

The Town Council of the Town of Burns Harbor, Porter County, Indiana, met in its regularly scheduled session on Wednesday, June 10, 2026, in the Town Hall and streamed electronically with YouTube. The meeting was called to order by Council President Toni Biancardi at 7:01 p.m.

The Pledge of Allegiance to the American Flag was recited.

Roll Call: Councilwoman Roseann Bozak ----- Absent
 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 Brandon Downey, Fire Chief Nowacki, and Shared Ethics Neil Stout.

There were technical difficulties with the beginning of this stream.

Approval of Minutes

Councilwoman McHargue made a motion to approve the meeting minutes of May 13, 2026. Councilwoman Bozak seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Absent, Councilwoman Biancardi-Aye. Motion passed.

Consideration of Claims, Purchase Orders, and Financial Reports

Approval of Pay Claims with 3 or More Signatures

Councilwoman Biancardi stated that we have two this evening. The first is PO #3427, which is for our Keystone software. We use Keystone for all the payroll, billing, and our assets. The amount this year, which is an increase, is \$10,120. We also have PO #3391 for a Dell laptop for \$2,572.75. This is for the Police Department, which was planned for at budget time to come from CEDIT equipment. Fire Chief Nowacki and I did talk about his annual firefighter physicals. He has the money in his budget, and there is a line item for them. The total is \$15,000. He has been working with the new manager, so he does not know the individual price for each firefighter, but this will cover everyone. If we approve the entire PO, he would basically liquidate it each time that someone did a physical, so approving it doesn't mean everyone is going to get theirs done tomorrow, and you are going to spend it all. It will be spent over time. Fire Chief Nowacki stated that Working Well will send an invoice for physicals done during the month. The guys who are over 40 years old get a PSA part of their bloodwork, and if vaccines are needed, those are added costs. I don't know specifically how many guys will need what. Councilwoman Biancardi stated that if everyone agrees to opening this PO, it will allow the guys to start getting their physicals and liquidating this down as they get their physicals. This is PO #3418 for firefighter physicals for \$15,000. 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- Absent, 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 I have another training conference with ILMCT that they invited me to. It is July 12-16th. The full registration is \$500. There are a lot of good courses that I think would be helpful to us. It is being held at Blue Chip Casino in Michigan City. The budget in previous years was \$2,000 in the instruction line item that we would be using. I don't think we budgeted it for this year, but we do have monies that can be moved should we move forward with this. Councilwoman Bozak made a motion to approve Deputy Clerk Parker to attend the ILMCT training July 12-16th.
Councilwoman McHargue seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Absent, Councilwoman Biancardi-Aye. **Motion passed.**

Councilwoman Biancardi stated that we have two documents that I would ask the council to give permission to Maddie to sign. They are for the town ST 105, which is our sales tax exemption certificate, and W9 forms, as those are requested. Councilwoman Bozak made a motion to give permission to Deputy Clerk Parker to sign the ST 105 and W9. Councilwoman McHargue seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Absent, Councilwoman Biancardi-Aye. **Motion passed.**

Councilwoman Biancardi stated the last update is about filling the vacancy of our Clerk-Treasurer seat. I spoke with Don Craft earlier today, and at this time, no one has contacted him expressing interest in the seat. So, after the 30 days have passed, it moves over to the Town Council to appoint that seat. If there is someone in town who is interested, please reach out to me or anyone on the council to let us know. In the meantime, I really appreciate everything that Deputy Clerk Parker has been doing, along with Police Clerk Watkins, Secretary Sherrill, and Sanitation Clerk Bondi. All the departments are working well together. I think that we are doing a great job.

Town Council

Councilman McGraw stated, just to update you all on NIRPC, we were finally able to have a quorum, and the meeting was held on May 9th. New officers were appointed for 2026. There is progress moving forward with that, and our next meeting is not yet scheduled.

Councilwoman Bozak stated that we have a great Redevelopment Commission meeting tonight. We had our groundbreaking ceremony for Phase 1B last week, and it was great. Thank you to everyone who came. We have approved to apply for the Cliffs donation of \$60,000 to help go towards the Marquette Greenway project. In addition to that, we have also applied for the READI 2.0 grant, which is a \$1 million grant. We also would like to make a recommendation to the Town Council. The Redevelopment Commission has been in discussion with the Northwest Indiana Growth Fund regarding a loan of \$900,000 for the Marquette Greenway construction. I believe everyone here received the paperwork for that regarding what it is and how it will benefit the Town of Burns Harbor. It will save us a lot of money versus a regular loan or bond. The Redevelopment Commission is looking for approval from the Town Council to have Karnerblue prepare that loan application with Baker Tilley. Councilwoman Bozak made the motion to approve Karnerblue to prepare the loan application for the Northwest Indiana Growth Fund with Baker Tilley for \$900,000. Councilwoman McHargue seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Absent, Councilwoman Biancardi-Aye. **Motion passed.**

Councilwoman Bozak stated that this is to help cover the gap in the trail funding. Councilwoman Biancardi stated that the funds will be available to pay the loan, just not when we need them. The growth fund loan term is 24 months.

Councilwoman Bozak stated that the Redevelopment Commission is also working with Baker Tilley on revising our TIF allocation area, which means taking different pieces out to help the value of our TIF go up, so that those payments that were projected now will be higher, we hope. Councilwoman Biancardi pointed out at the Redevelopment Commission meeting that this is something that the town has done before and benefited from.

Councilwoman Biancardi stated that I wanted to mention that Police Clerk Watkins and I will be sitting in on a budget meeting with Tina Market from the DLGF on July 15th. There is a new process on the entry side. Once we close out June, we will generate your budget worksheets as we have in the past. The maximum levy growth quotient, which is our increase percentage, we will get around the 1st of July. Department heads will probably get the worksheets as they are ready; we may not be able to tell you that percentage. I think last year it was delayed a bit, but that way you can start looking at the last few years and what you are looking at for next year. We will set meetings in July to meet with all of you, and we must have it adopted by November 1st. We have the calendar, and we are doing our best to follow it. The most important thing for department heads is to have their worksheet so that we know the growth percentage. If there are any questions in the meantime, reach out to your liaison.

Councilwoman Biancardi stated that the Plan Commission has been working with Lennar Homes on the Harbor Crest PUD, which is the property over here off Haglund Rd. The ordinance was recommended and will be coming to the Town Council in July. I have linked the PUD ordinance on the agenda; please read that in advance.

Staff Anniversaries

Councilwoman Biancardi stated that we have a part-time police officer, Hunter Cassoday, with 4 years.

Shared Ethics Advisory Commission Representative

Stout stated that I mentioned in my report that Dyer had presented a resolution to require all their appointments to go through ethics training as well and embellished quite a bit. I failed to mention that we had the third-highest participation in the board and Commission training that was last fall. I have been invited to a meeting with the president and chairman of SEAC. The stated purpose is to recruit me as an orientation person for Porter County. It is conditioned on whether the Town Council thinks that it is appropriate or not. My responsibility would be taking on new commissioners and explaining what their roles are, what the job duties entail, and answering any questions. Councilwoman Biancardi stated that I am in favor if you will still be our Shared Ethics Representative. Stout stated that I will still be the representative of Burns Harbor. I would just be coaching new commissioners. I will go ahead and let them know I would like to do that.

Park Board Representative

Commissioner Bozak stated that I do have a report from the Park Board. The beach is open daily from 10 am – 6 pm, weather permitting. The Footloose 5K is on June 27th. The route did have to change because the trail is currently under construction. If anyone would like to volunteer to help with the Footloose 5K, please reach out to Kim Burton or the Park Board. The Park Board is also working with the Redevelopment Commission on some of the donations and grants that I spoke about earlier. One being the Cliffs Foundation donation, which is going to go through the Park Foundation. The park is also looking at a disc golf course to be installed in the near future.

Building Commissioner

Nothing to report.

Councilwoman Biancardi stated that we have been receiving emails regarding 1182 Salt Creek. Building Commissioner Lawson stated that I spoke with a NIPSCO Representative today regarding that, and they told me it had been scheduled on or before June 25th. Councilwoman Biancardi asked if the homeowners were aware. Building Commissioner Lawson stated absolutely.

Councilman McGraw thanked Building Commissioner Lawson for all his work. The Building Department has brought in more income to the general fund this year than they have in any previous year.

GM/Street/Sanitation Superintendent

Superintendent Downey stated that the leaf vac is running great. We did do a round in town, and we will be back at it in the fall and ready to go. The dump site does not accept leaves at this time, so we will not be back out until fall.

Police Chief

Police Chief McHargue stated that Dathan Bennett graduated from the Police Academy in May, and we celebrated that at the last meeting. It's great to be fully staffed with everyone on the road. I just want to mention the efforts of Assistant Chief Tim Lucas; he has basically taken over all the investigations. He has done an outstanding job with this, and it takes a lot of weight off me. Police Clerk Watkins and I attended the Shared Ethics conference this past month in Merrillville. It was a great event.

Councilwoman Biancardi stated that we did receive some correspondence from Michelle regarding the fob quote. The difference is \$627.40 more. It has to do with technology upgrades and making the two systems the same. The original cost was \$5,942.43, and the increase is to \$6,569.83. Councilwoman Bozak made a motion to approve the increase of \$627.40, taking the new cost to \$6,569.83 from CCD. Councilman McGraw seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Abstain, Councilwoman Draves- Absent, Councilwoman Biancardi-Aye. **Motion passed.**

Superintendent Downey stated that I spoke with Ted from Line6 on Tuesday, and he came out and got all the information he needed. I am just waiting for that quote.

Fire Chief

Fire Chief Nowacki stated that I got a quote today from Interstate to get the ladder truck inspected. So, we are going to get that scheduled and will have the truck missing for 24 hours here soon. They are going to inspect it to see where we are really standing with it.

Councilman McGraw asked if the Fire Department does commercial inspections. Fire Chief Nowacki stated that we do have an inspection system in place. Last year, we came up with a new inspection documentation system, and I had special forms made with carbon copies for record keeping. This all took place at the same time our county dispatch system was transitioning from Tipperon to Premier 1. Our building inspections are not set up specifically to find direct code flaws, but when we do see them, we share that. We are trying to get good ideas on building plans. Currently, Brent Valpatic handles all the inspections. We mirrored the Chesterton Fire Department's inspection system, and he is a full-time Chesterton Firefighter as well. Councilwoman Biancardi stated that maybe getting the firefighters trained or certified would be something to keep in mind at budget time.

Correspondence

None

New Business

Porter County Recycling District- Recycling Site Agreement

Councilwoman Biancardi stated that this is our agreement to have drop-off recycling bins back by the Street Department with the Town of Burns Harbor at our Burns Harbor municipal complex. It is \$1 a year and is through June 30, 2028. Councilwoman

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

Linde INC CF-1's

Councilwoman Biancardi stated that we have a 25 pay 26 and we have a 26 pay 27. Both of their actuals in terms of salaries are increased, and their employees are about the same. They met what they estimated. We are looking for approval of their CF-1's so I can sign them so they can be taken to the county. Councilwoman McHargue made a motion to approve Linde INC's CF-1's resolution 201-03/2014-15 and 2010-03/2014-11. Councilwoman Bozak seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Absent, Councilwoman Biancardi-Aye. Motion passed.

Reduction of TIF

Councilwoman Biancardi stated that we have already discussed the reduction of the TIF allocation area previously when Roseann did her report.

Public Works Department Proposal

Councilwoman McHargue stated that we are proposing to finally merge into Public Works. Everyone has worked very hard to work on the job descriptions. If we approve it, it merges the Street Department, Sanitation Department, and MS4 into Public Works. The funding will stay the same, with separate budgets. The only one that would change is the added fourth person, which is already budgeted for the budget. The fourth person's primary focus would be on Sanitation and MS4. Councilwoman Biancardi stated that the next step that we would need to take to be able to advertise for the fourth person is to amend the salary ordinance with those titles and pay rates. We have also been working with Superintendent Downey on all the job descriptions. Lori is still only the clerk for the Street Department, and Gina is the Sanitation clerk. All council members agreed to move forward and prepare the amended salary ordinance for the July meeting. If anyone has any questions in the meantime, please ask. I will make a note to double-check references to job titles throughout the code.

Old Business

Shirley Heinze Site Agreement- Kayak Take Out

Councilwoman Biancardi stated that Shirley Heinze is back this month to talk about the kayak takeout and the stairs that they are proposing for the fisherman's access. We have an updated MOU that reflects a couple of the comments that I had asked Chris to add. I requested that there be a section added that requires written approval from the Town of Burns Harbor for stair engineering and materials. That will not move forward without Superintendent Downey's okay. The other thing is that the exhibits you see here are to separate the two activities. The stairs are one, and the takeout is another. Chris Cross thanked the Building Commissioner for meeting our project manager, Brandon Benninger. Cross stated he is kind of the lead on making the improvements. I have also worked with Councilwoman Biancardi, and Attorney Patton was involved in the access

agreement that we are working out. That ensures getting approval from the Town of Burns Harbor on those improvements that are being made. Councilwoman Biancardi stated that I know Attorney Patton just received the final draft today, so if we are interested in adopting the MOU, I would ask that it be contingent on Attorney Patton's approval. Once he gives us the okay, I think we will just need my signature. When will the kayak takeout start? Cross stated that it is on National Park Service property, so I can't speak exactly about that. There are a lot of moving parts. Councilwoman Biancardi stated that you mentioned that when it starts, you will be going door to door and putting information on residents' doors? Cross stated yes, we will do some outreach with them to make sure everyone is aware. Attorney Patton stated in Exhibit B that you have the parking lot surface inclusion. Who owns that? Cross stated INDOT. That has been a separate agreement that we have been working out with them, so we can have parking there, and that will be our expense. Benninger stated that there will be 6-7 parking spaces, ideally a few that are slanted for people who have kayak trailers. The actual footprint will not be changed; the surface will be improved. There will be an entrance and an exit. Attorney Patton asked if there would be signage there that says public parking or no overnight parking? Cross stated that we will have good signage. Councilwoman Biancardi stated that this doesn't involve the town, except for that piece there. The stairs, on the other hand, are our property. Cross stated that those improvements will be made specifically on INDOT's property and National Parks property. Councilwoman McHargue made a motion for Council President Toni Biancardi to sign the updated MOU, contingent on Attorney Patton's approval. Councilwoman Bozak seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Absent, Councilwoman Biancardi-Aye. **Motion passed.**

Porter County Animal Control Contract Renewal Correspondence

Councilwoman Biancardi stated that we anticipated having a new contract for the Porter County Animal Control, but we do not have that.

Town Code- Chapter 3 Animal Updates

Councilwoman Biancardi stated that Police Chief McHargue and Police Clerk Watkins have been looking at this because the Police Department is basically responsible for enforcing it. We are going to try to mirror more of Porter County and remove things that do not apply to us. Councilwoman Biancardi stated that I agree, and I thank you guys ahead of time for working on this. We will just keep this one for when the contract comes.

Interstate Power Systems- Line of Credit

Councilwoman Biancardi stated that this is what Fire Chief Nowacki asked for last month, and Attorney Patton was looking at. My notes show that Attorney Patton asked if we would be able to comply with making payments within 30 days, and the town is not permitted to pay interest fees or late charges, so would they modify the terms? Fire Chief Nowacki stated that I will contact them regarding that. Councilwoman Biancardi stated that if they are willing to change that to 60 days, because depending on when it gets to us, we only approve our claims once a month. And then to remove the interest

fees and late charges, are you comfortable with us approving that conditionally? Attorney Patton stated sure. Councilwoman McHargue made a motion to approve the Interstate Power Systems line of credit, conditional on changing the payment due date to 60 days and removing interest fees and late charges. Councilwoman Bozak seconded the motion. Councilman McGraw- Aye, Councilwoman Bozak – Aye, Councilwoman McHargue- Aye, Councilwoman Draves- Absent, Councilwoman Biancardi-Aye. Motion passed.

Revised Quote for Town Hall Remodel

Superintendent Downey stated that the previous quote that we received from America's Construction Experts back in November 2025 was for about \$11,400. When I went back to revise the quote, I noticed that things were missing, certain jobs that needed to be done. The owner came out and re-quoted everything. The things added on were painting the ceilings in the main clerk's area, cove base install throughout the entire job, cutting of 3 steel door jams, installation of door thresholds, and self-leveling prep work for the concrete slab. The new quote price is \$17,555. The kitchen floor and paint will be done by the Town of Burns Harbor, and that will start any day. The Town of Burns Harbor will provide all materials, and we will also be here to help move furniture. Councilwoman Biancardi stated that we awarded the initial one at \$11,410. My concern is that there are more than a few things, and the scope is different. Do we need to call the other two companies and have a new quote, or even other companies? We encumbered the money last year. We haven't approved the work. It's a bit of an increase, and these are things that should have been included initially. If you can, please get a few more quotes for us to look at. Superintendent Downey stated I will work on that. Councilwoman Biancardi stated that I would ask them if it were an option to move the furniture. If they don't, what would they add to move furniture? Deputy Clerk Parker asked if they are to hold onto the current PO that the office has now? Councilwoman Biancardi stated yes, just hold onto it.

200 Fairchild Dr.- Nuisance Violation

Building Commissioner Lawson stated that I spoke with the homeowner today, and they have made further progress. He says he will be calling in on Monday for an inspection of the deck. I did send an email out to the council with pictures of the deck. The permit for the house has expired, and he is aware of that. He is going to need to get another extension for that; he says he only needs two more months. He is aware of how high the fines are. The fines are currently over \$80,000. Councilwoman Biancardi stated I know your biggest concern was the deck, and that is secured now. The other things you mentioned, he is addressing? Building Commissioner Lawson stated yes, he is. Councilman McGraw stated another thing that needs to be looked at by the council is that we believe Building Commissioner Lawson and neighbors have confirmed that there is a car that has been staying there, and we are looking at if it is possibly occupied. There cannot be anyone staying in that home. What can we do to move forward? Police Chief McHargue stated that, whatever information you have on a car or truck staying there, up until recently, there was no room to even put a vehicle in the garage. There has been no vehicle in the driveway regularly. Councilman McGraw stated that the reason I am bringing this up is that the permit has expired and he cannot

be working on the home. The only work that can be done right now is the deck. Councilwoman Biancardi stated that the Building Commissioner can go to the property and look inside, and if it looks like someone is living in there, he can write a fine because there is no occupancy permit. Deputy Clerk Parker stated that when I looked at Indiana American Water, it showed that they were set to be shut off, but it was showing zero usage. Councilman McGraw stated that we will see what happens on Monday and go from there.

Cell Tower Lease Agreement

Councilwoman Biancardi stated that their representative continuously reaches out to me. Two months ago, I shared with them what the council requested: that a representative from American Tower Company come to the council meeting to discuss with the council what their amendment number is. Their response to me was that this is not something that they do. For the last year, I have gone back and forth with them. Amendment 4 is the escalation, which goes down to 2%, and they are allowed to expand the space. We are the landlord, and they are the tenant. This agreement has been around for a long time, and when they came to us to make the changes, it made sense for us to read it and see if there was anything they wanted to change. Attorney Patton and I were kind of going back and forth with the council's comments and looking at some of the language. I feel like at some point, they were frustrated with us, and that is when they added the language to say if you don't answer us, we are going to do what we want, essentially. They have asked again if Attorney Patton's most recent comments on the amendment be sent to them. I would also send the council's concerns or comments related to it as well. I know the next check is due in August, and I am sure they want to make all of this happen before then. What do we want to do as a council? If we do nothing, then we stay with amendment #3, which is a 3% escalation fee, which amounts to about \$18,000 a year. That money goes into the scholarship fund. We are not obligated to change anything. Councilwoman Bozak stated that I feel like they are asking a lot of us and offering very little from them. I don't understand what the issue is with coming to the meeting. Councilwoman McHargue stated that I say we stay with amendment #3, and then if they really want to work with us, then someone would come to the meeting. Councilwoman Biancardi stated that I will tell them that we are going to stay with amendment #3, and at the time they are willing to come and meet, we can discuss it further. Or we can offer to have two people from the council meet with someone to discuss.

Good of the Order and Any Other Business

Superintendent Downey stated that Homewood Disposable will be doing our street sweeping. I just sent over the maps of all the roads and parking lots. We should have the scheduling for that in the next few days.

Adjournment

Councilwoman Bozak made a motion to adjourn. Councilwoman McHargue 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 8:47 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:

Clerk-Treasurer