

The Town Council of the Town of Burns Harbor, Porter County, Indiana, met in its regularly scheduled session on Wednesday, May 13, 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 ----- Absent
 Councilwoman Lisa Draves -----Present
 Councilwoman Jennifer McHargue-----Present
 Councilman John (Jack) McGraw -----Present
 Councilwoman Toni Biancardi ----- Present

Clerk-Treasurer Nick Loving was present. A quorum was attained.

Additional Officials Present: Attorney Clay Patton, Police Chief McHargue, Building Commissioner Lawson, Park Board member Tumblin, Superintendent Brandon Downey, Fire Chief Nowacki, and Shared Ethics Neil Stout.

Approval of Minutes

Councilwoman McHargue made a motion to approve the meeting minutes of April 8, 2026, April 15, 2026, and April 29, 2026. Councilwoman Draves seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – 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 the claim book, and we would also need a motion to approve Brainstorm's invoices. Councilwoman McHargue made a motion to pay claims with 3 or more signatures and Brainstorm's invoices. Councilwoman Draves seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

Approval of Purchase Orders Submitted with 3 or More Signatures

Councilwoman Biancardi stated that we have one purchase order, #3386, for the repair to the ladder truck for \$14,930.64. Clerk-Treasurer Loving stated that the account balances are on there; it doesn't add up to more than the total, so I need approval from the council on where to pull that from. Fire Chief Nowacki stated that it can come out of miscellaneous services. I also need to talk about it a little bit more. Interstate Power System, the company that did the repairs, is in Portage and is wonderful. They have requested that we open a credit line through them because they took the truck last month and repaired it. They invested all the man-hours into the truck, and now they are waiting until now to get the invoice covered. I brought the application process over with me for the council to look at. They are really looking for that to have it covered. Councilwoman Biancardi stated I would ask you to send that to Attorney Patton so he

can review that, and then we can talk about this at next month's meeting and set that up. Councilwoman Draves made a motion to approve PO #3386 in the amount of \$14,930.64. Councilwoman McHargue seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman Biancardi stated that I was just looking at some of the CCD numbers, and we have a PO from 2025 for the police card that has been ordered, correct? Police Chief McHargue stated that it is correct. Councilwoman Biancardi stated that we have the PO where we approved it, but just for a matter of record, let's all sign it. It will then need to be put into the system, so when the car gets here, we can pay for it. Deputy Clerk Parker asked for the Fire Department's PO. Where should the remainder be taken from? Councilwoman Biancardi stated whatever line.

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

Clerk-Treasurer Loving stated the lien process will be completed tomorrow, and I will send out a list of everything that needs to be done going forward. For Intime, I talked to Deputy Clerk Parker already, and we have coordinated how to take care of that. The Unsafe Building Fund is created in the system, and it is fund #4499, and is available for use. We are currently current on reports offered in Gateway. Now that the minutes have been approved from April 15th and April 20th, I can pull those. Councilwoman Biancardi asked, with the Unsafe Building Fund being created, did you make the transfer? Clerk-Treasurer Loving stated I did not. Councilwoman Biancardi stated I believe from last month's meeting that transfer was to come from CEDIT into that fund to cover the demolition that we approved. Clerk-Treasurer stated yes, I can do that.

Staff Anniversaries

Councilwoman Biancardi stated that we have two staff anniversaries this month. In the Police Department, we have Kyle Poracky with 2 years, and Kim Burton is celebrating 20 years with the Park Department.

Town Council

Councilwoman Biancardi stated that the Memorial Day Program in the Town of Porter is going to be on Memorial Day at 1 pm. I plan on attending, and anyone else who is interested is welcome to attend. We generally purchase a flower wreath that each of the Duneland communities will place that day. Councilwoman Draves made a motion to give Deputy Clerk Parker permission to buy the Memorial Day wreath, not to exceed \$300.00. Councilwoman McHargue seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman Biancardi stated that we are getting closer to the website update. They are just doing some last updates, reviews, and revisions, and hopefully we will be migrating over to the new platform soon.

Shared Ethics Advisory Commission Representative

Nothing to report.

Building Commissioner

Building Commissioner Lawson gave an update on the demolition and stated that the scheduled demolition will have to be rescheduled. I am going to talk to them to try and get a better idea of when that will be. CIT's revised landscaping plan is finished, so that area will be seeing a significant improvement in the way that it looks. Councilwoman Biancardi asked if he had had a chance to check on Frontier's progress. Building Commissioner Lawson stated that they sent me an email response back late this afternoon. I took the approach directly to contact them and find out where they are at, because just driving around and seeing things torn up can be misleading. I just haven't had a chance to look at their response. Councilwoman Biancardi stated that I know we have had some residents who are concerned about a variety of utility work that is happening in town. If the utility company needs to do work on an existing line, do they have permission to do that, or do they need to apply for a permit? Building Commissioner Lawson stated that they do apply for a permit with the Building Department with a layout of the scope of work they are doing and where in town. One thing that I would like to propose is to look for a little bit more detailed information regarding the construction schedule and other things.

GM/Street/Sanitation Superintendent

Superintendent Downey stated that the leaf vac is now finished, and we will be getting that back on Tuesday. Our number one priority will be picking up leaves, and we just want to thank everyone for their patience. We were supposed to be getting our street sweeper from Brown Equipment Company, but they will not be doing rentals anymore, so that was cancelled. They are having too many problems with the machines coming back that need to be repaired and are poorly serviced. I reached out to a bunch of different companies, and Homewood Disposal out of Illinois is the only one that came back. They did sweeping for us back in 2020 and 2021. The quote that I received is cheaper than Brown Equipment. They drive their own truck; all we need to do is supply water, a dump site, and a map of what roads they will do. I can get that purchase order put together if you want to move forward. The rough estimate for about 15 hours of street sweeping is \$3,975 Monday through Friday. I can get them a scheduled date, and they can hit all the neighborhoods first to get as many of the cars off the roads as we can. Councilwoman Draves asked what it would cost for the Town of Burns Harbor to own a street sweeper and if it would be beneficial. Superintendent Downey stated you are taking \$150,000 plus maintenance and insurance. Councilwoman McHargue made a motion to conditionally approve Homewood Disposal for \$3,975 for 15 hours of street sweeping, pending review from the town attorney and Town Council. Councilwoman Draves seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves-

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

Superintendent Downey stated, just a reminder, we are still picking up brush every Monday. Please make sure the brush is stacked in the same direction and doesn't have any trash, leaves, garden waste, vines, or anything thicker than 6 inches. Our machine cannot handle that stuff. We do have a dumpsite behind our shop next to the recycling bin, and we will take care of it from there. We have been working with Great Lakes Electric on getting these village lights all working again. We are running into several issues, but we are making progress in making these lights easier to maintain. I will be going out again after this meeting to check on what lights need to be fixed, and we will continue fixing them. I have reached out to America's Construction Expert regarding the Town Hall bathroom and office remodels. The owner of the company came today to do a new quote, and we went over some stuff. He will have a new quote for me by next Tuesday. Lastly, the Sanitation Department had approved a 5-year generator planned maintenance contract. This contract allows Cummins to service our generators at the shop, lift station 2, and both portable generators in the Sanitation building. I don't know if the council will need to make a motion to approve a line of contract or a line of credit for them. Councilwoman Biancardi stated that we had the contract that we approved for Sanitation, but Cummins is asking us to set up a line of credit, and that would be done through the Clerk-Treasurer's office, so we thought it was appropriate to come to the board to have that approval. Councilwoman Draves made a motion to approve the line of credit for Cummins Generator. Councilwoman McHargue seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

Police Chief

Police Chief McHargue stated that my report is uploaded into the shared drive. If anyone has any questions, I'd be happy to answer them. It's nice to have Dathan back. We are finally fully staffed, currently with everyone released from field training. You talked about the squad car earlier; there was some communication that was not relayed to you. That car is still on track to be delivered this year, but Ford stopped building the driveline that we had ordered. So, it will be a 2027, but it is due to be delivered in October.

I reached out to all kinds of companies, and I only obtained two quotes for the key fobs. I don't know if the size and scope of our project isn't large enough for them to consider or care about. One of the companies has done work in this building before with the cameras. My recommendation would be to consider either of the quotes. The other quote is Per Mar, and that one carries a \$100-\$200 monthly operational cost with that system, along with it being more expensive from the start. Whereas with Line6, once they do the installation, that's it. They would also be supplying the card reader and everything else for the fob reader. Councilwoman Biancardi stated there was a big difference in price, one was like \$10,000, and the other was \$5,900. How many exterior doors are they going to fob? Police Chief McHargue stated that there are 3 in the Police Department that are working now, so they would be adding 5 additional doors.

Councilwoman Biancardi stated we would pay this out of CCD miscellaneous services since it would be making an improvement to the building. Police Chief McHargue stated the total was \$5,942.43, and just for comparison, the other quote that was received was \$10,450 plus a monthly service cost. Councilwoman Draves made a motion to approve the quote for Line6 Security for \$5,942.43 from CCD miscellaneous services.

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

Councilman McGraw asked Police Chief McHargue what the cost breakdown was for each door. Police Chief McHargue stated that it would have to be estimated. We can ask him to provide a quote while he is out here working at Town Hall. Superintendent Downey stated that I think fobs, along with cameras, back at the Building Department would be a good idea. That can be a future cost. Councilwoman Biancardi asked Attorney Patton if they use the same vendor for all those types of services, and if we still need to request quotes? We are going to fob this building, and if we were to take that down to the street and building, could we just continue to use them, or should we get a quote? Attorney Patton stated I would advise you to still request a quote. Councilman McGraw stated I think if we did it all at once, we could get a better price.

Fire Chief

Fire Chief Nowacki stated that my report was uploaded to the shared drive. Regarding vehicle maintenance, this last repair was so much more expensive than we ever thought. It is going to destroy my vehicle maintenance line item and my vehicle maintenance parts line item. It's going to take it to essentially zero. In the past, all my repairs have been emergencies. Every single vehicle I have is a front-line vehicle, so if they do break down, I take them for immediate service. Moving forward, even if I do budget moves, I'm just looking for sympathetic direction. Councilwoman Biancardi stated I think having a list of potential things that are going to need to be fixed and prioritizing them so that you can bring that to us and we can determine which fund we will take that from. So, if you can provide us with a list, like doing a preventative once-over of everything and projecting out into next year of what you are going to need to do, we can plan the use of CCD and those things. Fire Chief Nowacki stated that I just want to make sure I do it right, and I don't want to upset anyone.

Fire Chief Nowacki stated that our pancake breakfast was a huge success. We made \$3,000 in profit. We had a great turnout, and we are very proud of it.

Councilman McGraw stated that I spoke with the Fire Chief about disaster plans for the Town of Burns Harbor. The Sanitation Department has been out multiple times all night, spending time and having to come back to the department with dirty clothes. I know the firehouse is usable for showers and sleeping. We are going to get with Brandon and his crew to be able to come to the firehouse to use their services.

Park Board Representative

Park Board Representative Tumblin stated that opening day at Lakeland Park will be May 23rd. The beach will be open only on weekends until June 8th, and then it will be open full-time. Some upcoming events we have include June 6th, the fishing derby at 9 am. Since we could not do the Easter Egg hunt due to the weather, we created a new event called the Magical Egg Hunt. It will be on June 20th from 4-5 pm. We are excited.

Correspondence

Clerk-Treasurer Loving stated we have Porter 4th Fest, notice of public comment, Phoenix Global Burns Harbor LLC, contractor of Cleveland Cliffs Burns Harbor LLC, and Worthington Steel for the renewal of FESOP.

Councilwoman Biancardi stated the Porter 4th Fest is an annual event that is run by the Chesterton Porter Rotary, and they sent a sponsorship request. They also do the 4th of July parade, which the Fire, Police, and Street all participate in and help with. Clerk-Treasurer Loving stated there are 3 levels: the 4th fest friend is \$250, the patriot is \$500, and the red, white, and blue is \$1,000. Councilwoman Draves made a motion to approve the 4th best friend for \$250.00 from the promotion of business. Councilwoman McHargue seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

Presentation

Shirley Heinze Land Trust- East Branch of the Little Calumet River Public Access Improvement Project

Cross stated my name is Chris Cross, and I am the executive director at the Shirley Heinze Land Trust. In Northwest Indiana, we have about 4,000 acres, some of which I think many of you are familiar with. We picked up as part of a mitigation project, 127 acres on Boo Rd. along the Marquette Greenway Trail. We have been partnering with the city on planting trees and doing restoration work, really trying to improve that property. In 2023, we set out to do a project in collaboration with the Town of Burns Harbor, the National Park Service, Indiana Dunes National Park, and the Northwest Indiana Paddling Association to extend a water trail that starts at Shirley Heinze's nature preserve at Brummitt and Indian Boundary Rd. That is the property we picked up in 2010 and really started this vision to create a water trail from there all the way out to Lake Michigan. Since 2010, we have permanently protected 900 acres in the river corridor area. That does include the 127 acres here in Burns Harbor, and we installed a kayak launch and have done restoration. In 2023, we submitted a grant proposal to Chi Cal River Fund, which is a private partnership that funds restoration of waterways and public water access amenities. Some of the hang-ups that we have had with this public access amenity project, which is specifically focused on Burns Harbors, are an agreement with INDOT to utilize their property. We have also had a few changes in leadership with the National Park Service, and some things we need to kind of iron out in terms of who owns along the river and where the best place to put the kayak launch. So, we are now ready to proceed. Part of the proceeding will require close collaboration with the Town of Burns Harbor, in large part because part of the public access for the kayak launch, we need to get people safely from the INDOT parking area to a kayak

launch that would be on National Park property. We would just need permission from the Town of Burns Harbor to utilize the land between INDOT'S property and National Parks property. It is a very short segment. We also really want to get safer access down to the river that is being readily used by residents for fishing. Right now, they are using ropes, and that is very unsafe. This is also part of the grant. It would allow Shirley Heinze not only to improve the parking area on INDOT'S property, put in the kayak launch, but also to do the engineering and construct the staircase down to the river. We have funds and have made a lot of capital improvements on many of our properties, creating public access to the tune of about \$2 million over the last seven years. We just wanted to let you all know we feel good and know what we are doing. But being fully transparent, there is going to be this staircase on the Burns Harbor property that will be the Town of Burns Harbor's responsibility. We want to make sure we are using the right materials and make sure the town is aware that the Shirley Heinze Land Trust is a very committed partner. We are very confident that we can help and be a resource. We wouldn't be just building the staircase and then disappearing; our goal is to make sure people have good, safe access to the river, whether it be fishermen, kayakers, or people who just want to bird watch. Ultimately, what is required of the Town of Burns Harbor is permission to utilize the property for the kayak launch access and walkway. We would also need permission to build that staircase on the town parking lot. We would handle the engineering and the construction. We would work closely with Superintendent Downey to make sure we use good materials. I am confident we have enough money in our budget to do it right. We just need there to be a clear understanding that the maintenance side would have to be led by the town, but we would be available to help in whatever way the town deems appropriate. Councilwoman Biancardi asked if it was a launch or an exit. Cross stated it is a kayaking take-out. It was originally going to be a launch, and that is how we reference it. Shirley Heinze Land Trust does not have control over the area by Lindy Dam. That is the National Parks property. There are some implications and concerns in terms of how we are safely getting people around that dam. The kayaking will stop at the dam, and we are confident there is enough woody debris, so people aren't going to go over the dam. Councilwoman Biancardi stated the property for the take-out is all either National Park or INDOT, with a small stretch that you are possibly looking at wood chips or some sort of walking path to connect. The INDOT property is parking, and we have been going through the legal back and forth, having a maintenance agreement with INDOT on that property. It is a 10-year agreement, and ultimately, if they decide they want that property back, it's INDOT. We are very confident that we will be in good shape with the agreement. There have been some good developments there. Building Commissioner Lawson asked if they had plans. Cross stated that we kind of have specs in terms of a specific location. AbonMarche is chomping at the bit to do the engineering. We asked them to do it two years ago, so they are ready, and we will share those with you once they are complete. They are doing the engineering, and then we would contract out with somebody else to do the construction. We wanted to make sure we are good with INDOT, the National Park Service, and the Town of Burns Harbor. We didn't want to enter into an agreement with AbonMarche without having everyone on board with it. Councilman questioned if there was any cost other than the land for Burns Harbor. Cross stated there is no cost, just the maintenance in the future. Cross stated tonight,

we are just asking for permission to utilize the properties referenced in the maps that we provided. We can get more details, including things like engineering plans and exactly where it is. Attorney Patton asked if they have a proposed MOU or an easement agreement. Cross stated, I think that is where we would be at the town's mercy on what would be appropriate for you. At the end of the day, it's not our property. Councilwoman Biancardi stated we will need an MOU for that, and are you also looking for us to give you some direction to work with Superintendent Downey and Building Commissioner Lawson to talk about what this staircase will look like? Cross stated yes, we can schedule a meeting and get out there and just get you guys out there with our team and the National Park Service. I have two guests here this evening, Rob, who does anything and everything with the Northwest Indiana Paddling Association. He is on their board and received Volunteer of the Year for the National Park for the whole National Park in the country. We also have Dan Platt, who is the chief of resource management for the National Park Service. They are partners of ours and aid in helping. Councilwoman Biancardi stated that you are going to provide us with something to review. Cross stated that if it is something other than an MOU, we can talk about it with our attorneys. I think an MOU would serve our purposes. Councilwoman Biancardi stated that if you meet with these guys, it could potentially be back on our agenda for June, and if everything is in place, we could then have an opportunity to commit if the board chooses to.

New Business

Cleveland Cliffs CF1's

Councilwoman Biancardi stated that we get this every year, and there is a total of seven CF1's to sign tonight. Five of which have concluded on January 1, 2026. The two that are remaining, which are 201907 and 201908, they estimated employees at 355, and the actual is 438, and they estimated salaries at \$37 million, and their actual is \$64 million. Every year, we make a motion to approve me to sign them as the president, and then the clerk's office will take those to the county, record them, and get them stamped. Trakas stated we need them stamped this evening because they need to be in the mail tomorrow, and we must postmark them. Councilwoman Draves made a motion for Town Council President Toni Biancardi to sign the Cleveland Cliffs CF1's. Councilwoman McHargue seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. **Motion passed.**

Councilwoman Biancardi stated for the record, the numbers are: 2015-04, 2016-14 BH Phase A, 2016-20 BH PhB, 2017-14 BH, 2019-06, 2019-07, and 2019-08.

Ordinance 3026-2026 Fences and Culverts- First Reading

Councilwoman Biancardi stated this was certified to the council from the Plan Commission. Councilwoman Draves made a motion to approve ordinance 326-2026 on the first reading, amending the Town Code regarding fences and culverts. Councilman McGraw seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. **Motion passed.**

ORDINANCE 326-2026

AN ORDINANCE OF TOWN OF BURNS HARBOR AMENDING TOWN CODE REGARDING FENCES AND CULVERTS

WHEREAS, the Town of Burns Harbor has adopted provisions within Town Code Chapter 4, Article I, regarding Building Permits, specifically for fences.

WHEREAS, the Town of Burns Harbor has adopted provisions within Town Code Chapter 4, Article III, regarding Culverts.

WHEREAS, the Town of Burns Harbor seeks to amend Section 4-1-7 and Section 4-1-16 of Town Code regarding permit requirements for fences and violations regarding the same.

WHEREAS, the Town of Burns Harbor seeks to amend Section 4-3-3 of Town Code regarding responsibility of landowners regarding culverts.

WHEREAS, the Town of Burns Harbor seeks to add Section 4-3-4 to Town Code regarding violations of the Article regarding culverts.

NOW THEREFORE, be it and it is hereby ordained by the Burns Harbor Town Council as follows:

Section 1. That Section 4-1-7, subsection B of Town Code shall be amended to read as follows:

B. A permit shall be required prior to the erection of any fence, or prior to the construction of any deck or shed, regardless of the cost of such construction.

Section 2. That Section 4-1-16, subsection A of Town Code shall be amended to read as follows:

A. It shall be unlawful for any person, firm or corporation, whether as owner, lessee, sub-lessee, or occupant to erect, construct, enlarge, alter, repair, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure in the Town of Burns Harbor or cause or permit the same to be done, contrary to or in violation of the provisions of this code.

Section 3. That Section 4-3-3, subsection A of Town Code shall be amended to read as follows:

A. It shall be the duty of each party to ensure the culvert or drain is of sufficient capacity and in the proper location.

Section 4. That Section 4-3-4 be added to Town Code to read as follows:

Violations; penalties

Violations of Chapter 4, Article 3 shall be punishable by a fine of One Hundred dollars (\$100) for a first offense and Two Hundred and Fifty Dollars (\$250) for a second offense. In the event of subsequent violations, each day that the violation continues shall constitute a separate offense.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND ADOPTED by the Town Council of the Town of Burns Harbor, Indiana this ____ day of _____, 2026.

TOWN COUNCIL OF THE
TOWN OF BURNS HARBOR

Toni Biancardi, President

Jennifer McHargue, Vice-President

Roseann Bozak

Lisa Draves

John "Jack" McGraw

Attest: _____
Nicholas Loving, Clerk-Treasurer

Councilwoman Biancardi stated that the way the ordinances work is that it needs to be adopted on the second reading, generally at another meeting, when we would do this again. However, if anyone would say that this is an emergency and would want to suspend the rules, you could do a second reading tonight and adopt the ordinance. Councilman McGraw made a motion to suspend the rules. Councilwoman Draves seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi- Aye. Motion passed.

Councilwoman Draves made a motion to adopt ordinance 326-2026 on the second reading. Councilman McGraw seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman Biancardi stated that I just want to note that this does involve a fine, so I believe it will need to be published. That won't be in effect for 90 days, so we can update the code related to fences.

Baker Tilley Proposals

Councilwoman Biancardi stated last month I told you we had received these; there are two, and I asked you all to review them. One is a fiscal sustainability plan, and the purpose of that project is to assist us in financial planning and management of our financial resources, debt management, and capital improvement planning. It includes all the funds: general, special revenue, and capital projects, and it will also help us develop a plan to address the impact of current legislation, which is something that I believe we need to do. That plan is not to exceed \$25,000 without further authorization from the client, which would be us. The second is for budgeting support, and this is freebased. It

would be an hourly rate based on the actual time and expenses incurred. The fiscal sustainability plan is the most important. I think that in the process, it is going to be ready in time for budgeting. I think we did well last year with budgeting. We could always revisit that one as we get closer if we felt like we needed that assistance. The other thing is that the budget system is changing. The DLGF is updating the budget, so we may need some assistance. I don't know how much Maddie knows at this point to be able to put numbers in and that kind of thing, but we also did approve the contract with Susan for assistance. Councilwoman Draves asked where the money would come from if we agreed to the \$25,000 one? Councilwoman Biancardi stated I believe we have \$26,000 in CEDIT miscellaneous, and that would be an appropriate use of that money. Councilwoman Draves asked if this was year-to-date until the end of the year, or if it was like a year contract? Councilwoman Biancardi stated that this plan is to do the plan. I emailed with Susan just to confirm that it will address the impact of current legislation, and she believes that we would also have the information back by July, when we are budgeting. So, we would have a picture of our financial situation and future impact. Councilwoman McHargue made a motion to approve a fiscal sustainability plan with Baker Tilley, not to exceed \$25,000 from CEDIT miscellaneous services. Councilwoman Draves seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves-Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. **Motion passed.**

Footloose 5K- Annual Park Event

Councilwoman Biancardi stated the Footloose 5k is coming up on the last Saturday in June. Park Board member Kyla Tumblin stated that it is on June 27th, and there is a footloose 5 K and a kids' 1K fun run. The starting time is 5:15 pm, and then there is an afterparty from 6-10 pm. I am asking for approval for the beer garden, which will be provided by Leroy's. Police Chief stated that it is my understanding they will run from Castle St. all the way to Westport, turn around on the trail, and then come back. Tumblin stated that fireworks will be donated by Phantom Fireworks. Councilwoman McHargue made a motion to approve the alcohol permit and for the street closure of Haglund Rd. and a short piece of Westport to get on and off the trail. Councilwoman Draves seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves-Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. **Motion passed.**

200 Fairchild- Nuisance Violation

Councilwoman Biancardi stated that we have been dealing with this property in various ways since 2021. I calculated that if the Building Commissioner were to fine him today, it would be \$22,500. Building Commissioner Lawson stated I spoke with the owner today, and he says he didn't know about the fines, which is not true. I have sent out certified mail documents with plenty of documentation. He said he is going to talk to his brother about how to take care of this. Councilwoman Biancardi stated that you also discovered that his bond has expired. Building Commissioner Lawson stated that his certificate of insurance and his bond have both expired, and I brought that up, and he said that he will be coming in tomorrow to update that. Councilwoman Biancardi stated I know you want to take the deck down, and I don't disagree that it should probably come

down, but I do believe that his bond would be the avenue to pay for that. If he gets that in place tomorrow and it's not down by the next council meeting, I think we should proceed with taking it down. I know it is another 30 days on top of the last 5 years, but I think that is the reason why we have the bond, for that purpose. Councilwoman Draves brought up concerns about this property and how much longer the council is going to deal with this, and if they can force the owner to do anything. Councilwoman Biancardi stated that the fines, which, if they are not motivating and if his bond is up to date, we could have made a motion to call it tonight. Building Commissioner Lawson stated, just to clarify, he did completely gut the interior, and he is almost completely done with that. He has done a lot of work on the inside. Councilwoman Draves asked if there are utilities? Building Commissioner Lawson stated I would have to check on that; I am not sure. Councilwoman Biancardi asked Deputy Clerk Parker if the property had sanitation. Deputy Clerk Parker stated I do not believe so, but I would have to double check. Councilwoman Biancardi stated I think it would be safe to say once you have that bond in hand, you can let him know to get everything done, or we are going to call the bond and use your bond to finish whatever needs to be done. I know it's another 30 days, but I think the hitch tonight was finding out that the bond expired. The current owners have owned the property since April 2023. Has the Street Department had to mow over there? Superintendent Downey stated yes, we have mowed it two or three times, and those fines have not been paid. Councilwoman Biancardi stated those should be on the list of liens.

Crecelius stated my name is Bob Crecelius, and I live at 204 Fairchild Dr. There is a water line, and there is an air conditioner there, but I don't think there is a meter. They live directly west of my house. The building foundation was dug on Memorial Day weekend in 2021. Seeing the contractors go in and out of the house, I am assuming they are not up on their licenses through the town. The structural integrity that Councilwoman Draves spoke about is a concern. Crecelius spoke of his concerns about the home. I just wanted to come here tonight to express my direct frustrations with this build for the last 5 years, and for Corlin's Landing neighborhood being an eyesore coming into the neighborhood.

Councilwoman Biancardi stated we would either bring the deck into compliance, which would be taking it down if it's in that condition. Please let us know if he shows up and files that bond, and you can speak to him again. Building Commissioner Lawson stated that I believe his permit expires June 1, 2026.

Approve Tree List for Planting in the Village

Councilwoman Biancardi stated that the Village is ready to plant some trees, and they are trying to follow the town code in Chapter 15. We do have an ordinance that talks about the types of trees that should be planted, and it does need to be updated. The Plan Commission is going to work on that because it includes some invasive species. The HOA for the Village provided a list of trees they would like to start planting. I asked Building Commissioner Lawson to review it, and he has been doing some research on the DNR and federal tree list and is recommending that we approve their lists. Building Commissioner Lawson stated that they comply with 312 Indiana Administrative Code

18-325. Councilwoman Biancardi stated I think because we do lay out in our town code that we have a reference list of our own, that it would be helpful if someone would like to make a motion that this specific Village of Burns Harbor tree list be approved so they can plant those. Councilwoman Draves made a motion for the Village of Burns Harbor tree list to be approved. Councilwoman McHargue seconded the motion. Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Bozak – Absent, Councilwoman Biancardi-Aye. **Motion passed.**

Town Code- Chapter 3 Updates

Councilwoman Biancardi stated that this deals with animals running at large, and we will be seeing our animal contract coming here soon. Police Chief McHargue and Police Clerk Watkins have been working on this because it has a lot of responsibilities that aren't ours. Police Chief McHargue stated that Police Clerk Watkins worked on this, and she did a ton of work on it. I appreciate everything that she did. It is in a better place than it was. I just think it comes up way short of what we should be really doing. I don't think there is any intention or any vision that puts us in any way that Porter County Animal Control is not going to be the one servicing our community. They service the entire Porter County, minus Portage. They have a great ordinance from what I have seen. There would be very few amendments that would need to be made. There are some things we don't need to address, such as housing animals and things, because we wouldn't do that. I think we should take that ordinance and adopt it towards Burns Harbor, and then present that ordinance. I think we can have that ready for you in the next couple of weeks for you all to review. Councilwoman Biancardi stated that we will look at that at the next meeting, and then, if everyone agrees, we could set that for a public hearing at the Town Council.

Good of the Order and Any Other Business

Councilwoman Biancardi stated don't forget, the town scholarships are due by May 30, 2026. There is a digital application, and those links are available online and on our Facebook page. It is Clerk-Treasurer Lovings' last meeting. Any last words? Clerk-Treasurer Loving stated I want to encourage everyone to run for public office and to volunteer to serve on the board. Councilwoman Biancardi stated that if anyone is interested in the Clerk-Treasurer seat, which will be vacant after Friday. They can email Don Craft or me. Local elections for our town are next year, so people should start registering in January. We have a lot of boards that people can sit on.

Adjournment

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

There being no further business to discuss, the meeting concluded at 8:38 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:

Nick Loving
Clerk-Treasurer