

The Town Council of the Town of Burns Harbor, Porter County, Indiana, met in its regularly scheduled session on Wednesday, January 14, 2026, in the Town Hall and streamed electronically with YouTube. The meeting was called to order by Council President Toni Biancardi at 7:05 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 -----Absent  
 Councilwoman Toni Biancardi ----- Present

Deputy Clerk Madeline Parker was present. A quorum was attained.

**Additional Officials Present:** Attorney Clay Patton, Police Chief McHargue, and Fire Chief Nowacki.

### **Approval of Minutes**

Councilwoman Bozak made a motion to approve the meeting minutes of December 10, 2025. Councilwoman McHargue seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman Draves made a motion to approve the meeting minutes of December 17, 2025. Councilwoman McHargue seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. Motion passed.

### **Consideration of Claims, Purchase Orders, and Financial Reports**

#### **Approval to Pay Claims with 3 or More Signatures**

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

Councilwoman Biancardi stated that we do have 3 invoices that I would propose that we also pay tonight for Patton Law. Invoices #20972, #20978, and #20973 that came in after the claim book was put together. Councilwoman Bozak made a motion to approve the Patton Law invoices #20972, #20978, and #20973. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. Motion passed.

### **Approval of Purchase Orders Submitted with 3 or More Signatures**

Councilwoman Biancardi stated that we have a purchase order from the Fire Department for five sets of bunker gear. This is something that we purchase annually. The total for those is \$18,230. Councilwoman Draves made a motion to approve PO #3415 for five sets of bunker gear for \$18,230. Councilwoman Bozak seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. **Motion passed.**

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

Councilwoman Biancardi stated that we have been working in the office on breaking out some lines to make it a little bit easier for budgeting. One of the things we did was break out the phone services with Nitco from the internet in different departments. I suggested to Fire Chief Nowacki about breaking out their testing so that they can be seen outside of miscellaneous services. If anyone has any other things they would like to break down within their budget or appropriation lines, please let us know. Our goal is to have that done by the end of January because we will transfer money in and then not mess with it anymore. Councilwoman Biancardi asked Deputy Clerk Parker if December had been reconciled. Deputy-Clerk Parker stated yes, it was reconciled, and we were able to go live with 2026.

#### **Reports:**

##### **Clerk-Treasurer**

Absent

#### **Town Council**

Councilwoman Biancardi stated that we appointed Jeremy last month as a department head, but no one else. So, we have our current department heads, who would be Ryan Nowacki as our Fire Chief, Joe Lawson as our Building Commissioner, and Brandon Downey as GM/Street/Sanitation Superintendent. Councilwoman Bozak made a motion to keep all the department heads the same. Councilwoman McHargue seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. **Motion passed.**

#### **Staff Anniversaries**

Councilwoman Biancardi stated that we have Jeremy McHargue, 13 years. Councilwoman Draves stated that we have Ryan Nowacki with 2 years as the Fire Chief and Ariel Blankenship with 1 year as the Fire Department Secretary. Councilwoman McHargue stated that for the Street Department, we have Sarah Olson with 1 year.

#### **Shared Ethics Advisory Commission Representative**

Absent

#### **Building Commissioner**

Nothing to report.

### **GM/Street/Sanitation Superintendent**

Superintendent Downey stated the only thing I have is to ask everyone to bear with us with the roads. This wind is just going and going, so hopefully it settles down soon.

### **Police Chief**

Police Chief McHargue stated that the Flock cameras have been installed, and those are up and running. Officer Dathan Bennett starts the academy this upcoming Monday. The only other question I had was about the remodel that is upcoming at the Police Department. How would the Town of Burns Harbor like to handle any permit fees and things like that? Councilwoman Biancardi stated that they are going to remodel their kitchen that is going to involve sinks, cabinets, and flooring. I believe historically we have waived permits for town projects. Councilwoman Draves made a motion to waive the permits for the construction of the kitchen for the Police Department. Councilwoman Bozak seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. Motion passed.

### **Fire Chief**

Fire Chief Nowacki stated I submitted two reports to the Town Council, a December report, and then I broke down our yearly report. Just an update on our town ambulance that is being converted into a water rescue vehicle, I met with the wrapping company today, and we finalized the vehicle design. The truck is scheduled to go to Michigan City on January 16<sup>th</sup> to begin the process of removing old decals so the new wraps can go on. When we do get that back from the decal stuff, we will start on the interior, moving the equipment in and placing the vehicle in service. Mechanically, the fleet is great, and everything is working well. I did want to bring up that all the town's fire extinguishers need annual service and annual inspections. The last time it was done, we used STS, and I was looking to kind of take that over and have them sign up again. Councilwoman Biancardi stated that it looks like last year the town general paid for it out of miscellaneous services, and it covered all the extinguishers, and it was \$625.50 Councilwoman Draves made a motion for Fire Chief Nowacki to contact Safety Training Services Inc. (STS) to service the Town of Burns Harbor's fire extinguishers, not to exceed \$1,000 from miscellaneous services. Councilwoman McHargue seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. Motion passed.

### **Park Board Representative**

Councilwoman Bozak stated I received a message from Park Board member Tumblin with a report. On January 22, 2026, there will be a Stranger Things trivia at Running Vines, and this is a fundraiser for the Park Department. 10% of all the sales will go to benefit the Park Department's programs and events. The Park Department continues to rent out the arts and crafts building throughout the winter, which has all-new flooring.

### **Correspondence**

Councilwoman Biancardi stated that we have 4 IDEM correspondences that they generally send for notices of things that are happening.

## **Old Business**

### **1182 Salt Creek Road- Unsafe Building Ordinance**

Councilwoman Biancardi stated that we have been working on this property since 2022. We have been following the unsafe building ordinance to try to make it not unsafe. Building Commissioner Lawson communicated to us that the penalties that we have imposed on the deadline passed on December 30, 2025, and we have not received any payment. The question now for the Town Council is, do we start a collections process, and basically, what that means is we as a council need to determine a reasonable retention probability. If we do that, we would make a motion to move forward with this, and the Building Commissioner would prepare a record based on the Indiana Code. Our attorney would then record it before the court and send notice to the property owner. That property owner would then have 30 days to object and request a hearing. If they do, our attorney would go to court for us on the Town of Burns Harbor's behalf. As in any case, we may or may not receive a judgment. If a petition is not filed, according to Indiana code, the court will award a judgment for the amount stated in the record. So, keep in mind we will have some attorney fees, and if he doesn't come, we will be awarded the penalties for what we state in the record, and we would expect that to be paid. Ultimately, if the judgment is not paid, we could then lien the property, and if at what time the property is sold or the taxes are paid, we would then potentially recoup our money. I have spoken with Attorney Patton, and at a minimum, it would be approximately 20 hours or \$5,000 for him to start pursuing this. It could potentially be more, depending on going to court. Attorney Patton stated we can go after him, and we can get all the court orders and judgments, but if he is not going to pay them, I don't know what is going to happen to the property. I checked, and he has paid his real estate taxes and is current on those. He is clearly not responsive to communications from the Town of Burns Harbor. Building Commissioner Lawson asked Attorney Patton if it would be a possible scenario if the Town of Burns Harbor were to move forward with demolishing the home, to seek compensation for that work being done, in addition to the civil penalties imposed? Attorney Patton stated we can certainly seek it, but whether it is going to be paid is to be determined. Councilwoman Biancardi stated that ultimately, if the property owner doesn't take care of it, we would like to demolish it. We have currently assessed \$15,000 in penalties, which, if we collected that, I would think that goes into the unsafe building fund that could pay for demolition. Building Commissioner stated the quotes were about \$18,000-\$19,000. Councilwoman Bozak made a motion to approve and move forward with the legal collections process. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi- Aye. **Motion passed.**

Attorney Patton asked just to clarify, right now, we are just moving forward on the collection of the fines that were imposed and yet unpaid. Councilwoman Biancardi stated that it is correct, Building Commissioner Lawson will do the record, and then provide it to your office.

## New Business

### Park Department 2026 Salary:

#### RESOLUTION 2026 – 01

#### 2026 SALARY AND WAGES TOWN of BURNS HARBOR PARK DEPARTMENT

**BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BURNS HARBOR, PORTER COUNTY, INDIANA** that the following listed Officers and Employees of the Park receive compensation for the year of 2026 in the amount and manner hereinafter set forth:

<u>Officer/Employee</u>	<u>Frequency of Payment.</u>	<u>Amount of Compensation</u>
Park Director	Monthly	1,979.17.00 per month from Park Fund additional \$50.00 per department head meeting not to exceed \$600.00 from General Fund
Assistant Park Director	Bi-weekly	10.00 – 20.00 per hour
Program Director	Bi-weekly	10.00 – 17.00 per hour
Head Maintenance	Bi-weekly	12.00 - 23.00 per hour
Maintenance	Bi-weekly	10.00 - 20.00 per hour
Head Gate Keeper	Bi-weekly	10.00 – 16.00 per hour
Gate Keeper/Teen Help	Bi-weekly	10.00 – 15.00 per hour
Head Life guard	Bi-weekly	10.00 - 18.00 per hour
Lifeguard	Bi-weekly	10.00 - 17.00 per hour
Park Board Members (4)	Yearly	750.00 per year

Park Director will also be paid \$60.00 per month cellular telephone allowance.

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

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

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

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

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

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

Maintenance, lifeguards, gatekeepers, teen help will be paid monthly September through May and Bi-weekly for the months of June, July, and August.

Passed and adopted this 14<sup>th</sup> day of January, 2026.

Town Council of the  
Town of Burns Harbor

\_\_\_\_\_  
Toni Biancardi, President

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Jennifer McHargue, Vice-President

\_\_\_\_\_  
Roseann Bozak

\_\_\_\_\_  
Lisa Draves

\_\_\_\_\_  
Jack McGraw

Attest:

\_\_\_\_\_  
Nicholas Loving  
Clerk-Treasurer

Councilwoman Draves made a motion to approve Resolution 2026-01. Councilwoman McHargue seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. Motion passed.

**Amend 2026 Salary**

Councilwoman Biancardi stated that it was brought to my attention that we have an error in the salary ordinance for 2026. Resolution 2026-02 corrects the job title for Mike and Andrew in the Street Department and adds a range for the part-time Deputy Clerk, and also includes a 3.5% raise to part-time clerks' hourly rate. Our part-time clerk currently is Jill.

**RESOLUTION 2026-02**

**AMENDING RESOLUTION 2025-27 2025 SALARY and WAGES for the TOWN of BURNS HARBOR, PORTER COUNTY, INDIANA**

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

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

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

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

Officer/Employee	Frequency of Payment	Amount of Compensation
<b>Town Hall</b>		
Council Members (5)	Monthly	\$10,000.00 each per year
Clerk-Treasurer	Bi-weekly	\$2,815.80 Exempt (75% from General Fund 25% from Sewage Utility Fund)
Deputy Clerk 1 Full-time	Bi-weekly	\$27.17 hourly (50% General Fund 50% Sanitation)
Deputy Clerk 2 Full-time	Bi-weekly	\$23.45-26.00 hourly (50% General Fund 50% Sanitation)
Deputy Clerk 3 Full-time	Bi-weekly	\$17.13-23.43 hourly (50% General Fund 50% Sanitation)
Clerk/Board Secretary Part-time	Bi-weekly	<b>\$17.13-23.43 hourly</b>
Custodian	Bi-weekly	\$14.00-20.70 hourly
INDOT ERC (Employee in Responsible Charge certified)	Yearly	\$1,000.00 Exempt (25% from General Fund 75% from RDC Operations F32.42und)
<b>Street/Sanitation Department</b>		
GM/MVH/Sanitation Superintendent	Bi-weekly	\$37.15 hourly (50% from Sewage Fund 50% GM General Fund)
GM Unlimited Equipment Operator Full-time	Bi-weekly	\$24.57-25.27 hourly (50% from GM General Fund and 50% from Sewage Utility Fund)
GM Equipment Operator Full-time	Bi-weekly	\$23.27-24.37 hourly (50% from GM General Fund and 50% from Sewage Utility Fund)
GM Laborer 1 Full-time	Bi-weekly	\$19.66-23.02 hourly (50% from GM General Fund and 50% from Sewage Utility Fund)
GM Laborer Part-time	Bi-weekly	\$18.63 hourly (100% from GM General Fund)
MVH Equipment Operator Part-time	Bi-weekly	\$20.70 hourly (100% from GM General Fund)
GM/BLDG Clerk 1 Full-time	Bi-weekly	\$30.12 hourly (80% from Building General Fund and 20% GM General Fund)
GM/BLDG Clerk 2 Full-time	Bi-weekly	\$24.20 hourly (80% from Building General Fund and 20% GM General Fund)
GM/BLDG Clerk 3 Full-time	Bi-weekly	\$24.20-27.68 hourly (80% from Building General Fund and 20% GM General Fund)

GM/BLDG Clerk Part-time	Bi-weekly	\$17.13-23.43 hourly (80% from Building General Fund and 20% GM General Fund)
Sanitation Clerk Part-time	Bi-weekly	\$17.13-23.43 hourly (100% from Sewage Utility Fund)
Sewage Utility Laborer Part-time	Bi-weekly	\$18.63 hourly (100% from Sewage Utility Fund)

### **Building Department**

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

### **Fire Department**

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

### **Board Members**

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

### **Board Secretaries**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Passed and adopted this 14<sup>th</sup> day of January 2026.

Town Council of the  
Town of Burns Harbor

\_\_\_\_\_  
Toni Biancardi, President

\_\_\_\_\_  
Jennifer McHargue, Vice-President

\_\_\_\_\_  
Roseann Bozak

\_\_\_\_\_  
Lisa Draves

\_\_\_\_\_  
Jack McGraw

Attest:

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Nicolas Loving  
Clerk-Treasurer

Councilwoman Draves made a motion to approve Resolution 2026-02. Councilwoman Bozak seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. Motion passed.

### **Marquette Greenway NPS PDCA Agreement**

Councilwoman Bozak stated that, just to give a brief on this, the document itself was created for a different type of project, not necessarily a government grant process project. This is the agreement with the National Park Service for Marquette Greenway Phase 1B through the Minoke Trail. It goes over all the rules that must be followed in the National Park. This is the part of the project that we are currently working on and is funded with the Next Level Trails Grant and will connect the Burns Harbor section of the trail to the Town of Porter. The Redevelopment Commission approved the agreement this evening for recommendation to the Town Council after much back and forth with National Parks. Councilwoman McHargue made a motion for Town Council President Toni Biancardi to sign the Marquette Greenway NPS PDCA Agreement. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. Motion passed.

### **Bond for Michelle Watkins**

Councilwoman Biancardi stated that it came to our attention when we paid our property casualty insurance that Michelle and Roseann were both approved as check signers, but we need to bond Michelle. Shephard Insurance is working with her to get that in place, but we would need a motion to approve that bond, which is almost \$800. Councilwoman Bozak made a motion to move forward with Michelle getting a bond not to exceed \$800. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman Biancardi stated Roseann is a signer and not bonded, but I am not sure that she needs to be. Councilwoman Bozak made a motion to remove herself as a signer on the checking account. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. Motion passed.

### **Employee Handbook Updates**

Councilwoman Biancardi stated we have some employee handbook updates that we need to get over to the company that helps us with that. In November of 2024, the Council updated one floating holiday granted in full at the date of hire, and that was

approved in February of 2025. Vacation benefits 5 years of service but less than 10, with the change being 25 days for 20 years of service or more. Police Chief McHargue stated the change came in 5 years, which was 3 weeks. They added a 4<sup>th</sup> week at 10 years and a 5<sup>th</sup> week at 20 years. Councilwoman Biancardi stated that it was already approved, as well as a change to overtime and comp time, which was a maximum of 120 hours. In December, we updated or approved the update for Ethics Training to be given to employees within 6 months of their hire date and a refresh every 3 years. I would like to propose that we also update the town credit cards. I believe that the purchase right now says \$500, which was our previous PO, but that is \$1,500, and I believe in previous meetings we increased that. Councilwoman McHargue stated I believe we did. Councilwoman Biancardi stated that if an employee has been issued a credit card to check it in every 60 days with the Clerk-Treasurer's office. Just a note to place in there, unless it is an absolute emergency, to not use a personal credit card. Deputy Clerk Parker asked if there was a minimum that you want for all credit cards, because I think some people have different credit limits. Councilwoman Biancardi stated \$1,500. Police Chief McHargue stated can you please explain the credit card, just so I am clear. Councilwoman Biancardi stated right now the employee handbook says up to \$500, so the \$1,500 would match what you can make with a PO. Police Chief McHargue asked if that caps all his purchases at \$1,500? Councilwoman Biancardi stated if you have a purchase order that we have approved, then I would say you can make a purchase. Councilwoman McHargue made a motion to approve all the changes to the handbook that Councilwoman Biancardi stated. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi- Aye. Motion passed.

Chris Soto 1101 State Rd. 149- Soto stated the 60-day thing with the credit cards, maybe make that the 15<sup>th</sup> of every month, so that way it's an easier date to count. Councilwoman Biancardi stated that we can investigate setting something up like that. Deputy Clerk Parker stated we can figure that out and let everyone know what day we decide on. We do shut-offs on odd months, so maybe we do this on even months.

### **Review/Update Job Descriptions**

Councilwoman Biancardi stated before everyone leaves tonight, I am going to give you what I found in the town files that has been printed for each of your positions. Please review those and make any necessary updates, then return them to us by the end of February. Our insurance needs to have this in place if something happens. The most important thing is the work conditions, lifting, and the type of work that someone does.

### **Appoint Council to Board Seats**

Councilwoman Biancardi stated that we overlooked this last month, so we need to do that. The DEDC (Duneland Economic Development Commission), Councilwoman Bozak will stay on there. We have NIRPC, which I believe is Councilman McGraw and Clerk-Treasurer Loving right now. The Clerk-Treasurer can have that seat, does anyone have a preference? And then we have the SEAC joint board of delegates, which

Councilwoman McHargue is on. The Title VI coordinator is Councilwoman Draves. We can then figure out the NIRPC once we are all back together.

### **Cleveland Cliffs- Resolution 2026-3 Amendment to Tax Abatement**

#### **RESOLUTION NO. 2026-03 RESOLUTION AMENDING CONFIRMATORY RESOLUTION 2014-16, APPROVING AMENDED STATEMENTS OF BENEFITS FOR PERSONAL PROPERTY TAX ABATEMENT ON APPLICATION OF CLEVELAND-CLIFFS BURNS HARBOR LLC, AND WAIVER OF LATE FILINGS OF AMENDED STATEMENTS OF BENEFITS FOR PERSONAL PROPERTY TAX ABATEMENT**

WHEREAS, the Town of Burns Harbor, Porter County, Indiana, (the "Town"), recognizes the need to stimulate growth and maintain a sound economy within its corporate limits;

WHEREAS, the Town Council of the Town of Burns Harbor (the "Town Council") further recognizes that it is in the best interest of the Town to provide incentives to stimulate investment within the community;

WHEREAS, IC 6-1.1-12.1 *et. seq.* provides for a program of real and personal property tax abatement within Economic Revitalization Areas ("ERA") and provides for the adoption of such a program;

WHEREAS, on December 10, 2014, the Town Council recognized that it had met the statutory requirements of IC 6-1.1-12.1 to formally designate and establish the Lakeshore Industrial Economic Revitalization Area (the "Lakeshore Industrial ERA") and adopted Resolution No. 2014-16 (the "Confirmatory Resolution") confirming designation of the area identified in Resolution No. 2014-15 for the purpose of providing for assessed valuation deductions as an incentive resource to encourage private enterprise: (i) to develop, redevelop and rehabilitate real property and/or (ii) to install qualified personal property within the Town as a means to attract, retain, or expand private enterprise and economic development in the Town;

WHEREAS, the Lakeshore Industrial ERA was established for a period of ten (10) years and was set to expire no later than December 31, 2023;

WHEREAS, ArcelorMittal Burns Harbor LLC ("ArcelorMittal") undertook efforts to acquire and install a significant amount of machinery and equipment to support the growth of its business at the Lakeshore Industrial ERA (the "Projects"), which Projects, following submission of a Statement of Benefits Personal Property (SB-1 / PP) for each Project (collectively, the "Original Statements of Benefits"), were approved for tax abatements pursuant to Resolution Nos. 2016-14, 2016-20, 2017-14, 2019-06, 2019-07, and 2019-08 (collectively, the "Original Resolutions");

WHEREAS, Cleveland-Cliffs Burns Harbor LLC ("Cliffs") acquired the business and assets of ArcelorMittal in December 2020;

WHEREAS, Cliffs is committed to investing in its Burns Harbor steel mill operations within the Lakeshore Industrial ERA, but the scope of the Projects and the timing of their completion have been delayed due to, among other things, changing economic conditions, the COVID-19 pandemic, and modified strategic priorities;

WHEREAS, Cliffs and its predecessor ArcelorMittal annually submitted their compliance filings for the tax abatements approved pursuant to the Original Resolutions and the Town Council approved each of these filings;

WHEREAS, Cliffs has represented that the Projects for Resolution Nos. 2016-14, 2016-20, 2017-14, and 2019-07, have been completed, but after the estimated completion date stated in the Original Statement of Benefits for each respective Project;

WHEREAS, Cliffs expects to complete the Project for Resolution No. 2019-06 on or before December 31, 2026;

WHEREAS, Cliffs expects to complete the Project for Resolution No. 2019-08 on or before December 31, 2028;

WHEREAS, Cliffs has annually requested and received tax abatement deductions for certain personal property installed after the estimated completion dates stated in the Original Statements of Benefits;

WHEREAS, Cliffs has filed its Amended Statements of Benefits Personal Property (SB-1 / PP) for each of the Original Resolutions (collectively, the “Amended Statements of Benefits”) with the Town Council before the date of this Resolution, requesting a modification of certain elements of the approved Original Resolutions, including modified completion dates and capital investment levels, which Amended Statements of Benefits are attached hereto as Exhibit A;

WHEREAS, Cliffs filed its Amended Statements of Benefits after the estimated completion dates stated in the Original Statements of Benefits and now requests that the Town Council waive these late filings, as permitted by IC 6-1.1-12.1-9.5 and 6-1.1-12.1-11.3;

WHEREAS, Cliffs desires that the timing and scope of all Projects be aligned with the Amended Statements of Benefits from inception to completion of the Projects;

WHEREAS, the Town Council recognizes that the Town and Cliffs have a longstanding and mutually beneficial relationship, dedicated to enhancing the local business environment for the benefit of the entire community;

WHEREAS, the investments by Cliffs and its predecessor ArcelorMittal have had and are reasonably expected to continue having a positive economic impact within the Lakeshore Industrial ERA;

WHEREAS, the Town Council has reviewed Cliffs’ Amended Statements of Benefits for all Projects and has been otherwise duly advised in the premise and has determined that it is in the best interest of the Town to approve the Amended Statements of Benefits for all Projects;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BURNS HARBOR, PORTER COUNTY, INDIANA, THAT:

The Town Council hereby affirms and incorporates by reference all findings included in Original Resolutions, including all findings of fact.

Cliffs filed its Amended Statements of Benefits for all Projects before the adoption of this Resolution, and it would have otherwise qualified for the deductions claimed had the Amended Statements of Benefits been submitted and approved before the modified completion dates. The Amended Statements of Benefits for all Projects as submitted and attached hereto as Exhibit A are hereby approved. Pursuant to IC 6-1.1-12.1-9.5 and IC 6-1.1-12.1-11.3, the Town Council waives Cliffs' late filings of the Amended Statements of Benefits for all Projects, which waiver affects all personal property installed by Cliffs or its predecessor ArcelorMittal after the estimated completion dates stated in the Original Statements of Benefits with respect to all Projects and all deductions claimed to date with respect to that personal property by Cliffs or its predecessor ArcelorMittal. All personal property shall be deemed to have been timely installed before the completion dates stated in the Amended Statements of Benefits for all Projects. The Town Council finds that Cliffs and its predecessor ArcelorMittal have been and currently are in substantial compliance with the Amended Statements of Benefits for all Projects.

The Town Council hereby modifies Resolution 2014-16 by extending the establishment of the Lakeshore Industrial ERA for an additional five (5) years, so that it shall be deemed to have existed on January 1, 2024, through and including January 1, 2029, after which date it shall be deemed to have expired. Accordingly, the Town Council confirms and modifies Resolution 2014-15 so that the Lakeshore Industrial ERA shall be established for the entirety of December 10, 2014, through and including January 1, 2029, a period of approximately fourteen (14) years. The area comprising the Lakeshore Industrial ERA is identified in Exhibit B attached hereto.

The owner of certain personal property installed within the Lakeshore Industrial ERA shall be entitled to the deductions provided by Ind. Code § 6-1.1-12.1-4.5 for a period of ten (10) years with respect to personal property as contemplated by and reflected in the Amended Statements of Benefits for all Projects, with respect to all personal property installed on or before December 31, 2028, according to the following schedule:

<b>Approved Abatement Schedule:</b>	
Year One (1)	100%
Year Two (2)	100%
Year Three (3)	100%
Year Four (4)	75%
Year Five (5)	75%
Year Six (6)	50%
Year Seven (7)	50%
Year Eight (8)	50%
Year Nine (9)	50%
Year Ten (10)	50%

The President of the Town Council is hereby authorized to complete and execute Cliffs' Amended Statements of Benefits forms for all Projects consistent with this Resolution.

A copy of this Resolution and any required supporting information shall be filed with the Porter County Auditor. The Town Council will certify a copy of this Resolution to Cliffs and to the Department of Local Government Finance.

The sections, paragraphs, sentences, clauses, and phrases of this Resolution are separable, and if any phrase, clause, sentence, paragraph, or section of this Resolution shall be declared unconstitutional, invalid, or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Resolution, and a suitable and equitable provision shall be substituted for such provision in order to carry out, so far as may be valid and enforceable, the intent and purpose of the provision and this Resolution.

This Resolution shall be effective immediately upon its passage.

*Presented to the Town Council of the Town of Burns Harbor, Porter County, Indiana, read in full and adopted as written this \_\_\_ day of January 2026.*

Town Council of the  
Town of Burns Harbor

\_\_\_\_\_  
Toni Biancardi, President

\_\_\_\_\_  
Jennifer McHargue, Vice-President

\_\_\_\_\_  
Roseann Bozak

\_\_\_\_\_  
Lisa Draves

\_\_\_\_\_  
Jack McGraw

Attest:

\_\_\_\_\_  
Nicholas Loving  
Clerk-Treasurer

Councilwoman Biancardi stated this is an amendment to the tax abatement. The county did an audit, and they found some discrepancies in the SB1's, so it needs to be made right. This was during the time that Cleveland Cliffs purchased Arcelor Mittal, and maybe the project wasn't always thinking you'd go the same direction, so they have changed a bit. Cleveland Cliffs representative stated it was that, along with COVID, which delayed some of the projects in addition to the new direction. Councilwoman

Biancardi stated that what we would be doing tonight is there is a resolution to amend the tax abatement, and there are 6 SB1's that would need to be approved. Attorney Patton stated I have looked through these and do not have any issues. Councilwoman Biancardi stated that they have provided a table and showed the difference. One went up significantly, and a few went down significantly. This is correcting those, so they truly reflect the projects that are being completed. Councilwoman Draves made a motion to approve Resolution 2026-03. Councilwoman McHargue seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman McHargue made a motion for Town Council President Biancardi to sign the SB1's. Councilwoman Draves seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. Motion passed.

### **Website Platform**

Councilwoman Biancardi stated that we are currently hosted with CivicPlus, and we pay an annual fee of about \$4,000. I had a call with in.gov who offers free websites to local governments. I shared that information with you all, and they can take our website and move it over and will provide support and a whole lot of stuff for free. Our CivicPlus subscription is going to come in May or June. So, if we want to move forward, we have some steps we will need to go through, and then we have a site map where we would go through and have this ready before our subscription renews. Councilwoman McHargue made a motion to move forward with in.gov for the website platform. Councilwoman Bozak seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. Motion passed.

Councilwoman Biancardi stated on additional thing with that, we use Pay.gov right now, and it has a 3% processing fee. In.gov offers a payment system with a 40-cent fee and 1.96%. You can use a credit card and an e-check. So, let's come back to this and discuss.

### **Good of the Order and Any Other Business**

Chris Soto 1101 State Rd. 149- Soto stated regarding waiving the permits for the Police Department remodel, I think you should issue the permits and waive the cost of the permit, that way the Building Commissioner can still perform all the required work and have documentation that the work was done correctly. Councilwoman Biancardi stated I think that is what will happen, we probably just didn't clarify that well. Councilwoman Bozak amended her previous motion to waive the permit fee, not the permit itself. Councilwoman McHargue seconded the motion. Councilwoman Bozak – Aye, Councilwoman McHargue – Aye, Councilwoman Draves- Aye, Councilman McGraw- Absent, Councilwoman Biancardi-Aye. Motion passed.

### **Adjournment**

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

There being no further business to discuss, the meeting concluded at 7:47 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:

\_\_\_\_\_  
Nick Loving  
Clerk-Treasurer