

The Town Council of the Town of Burns Harbor, Porter County, Indiana, met in its regularly scheduled session on Wednesday, March 11, 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

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

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

Approval of Minutes

Councilwoman Bozak made a motion to approve the meeting minutes of February 11, 2026. Councilwoman McHargue seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman Drave made a motion to approve the executive meeting minutes of February 19, 2026. Councilman McGraw seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Biancardi-Aye. Motion passed.

Consideration of Claims, Purchase Orders, and Financial Reports

Approval of Pay Claims with 3 or More Signatures

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

Approval of Purchase Orders Submitted with 3 or More Signatures

Councilwoman Biancardi asked Clerk-Treasurer Loving to list off the purchase orders. Clerk-Treasurer Loving stated that the first is PO #3423 for \$4,697 for our 2026 AIM dues. Councilwoman Biancardi stated that I did reach out and that it is a discounted rate for the Town of Burns Harbor. Clerk-Treasurer Loving stated the second is PO #3402 for \$12,407.40 for salt and freight. The next is PO #3369 for the easter egg packages for the Park Department. We then have PO #3403 for \$3,585 for the 40-gallon water heater, as well as the replacement of the gas pipe from the main line and the ceiling down the bend in the Street Department garage, and a new gas valve for shut off. Councilwoman Biancardi stated thank you all for recognizing there was a concern and closing the building for the day. Clerk-Treasurer Loving stated the last one is PO #3385 for the emergency repair at the Fire Department for hoses and bolt repair of the fire truck in the amount of \$5,429.75. Councilwoman Bozak asked if the invoice for the Duneland Chamber has been taken care of. Councilwoman Biancardi stated yes, that is in the claim book. Councilman McGraw made a motion to approve the POs. Councilwoman Bozak seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Biancardi-Aye. Motion passed.

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

Councilwoman Biancardi stated that I don't think they need approval, but does anyone have any questions? Councilman McGraw questioned an email from Building Department Clerk McCormick regarding money being moved into the wrong spot that

needed to be corrected. Councilwoman Biancardi stated there has been a response to that.

Reports:

Clerk-Treasurer

Clerk-Treasurer Loving stated the board wanted to talk about the incoming IPSRMC payment. We did submit the document to the State of Indiana at the end of February, and they responded that the message was received. We have not received it yet, so we will keep an eye on it, and I will let you know once we have received it. Councilwoman Biancardi asked, once received, where will we put it? Clerk-Treasurer Loving stated that we will put it into the general fund. Councilwoman Biancardi stated that we can put it into an appropriation line to spend it. Councilwoman Biancardi asked if Clerk-Treasurer Loving had found anything out about the bonds for the Sanitary Board? Clerk-Treasurer Loving stated that you guys set it; it is at your discretion. The recommendation is \$15,000. Councilwoman Biancardi stated that by ordinance, that is something that the council takes care of for the board. Will you reach out to Anton, and do we know what the fees for that would be? The board right now is just Gordon and I. Clerk-Treasurer Loving stated I don't, but I can ask. Councilwoman Biancardi stated that we could have that to pay for next month. Has there been any progress on re-establishing CCD? Clerk-Treasurer Loving stated I have not heard a thing. Councilwoman Biancardi stated that we do have a deadline of June 2026. Clerk-Treasurer Loving stated that I will get you an answer on that tomorrow. Councilwoman Biancardi asked Clerk-Treasurer Loving if he would like to give a report on his conversation with Susan. Clerk-Treasurer Loving stated let's wait until she has something to share.

Town Council

Councilwoman Biancardi stated that for the NIRPC appointment, we previously appointed Clerk-Treasurer Loving, and Councilman McGraw stated that he was interested in sitting on that board. Clerk-Treasurer Loving stated that it is fine with me for Councilman McGraw to take over. Councilman McGraw stated I know it is very important for someone to show up for the town, and Clerk-Treasurer Loving has a busy schedule. Councilwoman Bozak made a motion to appoint Councilman McGraw to the NIRPC. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman Biancardi stated that any employee with an @burnsharbor-in.gov email address will be taking part in cybersecurity training. This is something that Brainstorm offers. You will be receiving some short monthly security training exercises to see if you can identify phishing emails. If you can just pass this along to your staff, to have them check their emails once a week or every two weeks to check in. We have insurance for cybersecurity; this is just another measure that is going to help us.

Councilwoman Bozak stated that at the Redevelopment Commission meeting this evening, the Redevelopment Commission awarded the bid to FH Paschen for Phase 1B, which is the section of Marquette Greenway that will connect to where we stop and connect into the National Park and to the Town of Porter. It is projected to be completed by December 31, 2026.

Councilwoman Biancardi stated that the other thing I wanted to discuss was fobbing the building and the variety of different spaces. Is that something we might want to investigate some more? Councilwoman McHargue stated that I think it is a great idea. Councilwoman Biancardi stated that I would propose that Jeremy spearhead that for this building because he is in the building and has some experience with some companies that have done that. If you can, for next month, have some sort of presentation or maybe even some proposals. Police Chief McHargue asked whether you are going to be the person to go to, to inquire as to the determination on which doors to have activated. Councilwoman Biancardi stated yes.

Staff Anniversaries

Councilwoman Biancardi stated in the Police Department, we have Jason Holaway, who has been a Patrolman with us for 3 years. Councilwoman McHargue stated that with the Street Department, we have Brandon Downey with 5 years.

Shared Ethics Advisory Commission Representative

Nothing to report.

Building Commissioner

Building Commissioner Lawson stated that you may have noticed that there are new homes at what used to be Rainbow Homes, and it is now Harbor Landing. They have four units that have moved in, and they are making plans to move in another three soon. You also may have noticed there was a claim for Great Lakes. I reached out to Greg to get assistance with a quite in-depth solar panel inspection, and he was a huge help for that. It was about a third of the cost of having to hire a home inspector, and it just made sense to have a licensed electrician assist with that. Councilwoman Biancardi asked if that was something you might get certified in? Building Commissioner Lawson stated that I will investigate it and see if they do have certifications for it. I have a long list of things that I am trying to get nationally certified in.

Councilman McGraw asked Clerk-Treasurer Loving if any payments had been received from Rig Doctors. Clerk-Treasurer Loving stated no, I have not. Councilman McGraw stated that they are three months behind in payments, correct? I know the contract said it needed to be paid within the first week of each month. Is there something the council can do at this point to push a button and make this happen? Clerk-Treasurer Loving stated the contract states the Town Council can call it at any time, which means you can say to pay the full amount. Councilwoman Biancardi stated that we can stop payments and tell them that it is due in full, and if they don't, then we take them to small claims court. Building Commissioner Lawson stated the total that is owed is \$7,500, but they have paid \$500. Attorney Patton stated that small claims is up to \$10,000.

Councilwoman Biancardi asked what the council wants to do. Councilman McGraw stated that Building Commissioner Lawson has been sending them a letter each month stating payment is due, one month they responded back saying he was ill, and Building Commissioner Lawson gave him a grace period. Councilwoman Biancardi stated that I think the contract is with the Clerk-Treasurer's office, so if there is going to be something such as terminating the agreement, it needs to come from his office.

Councilwoman Bozak stated that I would ask them to get caught up within 30 days, otherwise the contract is now void, and they need to pay in full. Councilwoman Biancardi stated that we can wait until the next council meeting to see if they have paid. Building Commissioner Lawson stated he was supposed to pay \$250 a month.

Councilwoman Bozak stated that he is three payments behind, so he needs to pay the \$750 before the next council meeting, or at the next council meeting, we will decide to terminate the payment plan, and it will be due in full. Councilwoman Bozak made a motion for Clerk-Treasurer Loving to reach out to Rig Doctors and let them know that if they do not pay the past due amount by the next council meeting, the council will decide to terminate the terms of the current agreement. Councilman McGraw seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Biancardi-Aye. **Motion passed.**

Attorney Patton stated that I would suggest that Clerk-Treasurer Loving reach out to reference that legal action may be taken. I would scan a copy and email that over to me as well.

GM/Street/Sanitation Superintendent

Superintendent Downey stated that our 2026 brush pickup will start on Monday, April 6, 2026, weather depending. We will continue until Monday, November 16, 2026. We will also be picking up any brush after any major storms. Our one-time spring leaf pickup will be delayed because our machine is still in the shop getting updated. We will announce once we know more about that. Our 2026 spring street sweeping program, Brown Equipment Company, is currently getting all the paperwork going that we need to look at and review. We are looking at the week of April 27, 2026. So, we will have street

cleaning schedules announced a week before starting. The water fountain is now active and good to go. It has been repaired.

Councilwoman Biancardi brought up Oak Leaf Lane. I was made aware that the road is cracking. If you recall, it was late December when we had a water main break on Oak Leaf, and it went for days because of getting everything in to do the repair. There was a major sinkhole at that point. Indiana Water patched it, and it is now kind of falling apart. Superintendent Downey went out and took some pictures and sent them to all of us. Superintendent Downey stated that it seems like they didn't cut back enough, so a lot of the washout was underneath. I tried contacting Eric, and I will try to contact them again in the morning to see what they can do for us. It is sinking, which means there is some more washout going on. Councilwoman Biancardi stated that if you can't reach him, let me know, and I can try as well. He was the supervisor on duty that weekend, so he knew what was going on. Councilman McGraw stated that I just want to thank Brandon again for finding the gas leak that was in the back building.

Police Chief

Police Chief McHargue stated that we are about 90% complete with the kitchen remodel; hopefully, that will be wrapped up soon. Officer Dathan Bennett is in week 8 of the academy and has 8 more weeks until we get him back. Police Clerk Watkins is currently out of the office. She will be working remotely with me on Thursday and Friday, catching up on some tasks for the Police Department. She will be able to connect to the county's system, which manages all our cases and incidents, which all have to be gone through one by one.

Councilwoman Biancardi brought up a log for tracking time for payroll for the state board of accounts. At the very least, we need something for tracking time and activities. Police Chief McHargue stated that the reality is that she accesses our system, and there will be a record created for that. Councilwoman Biancardi stated that she will need to have some sort of documentation to go with her claim, whether she writes it down or prints a report out. Police Chief McHargue stated that her time sheet will reflect that. I don't know how you print every case out. Councilwoman Biancardi stated she just needs to track her time and show what she is doing to show that she is working. Councilwoman Bozak made a motion to approve Police Clerk Watkins to work from home on March 12, 2026, and March 13, 2026. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Abstain, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Biancardi-Aye. Motion passed.

Councilman McGraw stated that I just want to thank Michelle for making sure we got payroll to our employees this weekend, with Deputy Clerk Parker being out at training.

Fire Chief

Fire Chief Nowacki asked if the council members received the monthly report. The report was received. Arielle started a new job, so our communication has been a little bit broken. It has been difficult to be at the station at the same time since she started her new job at the Lake County Police Dispatch. She is still coming in and getting her hours here. The ladder truck is back, and the emergency repairs are completed. The \$5,400 bill was due to a 1- inch bolt backing out a ½ of an inch and stripping threads, which allowed hoses to move when they shouldn't have. They were buried in the very middle of the turntable of the ladder truck, deep within the insides of the box of the truck. The hoses had to be specially made by a company that came to their facility to make them. The detailed report is with a copy of the PO. The water rescue truck is back from the wrapping company in Michigan City, and we are getting to work on the conversion of the interior for the equipment. I don't have a timeline for when that is going to be finished, but we are projecting before our water rescue season. I want to thank Brandon for allowing me to send Michael and Andrew to EVT class with three of my guys at the Valparaiso Fire Department. They took classes on vehicle inspections and maintenance, and on fire pumps. I paid for all the testing, which was about \$65 per test. Fingers crossed they passed. It's not just their benefit; it's my benefit as well. If my maintenance team is not together and they need a hand, they might be able to hop in and help. Councilwoman Draves asked if everything had been fixed with the generator. Fire Chief Nowacki stated that Circle R came out, and they found some loose bolts on

the main electrical lines feeding the building. But, just today, I noticed more of a flickering of the lights every time, like a printer starts warming up or the ice machine turns on. So, I will need to contact them again, or it might be a Nipsco issue. The Nipsco line that feeds Navajo is single-phase, and there are big problems with it. Our new part of the building is 100 amp, which jumps off our main panel. There are three panels over there, and they all have their separate feeds coming off the main feed. These issues started happening when we connected the generator to the building. I also wanted to have a conversation about having an auxiliary membership at the Fire Department. I am not exactly sure how to go about this, but I want to make sure we do it right if we do it. I don't know if it means adding more names to our incorporation roster, but we have always had significant others of firefighter members of the department who always come to help with our fundraisers or special events. I reached out to some other departments that have auxiliary memberships, and I can use the Porter Fire Department as an example. They have auxiliary members there, and some of their responsibilities would be to come to business meetings, fundraiser meetings, and bring out food and drinks when we have large calls or dive calls. I would want to come up with some bylaws that would make it legitimate. Does this mean I have to add a little more to my liability insurance, which would be completely ok? I don't know if you want me to contact insurance companies or what. Councilwoman Draves stated that we would have to change a portion of the incorp contract then. Councilwoman Biancardi stated I don't know if we will, though. I think maybe we should start with how Porter runs and manages theirs. Then, if it involves insurance, you can pass that to Clerk-Treasurer Loving to reach out to Anton. Councilwoman Biancardi stated I believe there used to be auxiliary members. Fire Chief Nowacki stated yes, but I don't know how it was communicated or how it was set up.

Councilwoman Biancardi asked if everything was on track for the pancake breakfast. Fire Chief Nowacki stated that everything is starting to work out. The guys have been going from business to business asking for donations, and they are selling spots on the placemats. This involves borrowing a lot of equipment, like griddles. Boone Grove has a sausage cooking trailer that they are going to loan us.

Park Board Representative

Park Board Representative Tumblin stated that on April 4, 2026, at 1 p.m., we will have our Easter egg hunt. If anyone would like to volunteer, please contact Kim Burton at the park. Tumblin stated that I am a little confused, I have never seen the Town of Burns Harbor having to approve a PO, especially for easter eggs. Normally, the Park Board approves all POs. Clerk-Treasurer Loving stated this is the first time it has been done right. It is just properly documented now, and I can show you why.

Correspondence

Clerk-Treasurer Loving stated that there are two, the first is IDEM Christman Sand Company Incorporated, and the second is IDEM Pheonix Global Burns Harbor, LLC, a contractor of Cleveland Cliffs Burns Harbor, LLC.

New Business

Additional Appropriation 2215 EMS Fund

Clerk-Treasurer Loving read out loud Resolution 2026-03. Councilwoman Bozak made a motion to approve Resolution 2026-03. Councilwoman McHargue seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Biancardi-Aye. **Motion passed.**

2026-03

A RESOLUTION RELATED TO ADDITIONAL APPROPRIATIONS FOR THE FIRE AND PARK DEPARTMENTS

WHEREAS the proper officers of the Town Council of Burns Harbor, Porter County, Indiana have determined that it is now necessary to appropriate more money for calendar year 2026 than the amount that was fixed by the 2026 approved budget and finally determined in the annual budget under Indiana Code 6-1.1; and

WHEREAS notice was duly given to the public in accordance with IC 6-1.1-18-5(a) and IC 5-31-2(b) for a public hearing on a proposed additional appropriation and public hearing was held on March 11, 2026, at 7:00pm by the Burns Harbor Town Council regarding the same:

THEREFORE, BE IT ORDAINED (RESOLVED) by the Town Council of Burns Harbor, Porter County, Indiana that a need now exists for an additional appropriation out of the following fund or funds named, and for the purposes specified, subject to laws governing the same:

Fund Name: Emergency Medical Services
Major Budget Classification: Amount
1101004444 FIRE OTHER EQUIPMENT \$6,804.66

Fund Name: Park Donation — Restricted Non-Capital Projects

Major Budget Classification: Amount
2302999925 PARK DONATION NONCAP \$1,000.00

TOTAL: \$7,804.66

Duly adopted by the following vote of the members of said Burns Harbor Town Council this 11th day of March, 2026.

Official Vote		Name	Signature
Nay	Aye		
		Toni Biancardi, President	
		Jennifer McHargue, Vice-President	
		Lisa Draves	
		Roseann Bozak	

1182 Salt Creek Road, Anaya Property

Councilwoman Biancardi stated that last month, you'll recall that we did make a motion to try to recover the fines that were given. After the meeting, looking into the code, it didn't seem that we could because we hadn't demolished it. So, we have one day to decide on a bid to demolish the home. Building Commissioner Lawson stated that you have two years from the date that you decide to demolish the structure. Councilwoman Biancardi stated I am going to let you back up, because that is not how I understood the communication that we had going back and forth. Building Commissioner Lawson stated that it is two years, and it has been one year now. So, this is not a "make a decision tonight" type of thing. I did get copies of the updated bid from David's Lawncare. I reached out to the other two contractors who gave bids. Area Excavation said they would get back with me by Monday with an updated bid. I was unable to get a hold of Liberty Property Management, but I did email and call them. David's Lawncare, at the moment, is still the cheapest bid. Councilwoman Biancardi stated that since we can't recoup those fines the way that we intended with the Indiana Code, the other option before us now is to award a bid to demolish the home and then seek to recover those funds. We could lien the property to get that. David's Lawncare's bid did increase slightly. Councilwoman Biancardi asked Attorney Patton if he recommended waiting to confirm the numbers until the next council meeting. Attorney Patton stated that is what I

would say, but I just want to clarify, are you saying that the proposals are good for two years, or are you saying that the council has two years from their decision to demolish? Building Commissioner Lawson stated that two years from the date of the decision, the council would carry out the demolition. Councilwoman Biancardi stated that we will wait to get those bids back. Is the council in favor of demolishing the property? I think the next question would be for Clerk-Treasurer Loving to identify the best place to use funds to do this. Councilman McGraw said absolutely, I would like him to investigate that. All other council members agreed. Councilwoman Biancardi stated that we will have confirmed bids and the funds for the next meeting.

INDOT CCMG Closeout

Councilwoman Biancardi stated this was an email of some sort of communication. Clerk-Treasurer stated that it needs to be closed out by June 28, 2026. I will email you tomorrow about this. Councilwoman Biancardi stated that I assume Global Engineering is going to be responsible for this.

Update for SS4A (Safe Streets for All)

Councilman McGraw stated that we planned a meeting, and it had to be canceled, so we have a new meeting planned for Monday, March 16, at 5 pm at Town Hall.

Old Business

Set Date for Public Hearing for Unsafe Building Fund Ordinance

Councilwoman Biancardi stated that last month, a motion was made for a public hearing for the unsafe building fund ordinance, and then there were some questions. Clerk-Treasurer Loving stated that we have figured those questions out. I would recommend that you set a public hearing for next month. Building Commissioner Lawson stated that, just for clarification, in Chapter 4, we already have an ordinance that says that the Town of Burns Harbor adopted the unsafe building code, and it even specifies the beginning of Chapter 36-7-9 all the way to the end of the chapter. So, that was just the main concern that I had, that if we create a new ordinance and some of the wording is different, it could be kind of conflicting. Councilwoman Biancardi stated that it is the hardest thing about the town code. I appreciate you looking at that. Councilwoman Bozak made a motion to set a public hearing for the unsafe building fund ordinance on April 8, 2026. Councilman McGraw seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Biancardi-Aye. Motion passed.

Cell Tower Lease Agreement

Councilwoman Biancardi stated that we discussed this at the last meeting, and it was the consensus of the board that we would go back and say that we weren't in favor of the reduction in the escalation, and we suggested some additional language so there is more oversight by the council. We called out attention to our fiber line, and they replied to that. They rejected a few things, so they are proposing something tonight. I want to say that I have been working back and forth with them for 9 months, so we need to stop somewhere. They would like the 2% annual escalation fee, which is a reduction because of the additional 625 square feet, which could potentially be an additional \$5,400 a year in revenue for the town. They added an indemnification language to address the fiber line and struck our language. Attorney Patton recommended keeping ours because it made sense. They rejected requiring consent from us for all permits because of subleasing and needing to do lots of work. The current sublease, while it is very old, does not require consent to sublease. They proposed an alternative POA language, such as if we don't reply to them within 30 days, then their attorney becomes our attorney. Attorney Patton stated they basically can act on our behalf if they have not heard from us within 30 days, and I don't approve of that. Councilwoman Biancardi stated that we can accept the proposed amendment or reject it. If we reject, we will continue with Amendment 3, which is the current 3% escalation, and the property stays as is. This has been going on for quite some time. This one is out of scope and something they would like to do. Councilwoman Draves made a motion to reject proposed Amendment 4. Councilman McGraw seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman Biancardi stated that I do expect this to come back.

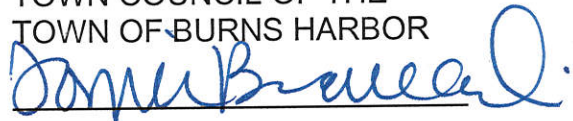
Good of the Order and Any Other Business

Adjournment

Councilwoman Draves made a motion to adjourn. Councilman McGraw seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – No, Councilwoman Draves- Aye, Councilman McGraw- Aye, Councilwoman Biancardi-Aye. Motion passed.

There being no further business to discuss, the meeting concluded at 7:51 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