Plan Commission and asked if the rest of the Council would like an overview. They replied: yes.

Cleven stated that Lennar Homes is a nation-wide home builder- built coast to coast, and they are headquartered in Miami. They have operated out of 40 different divisions. He, himself, has been a land developer for 31 years, and he resides in Crown Point as well as their entire team with Lennar. Last year we did over 700 homes in Northwest Indiana alone. He said that Andre had succeeded in securing the property which is currently owned by the first house as you turn east on Haglund Road, and the parcel itself resides at the corner of 149 and Haglund Road. We are proposing 86 single-family home sites. There is not any multi-family here; they would all be individually owned. They did receive a few comments from the Plan Commission: they asked us to extend the road if, for some reason, that would ever be developed; and they asked us to connect to the nearby cul-de-sac. He noted that the latter drove some opposition from the existing homeowners to the east. It had been re-platted at some time by the developer with the intention of it to be connected to this parcel. He said we, as a developer, in the spirit of cooperation, and at the request of the municipality, agree to make that connection. We are not forcing that, but we have been asked to. The municipality would like that intersection to be finalized, and we are willing to take on the responsibility of that cost. The engineer asked that on the east of the property line, instead of having a road that just stops, that there be some fire safety. Lennar has proposed a turnaround on their parcel. Being proactive, we are going to go ahead and incorporate some language in the PUD that stated if and when this is ever developed, then that developer must come and do the same thing that we are doing down here. They must be responsible to put it back to a straight road. Cleven stated that they also met with the Park Board, and that Board opted for the cash rather than improvements. Which put it at \$500 per lot. The improvements he mentioned were a large detention area with a wet pond and a walking tap around it, some playground equipment, and an overlook walking path that connects you from one side of the ditch to the other. Lennar said that they could do that, but they also still agreed to the improvements which will be maintained by the HOA with no further burden to the municipality. All home sites will be served by sewer and water which currently exists along the south side of Haglund. We worked very closely with the Sanitary Board to ensure that there is capacity for these 86 home sites- the only caveat is that the pumps might need to be upgraded, and we are willing to cover the offset cost for the station upgrades. That will all come during the engineering. Some of the review comments are more related to the engineering, and we will be back in front of the plan Commission where we will actually present the full-blown engineering, and a lot of those details will come into play. The variances per se that the PUD is providing us as the developer does not provide- this cul-de-sac is a little bit longer than what your current ordinance permits. He asked how many feet it is superseded by. The code is 500 feet, and they said no more than 825 feet. He said that we are definitely surpassing the 500, and we are going to connect to a pedestrian walking trail to the east. There was no way to connect the west side to the east side, so we do have two main boulevard entrances. Cleven stated that they like the boulevard

entrances because, if there was an emergency, you can still get two-way traffic in and out on the right side of the boulevard entrance. We do propose to maintain a vegetated buffer along I94. Our minimum square footage is 1,200 ft, and our largest home is 2,100 ft. He said that he believed that the ASP (average selling price) is around \$350,000. We included a diagram within that PUD that dictates that we cannot build the same house next to each other diagonal. I think it takes us two or three sites before we can repeat that same color scheme, so you do get that variety of colors throughout the community. Cleven then said that he would be open to any questions. Biancardi said that there was one comment from our Fire Chief and one from our Public Works. She noted that Chief Nowacki suggested three fire hydrants.

Nowacki stated that one of his main concerns is having the entrance in and out would give two lanes there. In the event of an emergency, we would probably have one at the entrance and one by fire code would be no further than 600 feet away from that, but that is going to leave us short going from the midway at 600 feet from the first hydrant to the end. So, we are not going to have an 1,800-foot road. Depending on where the problem is where the hydrant would be to mitigate the emergency is going to be used from on a roadway, and that only gives you one way in and one way out. If we drop a 5- in large diameter supply hose down the middle of the road at the entrance area, people might not be getting out of the neighborhood at all. Obviously, state fire code is going to require two, but to eliminate the possibility of preventing traffic from flowing outward in the event of an emergency, he would like a third hydrant. Cleven said that they will agree to capture three fire hydrants- one at the beginning, the middle, and the end. He said that they would be proposing a feed from 149 and Haglund.

Biancardi said that the other item that was being requested by the Building Commissioner and the Public Works Superintendent was that they would like tracer lines for all the underground utilities. Cleven said that if we did want tracer wire along sanitary and storm sewer marks, it will not be a deal breaker. Biancardi asked Commissioner Lawson if he had any other questions. Lawson replied that he believes Superintendent Downey mentioned marking the curves. Biancardi said, yes, for the taps and laterals for Sanitation. Cleven said that on the curbs, sometimes there will be one salt cut for water, and two salt cuts for sanitary. If there were storm sewer- it would be marked with "S", and a "W" power.

Biancardi asked Chief McHargue if he had anything else. McHargue noted that the main concern with the tracer is from when we had another subdivision in this community come in, there was no map for the street lights, which makes repairs difficult. Cleven responded that he thinks it is more of an engineering thing at primary plat, and we will definitely cover that answer.

Biancardi asked Shem Khalil of Global Engineering if he had anything to add. Khalil responded that he was not able to review version seven, but he had a conversation with Luke and Brad from Atwell, and it seems that they agreed with just about every item- with the exception of the five homes that was addressed. Attorney Leeth stated that he believes that they did address everything in the four-page letter, and he does not believe that there were any exceptions. Khalil said that he will be glad to review it and give feedback right away.

Biancardi said that she believed that the only thing left would be the drainage ditch. Cleven stated that he has known Porter County Surveyor Kevin Breitzke for years, and that Mr. Breitzke looked as far back as 1976, and it was dedicated to the Town of Burns Harbor. He showed the audience a horseshoe ditch on a diagram. It was a legal drain that was governed and under the jurisdiction of the Porter County Drainage Board. He said that Lennar was just asking for an easement reduction- those ditches come to 75 feet for the easement on either side. They wanted to get it reduced to 25 feet on either side. We are asking them for permission not only for the reduction in easement but also to build permanent structures within their easements. We just found out the other day and received documentation that it was transferred to the Town of Burns Harbor- \$5,000 in an engineering case in 1976. Biancardi asked how that would change for the responsibility of the town. Cleven said that in his opinion it will now be an engineering thing; but, as we propose the subdivision, we are willing to turn all that maintenance.

Attorney Leeth stated the PUD ordinance was written with alternatives. Depending on if it was vacated or not. He thinks the PUD ordinance covers the situation where it is Vacated. Which has happened in 1976. In that situation, the PUD says that there will be private easements. That is a planning issue. We will have private easements when we get to the plat, and the HOA is going to maintain. Biancardi said that there was a lot of the discussion of calling out the future connection to that future 8 1/2 acres- that it is the intention to connect, so that there is not a question, and we are tracking that. Cleven agreed and noted all of their homeowners, when they purchase a home, they have about 15-20 pages of what we call an MBIA deep disclosure where we talk about anything within 5 miles of this property- from a cemetery to a church to an industrial use - whatever anybody could ever come back and say, "Well, we were not aware of that." In that form, we will also say that that road is intended to be connected to in the future, so 10, 20, maybe 2 years down the road, these homeowners would not say they were not made aware; and we will do specific ones, individual ones, when we sell homesite 85, 86, and 56 that it's a one-page thing that they sign off on knowing that cul-de-sac at one time can be converted back to a straight road. Attorney Patton asked if that was a recorded document because you might have subsequent purchasers of those lots. Cleven said that he believes it is part of the declaration. Discussion continued. Khalil said that he had a question about the drainage easement and asked if the Town had the easement now. Cleven responded that it is a question that we are going to decide when we do our engineering. Attorney Leeth stated that the language of the 1976 agreement says that the Porter County drainage board agrees to relinquish jurisdiction over said ditch to the board of trustees of the town of Burns Harbor, and the town of Burns Harbor agrees to reimburse for county drainage board for the cost of the construction and reconstruction of the ditch. Discussion continued.

Biancardi stated that, procedurally, when an ordinance come to the Council, there is a first and a second reading. She asked if there were any things that are going to be changed or added. Cleven said from the developer's standpoint, no. Biancardi said that engineer Khalil would like to review it. If there is a motion for the first reading this evening as it is presented with the comments incorporated, but to adopt it if that is what everyone chooses- Shem needs to look at it. Clay probably needs to look at it once more. We have a Sanitary board meeting next Wednesday. If three or more of us could come to a meeting, we can have a special council meeting for a second reading- if Clay and Shem can look at it in the next week. I know that you are anxious to get to Plan Commission, and we have been going back and forth. We need to be prepared to adopt at the second reading. Attorney Patton noted that there can also always be amendments.

Councilwoman McHargue made a motion to adopt the first reading of the proposed Ordinance 329-2026 for Harbor Crest. Councilwoman Bozak seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Aye, Councilwoman Biancardi-Aye. Motion passed.

Biancardi said that it would require a second reading. She would be more comfortable with additional review from the town attorney and town engineer, so she asked that they be sent the document again. She said that they could set a special meeting before the Sanitation Meeting, Wednesday the 15th at 6:45pm.

Councilwoman Draves made a motion to hold a Special meeting Wednesday, July 15th at 6:45pm. Councilwoman McHargue seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Aye, Councilwoman Biancardi-Aye. Motion passed.

Cleven asked if there would be a public notice. Biancardi responded that there is no public notice, and we will notice the meeting 48 hours in advance.

Resolution 2026-08- Amending the Salary Ordinance

The specific changes to this are renaming all of the General Maintenance/Street positions to Public Works. It will be: Public Works Superintendent, Public Works Laborer 1234, and Public Works Part-time. It does not change the names of the clerk because they will be splitting that responsibility, so they are still GM/Building. It sets the salary

range again only for Public Works. It is adding that fourth position, and on page four, it is renaming the positions of each person so that it reflects the change in our salary ordinance. This change will then put in place that fourth position we have been talking about, so that we can then start advertising and looking for that focused Sanitary, Stormwater, MS4 person.

Councilwoman Bozak made a motion to approve and adopt Resolution 2026-08 Amending the Salary Ordinance. Councilwoman McHargue seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Aye, Councilwoman Biancardi-Aye. Motion passed.

Biancardi said that it will now allow us to advertise that position, so Brandon, Jen, and I can work on that.

RESOLUTION 2026-08

AMENDING RESOLUTION 2026-02 SALARY and WAGES for the TOWN of BURNS HARBOR, PORTER COUNTY, INDIANA

WHEREAS, pursuant to I.C. 36-5-3-2 the Burns Harbor Town Council must annually fix the compensation for all elected officials, and Police Chief prior to January 1 of the ensuing year; and,

WHEREAS, the annual salary ordinance must define the compensation, including fringe benefits, of all employee of the Town of Burns Harbor; and,

WHEREAS, I.C. 36-5-7-6 requires the town legislative body to fix the number of patrolman by ordinance;

NOW THEREFORE BE IT RESOLVED, by the Town Council, that the Salary and Wages for all employees, elected and appointed members of boards and commissions, and other compensations matters for the year of 2025 in the amount and manner hereinafter be set forth:

Officer/Employee	Frequency of Payment	Amount of Compensation
Town Hall		
Council Members (5)	Monthly	\$10,000.00 each per year
Clerk-Treasurer	Bi-weekly	\$2,815.80 Exempt (100% from General Fund)
Deputy Clerk 1 Full-time	Bi-weekly	\$27.17 hourly (100% General Fund)
Deputy Clerk 2 Full-time	Bi-weekly	\$23.45-26.00 hourly (100% General Fund)
Deputy Clerk 3 Full-time	Bi-weekly	\$17.13-23.43 hourly (100% General Fund)
Clerk/Board Secretary Part-time	Bi-weekly	\$17.13-23.43 hourly
Custodian	Bi-weekly	\$14.00-20.70 hourly
INDOT ERC (Employee in Responsible Charge certified)	Yearly	\$1,000.00 Exempt (25% from General Fund 75% from RDC Operations F32.42und)
Public Works Department		
Public Works Superintendent	Bi-weekly	\$37.15 hourly (50% from Sewage Fund 50% GM General Fund)
Public Works Laborer 4 Full-time	Bi-weekly	\$24.57-25.27 hourly (25% from GM General Fund and 75% from Sewage Utility Fund)
Public Works Laborer 3 Full-time	Bi-weekly	\$24.57-25.27 hourly (50% from GM General Fund and 50% from Sewage Utility Fund)
Public Works Laborer 2 Full-time	Bi-weekly	\$23.27-24.37 hourly (50% from GM General Fund and 50% from Sewage Utility Fund)
Public Works Laborer 1 Full-time	Bi-weekly	\$19.66-23.02 hourly (50% from GM General Fund and 50% from Sewage Utility Fund)
Public Works Part-time	Bi-weekly	\$18.63 hourly (100% from GM General Fund)
MVH Laborer Part-time	Bi-weekly	\$20.70 hourly (100% from MVH Fund)
GM/BLDG Clerk 1 Full-time	Bi-weekly	\$30.12 hourly (80% from Building General Fund and 20% GM General Fund)

GM/BLDG Clerk 2 Full-time	Bi-weekly	\$24.20 hourly (80% from Building General Fund and 20% GM General Fund)
GM/BLDG Clerk 3 Full-time	Bi-weekly	\$24.20-27.68 hourly (80% from Building General Fund and 20% GM General Fund)
GM/BLDG Clerk Part-time	Bi-weekly	\$17.13-23.43 hourly (80% from Building General Fund and 20% GM General Fund)
Sanitation Clerk Part-time	Bi-weekly	\$17.13-23.43 hourly (100% from Sewage Utility Fund)

Building Department

Building Commissioner/Inspector Full-time	Bi-weekly	\$32.42 hourly
Building Inspector	Bi-weekly	\$35.00 per inspection not performed during office hours

Fire Department

Fire Department Secretary	Monthly	\$791.67.00 per month
Fire Chief Part-time	Monthly	\$2,083.00 per month
Fire Deputy Chief Part-Time	Monthly	\$1,416.67 per month

Board Members

Plan Commission Board Members (7)	Yearly	\$750.00 each per year
BZA Board Members (5)	Yearly	\$750.00 each per year
Sanitary Board Members (4)	Yearly	\$750.00 each per year
Stormwater Board Members (3)	Yearly	\$375.00 each per year
Redevelopment Commission Resident Board Members (2)	Yearly	\$750.00 each per year
Metropolitan Police Commission Resident Board Members (0)	Yearly	\$750.00 each per year

Board Secretaries

Redevelopment Commission Secretary	Monthly	\$4,200.00 per year (100% from Redevelopment Operations Fund)
BZA Secretary	Monthly	\$4,200.00 per year
Plan Commission Secretary	Monthly	\$4,200.00 per year (Based upon 12 meetings per year and additional \$200.00 per special meeting)

Certifications that a full-time Clerk processing a relevant professional certification from a generally accepted professional association including but not limited to Indiana League of Municipal Clerks and Treasurers, International Institute of Municipal Clerks, or Association of Public Treasures as may be authorized or approved by the proper officer, the base rate shall have an additional compensatory adjustment according to the following schedule:

Indiana Accredited Municipal Clerk (IAMC) bi-weekly salary \$40.00 or 50¢ per hour

In addition, employees that work on Town observed holidays will be paid double time.

The Town will pay all full-time employees longevity compensation in the amount of \$100.00 per year to be paid on the payroll following the employee’s anniversary full-time hire date.

Employees, as approved by the Town Council, receive \$60.00 per month cell phone allowance.

Employees participating in the Civilian INPRS shall have an amount paid by the Town equal to the employer contribution rate (11.2% effective January 1, 2023) as established by INPRS.

Employees will contribute ten percent (10%) each month of the premium cost for medical insurance; the remainder paid by the Town. The Town will provide dental insurance, vision insurance, life insurance, short term disability and long-term disability insurance.

Employee use of a privately owned vehicle driven on official town business shall be reimbursed at the state mileage reimbursement rate established by the latest Indiana Department of Administration determination for business miles driven.

All newly hired employees of the Town of Burns Harbor will not be eligible for a pay increase prior to completing one-year of employment with the Town.

The Clerk-Treasurer shall participate in all aspects of the full-time employee benefits programs, less mandated deductions, and withholdings.

For all other benefits and paid time off, refer to personnel handbook adopted on September 1, 2018 & its updates.

Salaries contained in this Ordinance are to be deemed the maximum allowable salary payable for each position. See attached salary listing. Salary ranges do not include overtime compensation, deferred compensation, longevity, insurance and retirement contributions paid by the Town, tax liability added for personal use of Town vehicles, compensation for accrued vacation liability, reimbursement for business related expenses, and imputed income derived from other employee benefits.

Additional Pay considerations, while working a secondary job for the Town, employees will be compensated the secondary job rate of pay for those hours worked.

New pay rates will take effect with the first payroll check written beginning in January, 2026.

Passed and adopted this 8th day of July, 2026.

Burns Harbor

Town Council of the Town of

Toni Biancardi, President

Jennifer McHargue, Vice-President

Roseann Bozak

Lisa Draves

Jack McGraw

Attest:

Madeline Parker
Deputy Clerk-Treasurer

Full Time Employee 2026 Salary & Wage
Effective 07/08/2026

Town Department:

Madeline Parker	Deputy Clerk 1	27.17 hourly (100% Town Gen Fund)
Jill Sherrill	Part Time Clerk	17.13 hourly
Gina Bondi	Sanitation Clerk	23.43 hourly
Vernon Davis	Custodian (Part Time)	20.70 hourly

Public Works Department:

Brandon Downey	Public Works Superintendent	37.15 hourly 50% GM 50% Sewage
Michael Gucciardo	Public Works Laborer 3	24.57 hourly 50% GM 50% Sewage
Andrew Skalku	Public Works Laborer 2	23.27 hourly 50% GM 50% Sewage
Joseph Lawson	Building Commissioner	32.42 hourly
Loretta McCormick	Clerk 1	30.12 hourly 80% Blding General 20% GM General
Adrienne Vukas	Street/Bldg Clerk Part Time	23.00 hourly

The following positions are approved to receive a monthly cell phone allowance:

- Street/Sanitation Superintendent
- Full-time GM Unlimited Eqpt. Operator paid 1/2 from General GM/Street Fund & 1/2 Sewage Utility Sewer Fund
- Full-time GM Equipment Operator paid 1/2 from General GM/Street Fund & 1/2 Sewage Utility Sewer Fund
- Full-time GM/MVH Street Laborer paid 1/2 from General GM/Street Fund & 1/2 Sewage Utility Sewer Fund
- Building Commissioner
- Building Clerk paid 80% Building & 20% GM
- Councilmembers
- Part-Time Board Secretary
- Fire Chief

Wex gas Card for Fire Department’s Dive Truck

Biancardi said that the truck is a new vehicle, and we keep gas cards for each individual vehicle. She asked Chief Nowacki if he is requesting one for the vehicle in question. Nowacki replied: yes. He said, in 2023, previous Clerk Treasurer Nicole Migliorini went through and had all of our fleet cards through WEX renewed, and we held-off renewing that vehicle because it was the existing ambulance that was decommissioned; so, I now need a new card for the vehicle.

Councilwoman Draves made a motion to approve the Fire Department to get a Wex gas card for the Fire Department Dive Truck. Councilwoman Bozak seconded the motion.

Councilman McGraw asked if there was a report. He said that they used to get a report about the Wex gas cards. Deputy Clerk Parker stated that she did not know anything about a report; but we do get the invoice; and that does break it down by department. She said that if anyone ever wanted to look at that, it is available in the office; and she does not mind going over it with someone, if needed. Chief Nowacki said the mileage and fuel

usage is not going to change. He added, just for understanding, when we use our fuel card, each vehicle's card, you have to enter the mileage; and then you have to put in a password and that data with log. McGraw stated, so, her report would show that; but I just want to be able to review that once in a while just to see where we are at. Chief McHargue asked if that invoice is in the claim book. Parker said that it is. This past invoice we received online before the paper copy, so it might just be the one page, but she said that she can access the invoice anytime online if needed.

Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Aye, Councilwoman Biancardi-Aye. Motion passed.

Provident Insurance Plan Renewal for Volunteer Firefighters

Biancardi noted that Chief Nowacki had been working with Shepherd Insurance on the Provident Insurance plan renewal for the volunteer fire fighters. She noted for Council a link which would show them the three proposed plans. She asked Nowacki what his recommendation would be. Nowacki recommended Plan 3. It is a three-year term for he believes \$25,000. Biancardi stated, looking at the plans, we have Plan 1 which would be \$5,416 a year for three years. Plan 2 is \$6,340 a year for those three years, and Plan 3 is \$7,264 a year for three years. She asked Nowacki if he has it in his budget to handle that increase. Nowacki stated that he did not know how it was paid in the past. Biancardi responded that it comes from your budget. Nowacki noted that the renewal date is August this year. Biancardi said your current Plan 1 pays for \$5,388 a year. Discussion continued. Nowacki stated that he thinks he can make a one-year commitment this year. He said that he does not have a purchase order prepared. Biancardi said that she does not know that it needs to be a purchase order, but if you wanted to look at the budget and come with a recommendation for our special meeting next week, we could add it on there. Nowacki agreed.

Animal Control and Animal Shelter Services Contract

Biancardi stated that for the last however long we have had a contract, our contract has been \$2,000 a year, and starting next year it is increasing by \$8,000 to \$10,000 total. Council members asked why it is increasing. Well, there is a whole explanation and it has to do with the number of intakes and the percentage that comes from Burns Harbor. They do give us the option of an extension for the remainder of this year, and I believe it is \$1,000. I would suggest that we take that option, because I would like to reach out to the commissioners and ask for the data. Draves asked if every community is being charged differently. Attorney Patton stated that Valparaiso is going from \$66,000 to just under \$200,000, Beverly Shores was paying \$2,000 and is going to \$8,270, and Chesterton was paying \$27,347 and their proposal was just under \$70,000. He does not know if it is just based on population, and, in the agreement, they only come out during what he referred to as banker's hours- they are not available 24 hours a day. Biancardi read from the agreement, "Each municipality's annual payment is based on its proportionate share of total animal intakes recorded at the shelter in 2025. Your residents account for a certain percentage of the animals coming through the shelter store." She said they gave us they gave us the option of the extension for the remainder of the year; and part of it was to figure it out; but I think that we can ask questions; and we can look at that. When it comes to budgets, we are going to have an increase that we were not anticipating. Tonight, I would recommend if we want to do something that we go with the extension.

Councilwoman Draves made a motion to extend the Porter County Animal Control Agreement until the end of this calendar year. Councilwoman McHargue seconded the motion.

Biancardi asked if anyone would be able to investigate this more. Councilwoman Bozak declined. Councilwoman McHargue stated that she and Councilwoman Draves would love to work on this together.

Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Aye, Councilwoman Biancardi-Aye. Motion passed.

READI 2.0 and NWI Growth Fund Application Support Letters

Biancardi stated that Tina Rongers of Karner Blue has sent the support letters to the Council. Bozak stated that she had already signed the letters on behalf of the Redelvelopment Commission. Biancardi continued that READI 2.0 is the million-dollar grant that the RDC is applying for as well as a grant from the Northwest Indiana Growth Fund. It is a short-term loan needed for the Marquette Greenway Trail, and it is something that the RDC will be able to pay- we just do not have it now in the gap. There are two letters of support from the Council that show the Council support of the RDC applying- should they choose to make a motion for Biancardi to sign them.

Councilwoman Bozak made a motion to approve Council President Biancardi to sign both letters of support to the Northwest Indiana Growth Fund and READI 2.0. Councilwoman Draves seconded the motion. Councilman McGraw- Abstain, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Aye, Councilwoman Biancardi-Aye. Motion passed.

Old Business

Cell Tower Lease Agreement

Biancardi stated that the last time she communicated about this with Kim Kitter, she asked that Kitter set up times to meet with Council members to talk about it. Draves asked did we not also ask them to come to a meeting. Biancardi replied that was not something that they wanted to do. She asked Councilwoman McHargue if she and Councilman McGraw were able to speak with them. McHargue stated that they were able to have a phone call with them on the 2nd. She continued that they really want us at 2% because that is what the subtenants negotiate up to- is 2%. It was proposed in there, that with extra space, we can make up that difference with other subtenants- that extra 150 per subtenant; if not, that subtenants from American Tower could possibly go elsewhere. Draves stated that there are only so many cell towers within the Town. Biancardi noted that they wanted to do both- to go down to 2% and increase the footage. McHargue agreed. Draves said that she knows that the lines under it were discussed and asked if they would care about that. McGraw stated that they would not confirm on the phone that they would take care of lines if there was an issue or that anything in the agreement covered that. To his understanding, he said, we got nowhere with it, but we were requesting to stay at the 3%, and he believes that there is also litigation going on right now with Linde- that they are trying to put cell towers in that area at the same time. He stated that he is concerned to be jumping into something that we should not. Biancardi said that their lease is \$18,000- so 3%, did we figure that for one month would be \$300. Bozak replied something like that, yeah. Biancardi said the option is just to stay with amendment three, which is the last one that was approved, which was a 3% at \$18,000 a year. She said that she would also like to mention that we had an individual reach out from Towerpoint that requested the lease, because they are looking to make a proposal for a lease for that. Biancardi asked, if no one is interested in speaking to them again, what is our final decision on this. The choice is to remain at amendment three, if we do not want to accept the fourth one. She thinks to wrap this up and give them some communication back is for someone to say that we are going to stay with amendment three.

Councilwoman Bozak made a motion to stay with Amendment Three for the American Tower Lease Agreement. Councilwoman Draves seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Aye, Councilwoman Biancardi-Aye. Motion passed.

Good of the Order and Any Other Business

Nothing to report.

Adjournment

Councilwoman Draves made a motion to adjourn. Councilman McGraw seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Absent, Councilwoman Biancardi-Aye. Motion passed.

There being no further business to discuss, the meeting concluded at 8:37 p.m.

TOWN COUNCIL OF THE
TOWN OF BURNS HARBOR

Toni Biancardi, President

Jennifer McHargue, Vice-President

Lisa Draves

John (Jack) McGraw

Roseann Bozak

ATTEST:

Deputy Clerk