

Burns Harbor Town Council
Regular Meeting
June 10, 2020

The Town Council of the Town of Burns Harbor, Porter County, Indiana met in its regularly scheduled session on Wednesday, June 10, 2020 in the Town Hall. The meeting was called to order by Council President Nicholas Loving at 7:10 p.m.

The Pledge of Allegiance to the American Flag was recited.

Roll Call: Toni Biancardi ----- Present
Roseann Bozak ----- Present
Eric Hull ----- Present
Nicholas Loving ----- Present
Angie Scott ----- Present

Clerk-Treasurer Jane Jordan was present. A quorum was attained.

Additional Officials Present Town Marshal Mike Heckman, Fire Chief/Sanitation Superintendent William Arney, and Building Commissioner Robert Wesley.

Additional Officials Present via Teleconference: Attorney Clay Patton, Street Superintendent Pat Melton, and Park Director Kim Burton.

Also Present: Lily Rex of the Chesterton Tribune via *Facebook Live*.

This month's meeting was made available live to the public in accordance with Governor Holcolm's Executive Order 20-04 Section 5 Public Meetings/Open Door Laws. The meeting was streamed live using *Microsoft Team* software and *Facebook Live*.

5. Public Meetings/Open Door Laws

Public meetings conducted pursuant to Ind. Code § 5-14-1.5 *et seq.* should be limited to only essential matters critical to the operations of the governmental agency or entity for the duration of this public health emergency;

All specific statutory deadlines requiring a governing body to meet during the public health emergency are suspended for the duration of the emergency insofar as cancellations do not disrupt essential government decisions or services or when meetings are otherwise required by federal law;

All governing bodies of public agencies may suspend the requirement of explicitly adopting a policy for electronic participation and reduce the number of members required to be physically present to one member only (See Ind. Code § 5-14-1.5-3.6(c), (f), (g) & (h)). Entities should also adhere to the CDC guidance on gatherings and make efforts to allow the public to participate electronically, if feasible. All other provisions of Ind. Code § 5-14-1.5 *et seq.* remain in effect;

All governing bodies of public agencies may post notices and agendas for meetings solely by electronic means for the duration of this public health emergency; and

Any political subdivision or entity subject to the provisions of Ind. Code § 5-14-1.5-3.5 may comply with the provisions of section 3.6 as modified by this Order in conducting public meetings for the duration of this public health emergency.

Approval of Minutes:

Councilman Hull made a motion to approve May 13, 2020 meeting minutes. Councilwoman Biancardi seconded the motion. Councilwoman Biancardi – Aye, Councilwoman Bozak – Aye, Councilman Hull – Aye, Councilman Loving – Aye. Councilwoman Scott – Aye. **Motion passed.**

Reports:

Clerk-Treasurer Jordan informed the Council that her department was still waiting on capital assess request lists from some of the departments so they can be combined into one spreadsheet for easy review and budget planning. Councilman Loving requested he be emailed Friday afternoon of any department that still has not submitted their list. Clerk-Treasurer Jordan informed the Council that the June property tax distribution arrived. Unfortunately, the Town only received eleven percent (11%) of its approved levy. No tax abatement fees were paid. County Auditor Urbanik plans to release another distribution after the July 10th penalty waiver period hopefully, no later than the beginning of August. Until then, she encouraged everybody to keep spending to only necessary purchases. The bank balances are getting low. Payroll is a priority. If we are careful, we should not have to borrow outside funds.

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Attorney Patton informed the Council that the donated ArcelorMittal land deed containing language required for grant purposes has been recorded. A copy was emailed and the original has been mailed to the Clerk-Treasurer's office.

Building Commissioner Wesley requested that the structures at 1182 Salt Creek Road be condemned and demolished under Indiana's unsafe building statute. Councilman Loving explained that at one time, someone was working at the property so, the Town stopped the condemnation process. That work has since fallen through and these buildings have been standing derelict for some time. After discussion of property owner notification, the condemnation process and the pandemic temporary furloughs, the Council directed the Building Department to forward a copy of the letter sent to the property owner to Attorney Patton and Building Department work with Attorney Patton to move forward for possible action at the July Council meeting.

Councilwoman Scott informed that Marylin Road is not referenced correctly on its street sign which will need to be replaced. The curbs still need painted in Harbor Trails. The State could not give an exact date, suggesting maybe in July, when they would be here to replace the culvert at Salt Creek Road and U.S. 20. The Street Department pulled a large amount of trash from that culvert and cut it back three feet. The shoulder needs rebuilt. The water is flowing through the culver now, that it has been cleared of debris.

The Council and Town Marshal Heckman discussed residents' requests for the installation of speed humps in Trail Creek subdivision. Burns Harbor resident Joe Ozug of 1145 Gustafson Lane, informed the Council he would be willing to purchase and install the first speed hump on Gustafson Lane. Concerns of professional installation were voiced suggesting the town engineering firm be involved. Attorney Patton was directed to research state law pertaining to the matter and to stay in communications with Town Marshal Heckman and Council President Loving.

Fire Department bunker gear quote of \$22,000 was discussed and will be readdressed at a later date.

Sanitation Superintendent Arney informed the Council the Department has had some large projects. There have been no overflows despite the heavy rains. The Department is trying Driplocs, something new for odor control for the lift station on Westport Road.

Councilman Hull informed that he received a letter from some residents concerned about standing water and drainage problems on undeveloped land near Canfield Road in Village in Burns Harbor subdivision. Burns Harbor resident, Janice Wisneski of 1148 Weaver Way expressed her concerns of property erosion and asked if the Town could do something to direct the water to the storm drains. Council explained the Town cannot do improvements on property they do not own. Further discussion took place on possible causes of the standing water. Council explained that when the undeveloped properties are developed, they will be required to meet drainage standards. Sarah Oudman, managing partner and developer of those undeveloped properties, explained the Village in Burns Harbor subdivision plat drainage, the property grading issues, French drain as a possible solution, and state statute allowing 72 hours of absorption time after a large rain event. Councilman Hull indicated town departments will use their resources to help as much as the law allows.

Park Director Burton informed the Council that the Governor is expected to lift restrictions on Friday so, park playgrounds are planning to open on Friday and the beach on Saturday. Park entry fees will be reinstated beginning Saturday, June 13th. The Park will continue to limit rentals to one a day until the 250-person gathering limit is lifted. All children programs have been cancelled for the summer. The Archery youth event is tentatively scheduled for July 18th but, may be cancelled by the Park Board based upon the status of the health emergency.

Councilman Hull, on behalf of the Redevelopment Commission, requested that the Town Council approve of and begin a \$139,490.16 addition appropriation from the Board's 407 Redevelopment Operating Fund for the purposes of paying Ems salaries for the remainder of the year. Councilman Hull made a motion that the Town schedule a public hearing for the July Council meeting for the purposes of an additional appropriation. Councilwoman Bozak seconded the motion. Councilwoman Biancardi – Aye, Councilwoman Bozak – Aye,

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Councilman Hull – Aye, Councilman Loving – Aye. Councilwoman Scott – Aye. **Motion passed.** Councilman Hull requested on behalf of the Redevelopment Commission that the RDC be allowed to borrow from the Rainy Day Fund, if there is a shortage, to be repaid when State approval of the additional appropriation is granted. Councilman Hull made a motion that the RDC has permission to borrow from one fund to another with the stipulation that it is paid back with the additional appropriation. Councilwoman Biancardi seconded the motion. Clerk-Treasurer Jordan informed that borrowing of money has to be in the form of a Resolution. One can be drafted if it becomes necessary. Councilwoman Scott asked what happens if the additional appropriation is turned down. Clerk-Treasurer Jordan stated you don't get permission to spend the money. Councilwoman Scott asked so the Rainy Day Fund is short. Clerk-Treasurer Jordan stated you cannot borrow money from any fund without paying it back. Councilman Hull said if we did not receive our appropriation and we borrowed from Rainy Day this year and it was in our budget for next year, we would pay it back out of that. Councilman Loving stated we would fix it at budget time and repay in January. Councilwoman Biancardi – Aye, Councilwoman Bozak – Aye, Councilman Hull – Aye, Councilman Loving – Aye. Councilwoman Scott – Aye. **Motion passed.** Councilman Hull informed that the RDC awarded the contract for the construction of the Marquette Greenway Trail Phase 3 which is comprised of west side of State Road 149 to the boundary of Burns Harbor at the City of Portage border.

The following purchase orders were presented for discussion: #2721, 2744, 2752, 2756, 2757 & 2763.

Correspondence:

IDEM – Registration Administrative Amendment Approval for Agrati Inc. Valparaiso
IDEM – Title V Significant Permit Modification Approval Metal Services, LLC Burns Harbor

Holladay Properties – Notice of Public Hearing Westport PUD

Redevelopment Commission – No excess assessed value in its Tax Allocation Areas for 2020 pay 2021

Clerk-Treasurer Jordan informed that the Town is an overlapping taxing unit of the Redevelopment Commission. State law requires the RDC to notify all overlapping taxing units whether there will be any assessed value within their TIF area that will not be captured for TIF revenue for the ensuing year. This letter indicates that the RDC is not going to redistribute assessed value to taxing units in 2021. They are going to capture all property tax (TIF) dollars to fund the RDC's projects.

Presentations, Resolutions, Ordinances and Remonstrance:

None

New Business:

Staff anniversary recognition:

Council recognized the following employees' years of service that have June anniversary dates: Michael Heckman 13 years, William Arney 12 years and Attorney Clay Patton 5 years.

COVID-19 Safety and Action Plan:

Councilman Loving informed that we have a plan in place. Chairs are spread out, we are all wearing masks, and department head attendance in person is optional, by appointment only.

Councilwoman Biancardi stated this plan is how we plan to reopen with the assumption that we would wait until July forth to reopen the offices to the public. However, looking at the Governor's Back on Track Plan, as of today, it looks like government offices can open without restrictions.

Attorney Patton stated that is a can, not a shall so, I think it is up to you. With the ever-changing deadlines and the possible extension passed the Fourth of July, of the public health emergency, I would suggest we wait until after the Fourth or July to make any change.

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Councilwoman Biancardi stated the idea behind our reopen plan is really recommending face coverings, recommending guest social distance, washing your hands, it doesn't include taking temperatures because, I was hoping that on July fourth that might not be a requirement but, we did purchase thermometers in the event that we should need to. There would be signage on the building that recommends that if you've been sick or have a cough that you call the office rather than enter the building.

Councilman Hull stated so far, we have not really had any issues with anyone not being able to do business with the offices once they find out what they have to do.

Building Commissioner Wesley informed the Council they are still allowing people in the building to do business base on the nature of their business and amount of paperwork that needs to be signed and copied.

Councilman Hull stated so right now it's not comfortable but, you are making it work.

Councilman Loving stated my guidance to you is that it is your discretion and I wouldn't place any premium on doing a large volume of business with one contractor or another over whatever perception you have for public health.

Schedule budget meetings:

Clerk-Treasurer Jordan informed the Council that revenue projections are not going to be as accurate as in the past. Due to the pandemic, fuel sales are down, unemployment is at twenty percent (20%), casinos have been closed, interest rates are down, and the reduction of tickets and court cases furloughs, we are going to see a decrease in revenue and we may not know those numbers until later in the budget process. Prior to the state of emergency, the state growth quotient projections were somewhere between 3.5% and 3.8%. Now, I'm hearing there may be no growth. The next few years could be difficult.

Council consensus was to tentatively set budget meetings at 6:00p.m. on August 17th and August 18th with final confirmation at their July meeting.

Crosswalk painting quotes:

Councilwoman Scott informed the Council the Street Department received two quotes for crosswalk painting: Site Services quote 10 crosswalks acrylic traffic paint \$1,950 or \$3,235 for Thermoplastic and Traffic Control Specialists, Inc. \$2,170 for paint and \$2,930 for Thermoplastic.

Council discussed the funds used to pay for the project, that the crosswalks will be painted this year professionally and can be maintained internally going forward.

Councilman Loving and Councilwoman Scott will assemble a list of forty (40) crosswalks to present to the Council at their July meeting.

Holladay/RDC Westport PUD application fee:

Councilman Hull informed the Council that Holladay Properties is representing the Town for the Westport PUD at the Planning Commission. We would essentially be paying the fee to ourselves.

Councilman Hull made a motion that the Town waives the Westport PUD's Planning Commission application fee. Councilwoman Biancardi seconded the motion.

Councilwoman Biancardi – Aye, Councilwoman Bozak- Aye, Councilman Hull – Aye, Councilman Loving – Aye. Councilwoman Scott – Aye. **Motion passed.**

Vehicle transfer agreement VIN 1GBJ6T1E4JV119368 Tow of Chesterton:

Councilman Hull made a motion to accept.

Attorney Patton stated that needs to be in the form of a resolution. I emailed that to everybody in the first week of April. This is not in the form of a resolution and it still has the request from the Town of Chesterton right of first refusal to buy this back. To comply with state code, we need to have a price on it. The resolution I sent you a couple of months ago, we were buying it for a dollar.

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Clerk-Treasurer Jordan stated the Council adopted the resolution but, it was not signed because the Council was not all in attendance due to the pandemic. That resolution still needs to be signed. The Chesterton Fire Chief contacted me and said that they also want this agreement approved and signed.

Attorney Patton stated we need to make sure we have a resolution from them too. In this mutual transfer agreement in paragraph three (3) if Burns Harbor elects to discontinue the use of the vehicle by the fire department for any reason, it shall provide Chesterton a written offer to return the vehicle at no cost. Realize what you are getting into so, even when you decommission this vehicle, you have to give them written notice and sit on it for thirty (30) days to see if they want to take it back.

Councilwoman Biancardi stated there are two things. We have already approved the resolution to purchase the vehicle for a dollar but, you need to sign it. It sounds like this agreement is a second document that goes with it.

Clerk-Treasurer Jordan stated the Chesterton Fire Chief sent me an email asking if the Council could adopt this. The Clerk-Treasurer sent me Chesterton's signed resolution. We have Chesterton's signed resolution. We have our resolution that was approved in April but, still needs signed, and this was a new document that was brought to my attention by the Fire Chief in Chesterton asking the Council to review it.

Councilman Hull said we have already approved the purchase. It just has not been signed. So, the new thing is that they are giving us that purchasing agreement with the clause that Clay (Attorney Patton) is referring to that we have to offer them to buy it back if we do anything with it.

Attorney Patton said when we have done this with other entities before we have just done mirroring resolutions so, I am not sure why the Fire Chief in Chesterton is pushing this. If this is what you want to do, realize what you are getting into eyes wide open as far as the requirement to let them take it back at no cost when you have no use for it anymore. Whether that is ten months from now or ten years from now, that is an obligation we are placing on ourselves.

Councilwoman Biancardi said no, that is not okay because we could have resale or trade in value or donate it to someone else.

Fire Chief Arney said if Chief Jarka had contacted me or I made pervious of this, we could have made sure that that was clear because, I made contact with him and told him really that the Town feels we needed to do it for a dollar. My last conversation with him, which I didn't know he contacted Jane (Clerk-Treasurer Jordan), was that they just had to put it on their agenda because of the lack of meetings, sorry, shortness of the meetings due to COVID. So, I didn't know that this was an issue until just now.

Attorney Patton stated I don't like this agreement either. Number seven (7) says this agreement constitutes the entire agreement of the parties with its respect to its subject matter. Well, that's not true because Burns Harbor has a resolution and it sounds like Chesterton has a resolution so, it's not the entire agreement. There is nothing in this agreement that talks about, I'll be it small, the dollar purchase price.

Councilwoman Biancardi stated the Chesterton Tribune reported today, members voted unanimous to adopt a resolution authorizing the donation of the 1988 utility vehicle, the police department's old mobile command center, to the Burns Harbor Fire Department. So, that is what their resolution was.

Councilman Hull stated how about we get it straightened out and come back next month and finish it up.

Councilman Loving said Clay (Attorney Patton) can you work it out with their attorney and tell them that we are not real comfortable with that.

Attorney Patton said I will get in touch with them.

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Approval to Pay Vouchers:

Councilwoman Biancardi moved to approve vouchers with three or more signatures. Councilwoman Bozak seconded the motion. Councilwoman Biancardi – Aye, Councilwoman Bozak- Aye, Councilman Hull – Aye, Councilman Loving – Aye. Councilwoman Scott – Aye. **Motion passed.**

Approval of May 2020 financial report:

Councilwoman Biancardi made a motion to approve the May 2020 financial report. Councilwoman Scott seconded the motion. Councilwoman Biancardi – Aye, Councilwoman Bozak- Aye, Councilman Hull – Aye, Councilman Loving – Aye. Councilwoman Scott – Aye. **Motion passed.**

Old Business:

CF-1 statement reviews:

Attorney Patton explained to the Council the compliance of statement of benefits on ArcelorMittal's CF-1 statements compared to their estimates on the SB-1s submitted when requesting abatement from the Town.

Clerk-Treasurer Jordan explained that the company estimates the assessed value of the project at the time they request abatement from the Town. Once the project is complete, the State assesses the Mill and determines the final assessed valuation which, could account for the difference from the SB-1 and the CF-1 numbers.

Councilman Hull expressed that they were pretty close. Employee counts were different but the salaries were a lot higher. It will not have a large impact what we are receiving.

Clerk-Treasurer Jordan informed the Council that the Town's assessed value went up and ArcelorMittal is proposing next years will increase as well. They submitted six (6) CF-1s. Three (3) of them are abatement requests they have submitted in the past, and you've approved. The other three requests, the projects aren't to a point where there is any assessed value and therefore no abatement decisions have to be made. It's at your discretion, if you need time to think about it, that is what I would recommend you do.

Councilman Hull made a motion that the Town approves ArcelorMittal's CF-1 statements and accompany documents and grants the company tax abatement for 2021.

Councilwoman Biancardi seconded the motion. Councilman Hull stated on the flip side of that, we didn't used to get these when they were supposed to give them to us. So, we got them and that is a positive thing. Clerk-Treasurer Jordan stated the reason they got here late, Clay (Attorney Patton) was correct, when we talked about it last month. A lot of the deadlines due to the health emergency have been pushed. They (ArcelorMittal) have been working short staffed. They did not miss the deadline because it was extended. Councilwoman Biancardi – Aye, Councilwoman Bozak – Aye, Councilman Hull – Aye, Councilman Loving – Aye, Councilwoman Scott – Aye. **Motion passed.**

Mosquito Fogging:

Councilman Hull made a motion that the Town approves \$850 per application, with an application scheduled every three (3) weeks, for four (4) applications for this year.

Councilwoman Biancardi seconded the motion. Councilwoman Biancardi stated I spoke to the company that does that for us and asked them a few questions. They have been doing service with us since 2002. There is a science to the day, the time, the wind and everything to make sure we get the best effect. So, we can request that time frame and if Jane (Clerk-Treasurer Jordan) were to call tomorrow, it may be a few days. Of course, we'll want to let everyone know through social media or whatever avenue that it is coming so, people can close their windows. It could take them a few days to get it on their schedule and make sure everything is temperature wise, the wind the way it should be. Just to reiterate, it just kills the adults. So, they'll come back. They mentioned that it should last weeks. In the past we have just done the two (2) applications the last few years. I know they are bad this year. I have had several people ask me for mosquito fogging. Councilman Hull stated I know I made the motion. I don't think it works but, there are so many people who want it. Councilwoman Bozak stated I think we need to look at other options going forward besides just the air fogging. I just don't think that air fogging is as effective as treating the grass or treating the water or treating the lake at the park. The air fog doesn't last as long as the other types of applications. Councilman Loving stated maybe we need to talk to them about other types of services. Councilwoman Biancardi – Aye,

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Councilwoman Bozak – Aye, Councilman Hull – Aye, Councilman Loving – Aye, Councilwoman Scott – Aye. **Motion passed.**

Large item trash pickup June 25th:

Councilman Loving informed everyone that large item trash pickup is scheduled for Thursday, June 25th.

Schedule town rummage sale date:

After discussion the Council tentatively scheduled the rummage sale for the weekend of August 8th so, people can plan. Pending the status of the health emergency, the event may need to be cancelled. The Town Council hopes to confirm the event at their July meeting.

ADA Plan review:

Councilwoman Biancardi, as the Town's ADA Coordinator, indicated she would like the Council to adopt the Plan and add a line item in their budget so, the Town can work on ADA projects.

Councilman Hull made a motion that the Town adopts the ADA Transition Plan as submitted and add a line item in the Town's budget for ADA projects. Councilwoman Scott seconded the motion. Councilwoman Biancardi – Aye, Councilwoman Bozak – Aye, Councilman Hull – Aye, Councilman Loving – Aye, Councilwoman Scott – Aye. **Motion passed.**

Driver policy:

Clerk-Treasurer Jordan reminded the Council that the Town does not have an adopted policy.

Fire Chief Arney indicated their biggest concern was the occurrences. A driver can be disqualified from driving a town vehicle in one accident.

After discussion, Councilman Hull made a motion that the Town adopted the proposed driver policy and put it into effect immediately. Councilwoman Scott seconded the motion.

Clerk-Treasurer Jordan stated this policy needs to appear in our handbook. So, you are going to pay someone to put it in the handbook and then pay them again to change it. I'm just pointing that out. If you are not happy with this plan, it's ultimately going to need to be changed and we are going to go through the whole process of having all the employees sign that they received a revised handbook and then have them sign it again later.

Councilman Hull stated can we take them what we already received and utilize that as a temporary deal until we get something finalized out of that. It will cost more is what you are saying. Councilwoman Biancardi stated that is what she is saying. If you adopt what we have right now, they will put it in the book so, they can give it the employees to sign. Then when we change it, we have to do that process all over again. Councilwoman Scott asked does it have to go in the handbook right away or can it just with an addendum.

Councilman Hull can we adopt the drivers' policy that we received as a temporary use until we get it finalized and then you guys can red mark that one up and send it back and we can approve it to be finalized. So, you have a policy in effect so, if someone gets in a wreck tomorrow you've got something you can deal with or at least something you can refer to.

Councilman Loving stated if they don't sign saying they received the policy, then it just turns into an issue. Can we just enact it as a policy and have them sign it and then next month we adopt the full one to incorporate into the handbook? Town Marshal Heckman stated we already have a policy in place for crashes correct, Jane. Clerk-Treasurer Jordan stated yes. Town Marshal Heckman stated actually, what I need is what we are going to do when we hire new employees. We have to have something in place for the employee who gets hired, saying the police department is going to run your name and they are going to say yes or no. What points does the insurance company allow us to have? Councilman Hull stated all that was up to us. We're just certifying to them that we approved this driver.

Town Marshal Heckman stated how are we doing that? Councilman Hull stated we have to write a policy. That is the problem. Town Marshal Heckman stated the insurance company still has some type of guidelines they have to go by. Clerk-Treasurer Jordan stated that is what they sent us as an example. Town Marshal Heckman stated I can give you a guy that has twenty-four (24) points and say yeah, it's good enough for our policy. The insurance company is going to have a coronary. I need to know what our insurance company is going to stand by. I have never heard of an insurance company not doing their own reviews, leaving it up to the entity that their insuring. What direction do I go to say

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this guy can't drive? Fire Chief Arney stated honestly, that's who it is going to affect the most is the plow truck drivers. They hit one parked car that goes on their driving record. A car hits them or even a fire truck. We had an unfortunate accident with the fire truck. I don't think the policy is anything that I read extraordinary where it's like oh no this is going to be horrible. I think the biggest one is where we were hung up on moving violation plus one citation means you don't drive. I think the rest of the policy is pretty common sense where I know myself and Mike (Town Marshal Heckman) have talked where my guys have half of that stuff, they are not going to be driving our trucks. We police that anyhow closely. Councilman Hull stated the policy that we've got is stringent enough to meet the stuff we got so we enact that. If we need to go back, we want to change it, make it looser, because we see it's a problem or whatever. Fire Chief Arney stated that could be fire years down the road or ten years down the road when we want to look at it. I don't see an issue with it right now. Like Jane (Clerk-Treasurer Jordan) said we are operating without something and I think that is more dangerous. Councilman Hull stated I agree. Then it goes back to why doesn't the insurance company want it? If we can make some grey area then we can argue about something. Town Marshal Heckman stated we let anybody drive as long as they have a driver's license if we make our own. That's why the insurance company part doesn't make any sense to me. Councilman Hull stated so you want to enact the policy we have now. Town Marshal Heckman stated yeah, they don't run people no more. We have to do that. What is their standard? I don't know their standard. It is not laid out in the drivers' policy. The drivers' policy says what we are going to do if you do x y and z. Fire Chief Arney stated I think we are going to see that we are going to do this and we are going to have someone that comes in and they are going to say we are not insuring them because they have a past DUI or something three (3) years ago. Correct me if I'm wrong, I believe that our insurance company even if you have a passed OWI it was five (5) years after being cleared from it that you couldn't be insured in the town. We created a waiver that I'm still able to have fireman on but, they couldn't touch the trucks driving. I could have them pull hose and stuff like that. We've always had that grey line. I find it hard to believe that insurance companies are going to insure somebody just because we go, oh their good. Town Marshal Heckman stated that is a sticking point for me. I don't know the correct data for the insurance company. Councilman Hull stated I am with you. I don't have the answer. Town Marshal Heckman said the driver policy that is us. The thought was we would have criteria from the insurance company of what they expected for a driver's record what they want and what they didn't want. Where do you stop with the points? Clerk-Treasurer Jordan stated this driver policy is the example they sent me from the insurance company. Councilman Hull made a motion that we approve the drive policy the way that we have it right now. We can go back and change it. Is it going to cost us money yeah, but is it going to cost us more money if we get in a bind, I can't answer? Councilwoman Scott seconded the motion. Councilwoman Biancardi stated does this still solve everything. Councilman Hull stated does this solve the problem or no. Town Marshal Heckman stated what Jane (Clerk-Treasurer Jordan) just told me this is one of the examples I pretty much know what the insurance company is looking for. I believe what the policy is talking about, if we are working right now, if we get in a crash and we get a citation, they cannot drive for us. What I believe the policy means is that is you hire a new person, and he has crash in the last few years and has a ticket during that crash, they are not going to approve them. Not that we are going to take car keys away from our people if they do it. Councilman Hull stated what I have run into in the past, is new hires are more difficult to deal with then current people who get into trouble. Town Marshal Heckman stated I believe this is the criteria they want us to go by for new hires. Councilwoman Biancardi – Aye, Councilwoman Bozak – Aye, Councilman Hull – Aye, Councilman Loving – Aye, Councilwoman Scott – Aye. **Motion passed.**

AIM 2020 dues:

After discussion, Councilman Hull made a motion that the Town pays AIM's 2020 annual dues of \$3,933. Councilwoman Bozak seconded the motion. Councilman Hull stated I am not wild about it but, I think it is beneficial for other people in town if they want to use it. They need those resources. Clerk-Treasurer Jordan stated Corinne (Deputy Clerk Peffers) and I will be attending AIM Clerk-Treasurer School on June 18th. It is being offered remotely. Councilwoman Biancardi – Aye, Councilwoman Bozak – Aye, Councilman Hull – Aye, Councilman Loving – Aye, Councilwoman Scott – Aye. **Motion passed.**

Shadyside Park status report:

Councilwoman Scott informed the Council the Town is still waiting to hear back from ArcelorMittal about the property.

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Community Crossing Grant paving status report:

Councilwoman Scott informed that Walsh & Kelly is working on Salt Creek Road.

Councilwoman Biancardi informed that cones leftover from the water main break were causing traffic confusion. It was dusty and a service Walsh & Kelly provides is street sweeping, so they should have been out there tonight sweeping.

Building Commissioner Wesley informed the Council that Walsh & Kelly is dumping grindings at the old junk yard property on Slat Creek Road. That property is in the City of Portage's jurisdiction. They have raised elevations causing flooding in yards in our town.

Councilwoman Biancardi informed the Council she is not sure whether or not Walsh & Kelly got permission from the property owner to dump but, would think they would have taken care of that in advance of doing work. We need to make sure we clear that up with the project manager. It is in Portage but, they access the property on our town roads.

Councilwoman Scott asked if there is a way to keep them off our road once it's paved.

Councilwoman Biancardi stated yes, once it's paved, they wouldn't be driving those trucks on that road. We will have Street Superintendent Melton have a conversation with Walsh and Kelly to make sure everything is in order.

Good of the Order of the Community:

Fire Chief Arney reported the Fire Department received their ISO rating of four pint four (4.4). This score can affect home owners' insurance within Burns Harbor.

Councilwoman Biancardi informed that she will be working with residents on Rak Road to petition the State to have State Road 149 designated a quiet zone.

Burns Harbor Janice Wisneski of 1148 Weaver Road asked how she can get involved and what steps the Town is taking in light of the civil unrest so, everyone feels safe. Town Marshal Heckman discussed how they are engaged with the residents. Councilwoman Biancardi suggested a meet and greet.

Fire Chief Arney informed the Council that due to HIPAA laws, the ambulance service will no longer be notified through 911 dispatch if a call is COVID-19 positive.

Councilman Loving stated to make abundantly clear to everyone in the room, department heads please reiterate this to employees and everybody on this Board make sure your other Board members know so that it is abundantly clear, in light of recent events, locally, inappropriate social media posting, commenting, liking, sharing, et cetera, will not be tolerated and it will be dealt with swiftly and harshly. This is the one warning that people are going to get. There are no second chances and no appeals will even be considered.

Councilwoman Scott made a motion that we adjourn. Councilman Hull seconded the motion. Councilwoman Biancardi – Aye, Councilwoman Bozak – Aye, Councilman Hull – Aye, Councilman Loving – Aye, Councilwoman Scott – Aye. **Motion passed.**

There being no further business to discuss, the meeting concluded at 9:08 p.m.

Approved at July 8, 2020 meeting.

TOWN COUNCIL OF THE
TOWN OF BURNS HARBOR
Nicholas Loving, President
Eric Hull, Vice-President
Toni Biancardi
Roseann Bozak
Angie Scott

ATTEST:

Jane M. Jordan, IAMC, MMC, CPFA, CPFIM
Clerk-Treasurer