

The Town Council of the Town of Burns Harbor, Porter County, Indiana met in its regularly scheduled session on Wednesday, January 8, 2025 in the Town Hall and streamed electronically with Zoom. The meeting was called to order by Council President Jennifer McHargue 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
 Councilman Nicholas Loving-----Present
 Councilman John (Jack) McGraw -----Present
 Councilwoman Jennifer McHargue --- Present

Clerk-Treasurer Nicole Migliorini was Present. A quorum was attained.

Additional Officials Present Attorney Clay Patton, Town Marshal Jeremy McHargue, Fire Chief Ryan Nowacki, Park Board Member Kyla Tumblin, Building Commissioner Lawson, Sanitary Superintendent Adam Friday.

Approval of Minutes:

Councilman Loving made a motion to approve the meeting minutes of December 11, 2024. Councilwoman Bozak seconded the motion. Councilwoman Bozak – Aye, Councilwoman Draves – Aye, Councilman McGraw – Aye, Councilwoman McHargue – Aye. Councilman Loving—Aye Motion **passed**.

Councilwoman Bozak made a motion to approve the special meeting minutes of December 18, 2024. Councilman Loving seconded the motion. Councilwoman Bozak – Aye, Councilwoman Draves – Aye, Councilman McGraw – Aye, Councilwoman McHargue – Aye. Councilman Loving—Aye Motion **passed**.

Reports:

Town Council:

Councilwoman Bozak made a motion to keep Councilwoman McHargue as Town Council President for 2025. Councilman Loving seconded the motion. Councilwoman Bozak – Aye, Councilwoman Draves – Aye, Councilman McGraw – Aye, Councilwoman McHargue – Aye. Councilman Loving—Aye Motion **passed**.

Councilwoman Draves made a motion to keep Councilwoman Bozak as the Town Council Vice President for 2025. Councilman Loving seconded the motion. Councilwoman Bozak – Aye, Councilwoman Draves – Aye, Councilman McGraw – Aye, Councilwoman McHargue – Aye. Councilman Loving—Aye Motion **passed**.

Councilwoman Bozak said the Westchester Food Pantry had sent the Town a letter thanking us for our donation.

Clerk-Treasurer:

Clerk-Treasurer Migliorini said that she had received the Town's December property tax settlement as follows:

\$1,269,765.39 General, \$ 223,277.81 MVH, \$75,984.59 Park, \$155,865.84 Cumulative Capital Development, \$7,793.30 Cumulative Sewer.

Town Attorney:

Nothing to report.

Town Engineer:

Nothing to report.

Building Department:

Building Commissioner Lawson said that Henn & Sons would be arriving tomorrow to place a dumpster on the property and will be beginning Town Hall renovations shortly. On January 2, I received a call from Mike Frey, 1254 Coan Street, regarding his flooding issues. He has about sixteen to twenty inches of water in his back yard. I did get pictures on the west side of the culvert where the land is dry. I am working on resolving the issue

with Shem. Councilwoman Bozak asked that Tina Rongers be included in further communication regarding the issue moving forward.

Street Department:

Nothing to Report.

Police:

Chief McHargue said that Officer Vawter will begin the Indiana Law Enforcement Academy on January 13th and be set to graduate in May. I also wanted to note two things that have been discussed in department head meetings: vacation and maximum comp time. Comp time is important to my department, specifically issues that we are going to run into. FLSA caps non-exempt employees at 240 hours of comp time and exempt employees at 480 hours. The decision is ultimately up to the Council, but in the long run it will be more beneficial to offer more than forty hours total comp. Councilwoman Draves asked if we can table comp time until the February meeting. Chief McHargue said that the Town's vacation time is on par for the first three-week accrual with the rest of the other Duneland communities. In order to earn our fourth week, we must be employed with the town for fifteen years, which is five more than any other Duneland community. Also, we do not offer any additional vacation time past four weeks- unlike all other local communities. After twenty years our neighboring communities offer a fifth week of vacation time. That is the average in the county. Attorney Patton said this decision will ultimately change the employee manual and it would be better to present the proposed changes in writing at a later date.

Fire:

Chief Nowacki said that they received 4,294 calls last year, this is probably the highest amount of calls this department has ever seen without the ambulance service. We were able to encumber funds for two purchase orders from the 2024 budget- one for the outfitting of our new vehicle and the other for repairs to our fire engine. The actual damage to the fire engine was around \$7,300.00, but there was also \$5,100.00 in oxidation that we found on the truck that needs to be repaired as well. Unfortunately, there is a ten-year paint warranty on the engine where five years ended that the warranty would only cover fifty percent of the damage.

Sanitation:

Superintendent Friday said that they had just finished replacing three pumps throughout Town. I completed an emergency repair tonight. We had an air release fail; right now, that is on bypass; and we will complete the work tomorrow.

Stormwater:

Nothing to report

Park:

Tumblin said that movie night will be held January 24th from 6:00 p.m. to 8:00 p.m. at the park. Our first Polar Plunge was a huge success and we were happy with the turnout.

Redevelopment Commission:

Councilwoman Bozak said that the committee had sent out a survey through for the Safe Streets For All project. There is also a link on the Town's Facebook page.

Shared Ethics:

Councilwoman McHargue said that her and Mr. Stout had finally met with Courtney to get him set up with the Shared Ethics committee. We also received the 2024 annual report and goals that she will share with the Council.

Correspondence:

IDEM-Notice of Decision Ports of Indiana Burns Harbor

Presentations of Resolutions, Petitions, Communications, Ordinances and

Remonstrance:

Councilman Loving made a motion to adopt Resolution 2025-01 Amendment to the Salary Ordinance. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman Draves – Aye, Councilman McGraw – Aye, Councilwoman McHargue – Abstain. Councilman Loving—Aye Motion passed.

New Business:

Staff Anniversaries:

Councilwoman McHargue said that Police Chief McHargue has been with the town for twelve years this month.

Department Liaisons:

Liaisons to stay the same in 2025 as follows:

Councilwoman Bozak Police Department
 Councilman Loving Street Department
 Councilwoman Draves Fire Department
 Councilwoman McHargue Parks Department
 Councilman McGraw Building Department

2025 Department Heads:

Councilwoman Bozak made a motion to keep the current Department Heads as is in 2024 for 2025. Councilman McGraw seconded the motion. Councilwoman Bozak – Aye, Councilwoman Draves – Aye, Councilman McGraw – Aye, Councilwoman McHargue – Abstain. Councilman Loving—Aye Motion passed.

Appointment of Town Board Seats:

Councilwoman McHargue appointed Michael, Travis, Dunlap to the BZA as well as Planning Commission for a four-year term set to expire on December 31, 2028. McHargue also appointed Kylane Tumblin, Brad Enslin and Roseann Bozak to the Redevelopment Commission for one-year terms set to expire on December 31, 2025. Councilwoman McHargue also appointed Councilwoman Draves to the Stormwater Board, her term set to expire on December 31, 2027

Councilwoman Draves made a motion to appoint Councilwoman Bozak to the Metropolitan Police Commission Board for a three-year term set to expire December 31, 2027. Councilman Loving seconded the motion. Councilwoman Bozak – Aye, Councilwoman Draves – Aye, Councilman McGraw – Aye, Councilwoman McHargue – Aye. Councilman Loving—Aye Motion passed.

Councilwoman Draves made a motion to appoint Michelle Watkins, Jeremy McHargue, and Councilwoman Bozak to the Planning Commission Board for a one-year term set to expire December 31, 2025. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman Draves – Aye, Councilman McGraw – Aye, Councilwoman McHargue – Aye. Councilman Loving—Aye Motion passed.

Councilwoman Bozak made a motion to appoint Councilwoman McHargue and Councilman McGraw to the Redevelopment Commission for a one-year term set to expire December 31, 2025. Councilman Loving seconded the motion. Councilwoman Bozak – Aye, Councilwoman Draves – Aye, Councilman McGraw – Aye, Councilwoman McHargue – Aye. Councilman Loving—Aye Motion passed.

Councilwoman Bozak made a motion to appoint Margaret DeTour to the Park Board for a four-year term set to expire December 31, 2028. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman Draves – Aye, Councilman McGraw – Aye, Councilwoman McHargue – Aye. Councilman Loving—Aye Motion passed.

Conflict of Interest:

Councilwoman McHargue said that her husband is the police chief. I also have a business, JC Signs and Designs that sometimes does work for the Town. Our son works part-time at the Parks Department during the Summer as well. Councilwoman Bozak said that her father-in-law, George, works for the Park Department as well as her son Aiden Bozak. Councilman Loving said that his brother-in-law, Travis Dunlap, is on the Planning Commission and BZA.

Park/Police Donations:

Clerk-Treasurer Miglioni read off the total 2024 donations as follows:
 Park, \$6,035.81

Police, \$1,100.00
Fire, \$3,500.00

2024 Encumbrances:

Clerk-Treasurer Migliorini provided a copy of the 2024 encumbrances for the Council to review.

Approval of the December 2024 Financial Report:

Councilman Loving made a motion to Approve the December 2024 Financial Report. Councilman Loving seconded the motion. Councilwoman Bozak – aye. Councilwoman Draves—aye, Councilman McGraw -- aye. Councilwoman McHargue – aye. Councilman Loving – aye. Motion passed

Approval to pay vouchers with 3 or more signatures:

Councilman Loving moved to approve vouchers with three or more signatures. Councilwoman Bozak seconded the motion. Councilwoman Bozak – Aye, Councilwoman Draves- Aye, Councilman Loving-- Aye, Councilman McGraw – Aye, Councilwoman McHargue –Abstain. Motion passed.

Approval of purchase orders submitted with 3 or more signatures:

Councilwoman Bozak made a motion to approve all purchase orders submitted to the Council with three or more signatures. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman Draves- Aye, Councilman Loving—Aye, Councilman McGraw – Aye, Councilwoman McHargue – Abstain. Motion passed.

Old Business:

Fill open positions:

We are still looking for an engineer to sit on our Sanitation Board. The Town is also looking for a representative to the Shared Ethics Committee that must be an employee or elected official.

Councilwoman Draves made a motion to appoint Councilwoman McHargue to the Joint Board of Delegates for the Shared Ethics Committee Councilman Loving seconded the motion. Councilwoman Bozak – Aye, Councilwoman Draves – Aye, Councilman McGraw – Aye, Councilwoman McHargue – Aye. Councilman Loving—Aye Motion passed.

Good of the Order of the Community:

Councilman McGraw asked if there has been an update regarding the generator. Councilwoman Draves said Circle R is waiting to see what will be done with Generac. Councilman McGraw said he had previously brought up CPR and AED classes/training. I am still going through the process of checking with employees and anybody that is interested. I will follow up at the next meeting. I have also received an application from the Indiana ADA/Title Six Coordination. I am seeking permission to fill out the form to renew our membership for 2025. Councilwoman Bozak expressed concern regarding the term lengths and asked if this position needed to be reappointed for 2025. The form was tabled until February. The last thing on my list is the body cam for the Building Commissioner. I spoke with Jeremy, and he is in the process of within the next week or so providing it to Joe.

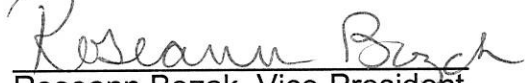
Councilman Loving made a motion to appoint Mr. Stout to the Shared Ethics Committee. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman Draves – Aye, Councilman McGraw – Aye, Councilwoman McHargue – Aye. Councilman Loving—Aye Motion passed.

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

There being no further business to discuss, the meeting concluded at 7:48 p.m.

TOWN COUNCIL OF THE
TOWN OF BURNS HARBOR

Jennifer McHargue, President



Roseann Bozak, Vice-President



Lisa Draves



John (Jack) McGraw



Nicholas Loving

ATTEST:



Nicole M. Migliorini
Clerk-Treasurer