

**COMMON COUNCIL
CITY OF NOBLESVILLE
FEBRUARY 13, 2024**

The Common Council of the City of Noblesville met in the Council chamber on Tuesday, February 13, 2024. Darren Peterson called the meeting to order at 7:00 p.m. pursuant to public notice with the following members present: Mark Boice, Mike Davis, Evan Elliott, David Johnson, Pete Schwartz, Aaron Smith, Todd Thurston, and Megan Wiles.

Also present were Mayor Chris Jensen, City Clerk Evelyn Lees, Deputy Mayor Matt Light, Deputy Clerk Ilga Pruzinskis, Community Development Director Sarah Reed, Public Safety Director Chad Knecht, City Attorney Jonathan Hughes, a Department Director, staff, an interested citizen, a member of the media, and State Senator Scott Baldwin.

PLEDGE OF ALLEGIANCE

Mr. Johnson led the chamber in the Pledge of Allegiance.

ROLL CALL

Ms. Lees called the roll. A quorum was present.

APPROVAL OF MINUTES: JANUARY 23, 2024

Mr. Johnson moved to approve the minutes, second Ms. Wiles, eight aye, one abstention, motion carried. Mr. Boice abstained.

APPROVAL OF AGENDA

Ms. Wiles moved to approve the agenda, second Mr. Davis, nine aye, motion carried.

PETITIONS OR COMMENTS BY CITIZENS WHO ARE PRESENT

There were no requests to speak from citizens.

MAYOR'S COMMENTS

Mayor Jensen stated earlier today he gave testimony at the General Assembly in favor of Senate Bill 10, which would give state grants to communities to establish programs similar to NobleAct. He stated the bill received unanimous approval. He stated Chief Financial Officer and Controller Jeff Spalding also testified before a legislative committee today on House Bill 1120, concerning a proposed change to the high Assessed Value growth levy appeal. He thanked the legislators for their work on behalf of the citizens of Indiana. He yielded the floor to Senator Baldwin.

Senator Baldwin stated the NobleAct program has been very successful, and he authored the bill to make the program available statewide. He stated the Mayor has been very engaged with promoting the bill to the legislature. He commended the Mayor for his efforts and thanked Mr. Spalding for his expert testimony. He stated of 297 bills introduced in the Senate, 110 bills passed and have been sent to the House of Representatives for consideration. He stated 58 percent of those bills were passed unanimously, and 88 percent were bipartisan. He listed ten bills of note that the Senate has received from the House of Representatives. He stated he will provide another update in the near future. Ms. Wiles thanked Senator Baldwin for the information. Mr. Boice thanked Senator Baldwin for his hard work.

COUNCIL COMMITTEE REPORTS

Mr. Schwartz stated the Roads Committee met on February 2. He stated Pleasant Street Phases II and III are underway. He stated there will be a full closure of Pleasant Street from 10th Street to 19th Street. He stated the State Road 32 Reconstruction project also will cause a full closure of the street this summer. He stated the Little Chicago Road Trail over Morse Lake project will begin soon. He stated temporary signals for restrictions will be in place by March 1. He stated the Federal Hill to Forest Park Trail also was discussed. He stated the trail will be constructed under the railroad to connect the two parks.

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Mr. Davis stated the Finance Committee met on February 8. He stated Deputy Financial Officer Ian Zelgowski discussed fiscal actions concerning an Economic Development Manager position and a salt barn roof replacement. He stated Deputy Controller Caitlin Moss discussed the Year-End 2023 Encumbrance Carry-Forward report. He stated Chief Financial Officer and Controller Jeff Spalding discussed resetting the Fire Cumulative Capital Fund tax rate for pay 2025 and re-establishing City investment policies per IC 5-13-9. He stated Mr. Zelgowski provided an update to quarterly financial reports for the fourth quarter of 2023. He stated Ms. Moss provided updates to the investments tracking report and the negative fund balance tracking report. He stated the committee recommended approval of the claims.

APPROVAL OF CLAIMS

Ms. Wiles moved to approve the claims, second Mr. Smith, nine aye, motion carried.

PREVIOUSLY DISCUSSED ORDINANCES

#02-01-24 COUNCIL TO CONSIDER ORDINANCE #02-01-24, AN ORDINANCE AMENDING THE TRAFFIC SCHEDULES IN CHAPTERS 72 AND 78 OF THE CODE OF ORDINANCES (ANDREW RODEWALD)

Engineering Project Manager Andrew Rodewald stated as discussed at the last meeting, the majority of this ordinance is an annual update for new roads that have been constructed throughout the City. He stated one notable addition is §72.13, which codifies no parking in front of ~~and on~~ or within ten feet to either side of mailboxes. He stated this provision will allow Noblesville's police to enforce what is already in federal law. Ms. Wiles moved to approve Ordinance #02-01-24, second Mr. Boice. The following roll call vote was taken for Ordinance #02-01-24:

AYE: Mark Boice, Mike Davis, Evan Elliott, David Johnson, Pete Schwartz, Aaron Smith, Todd Thurston, Megan Wiles, and Darren Peterson.

Nine aye, motion carried.

NEW ORDINANCES FOR DISCUSSION

#03-02-24 COUNCIL TO CONSIDER ORDINANCE #03-02-24, AN ORDINANCE TO RE-ESTABLISH THE FIRE CUMULATIVE CAPITAL FUND TAX RATE, AND ESTABLISHING A PUBLIC HEARING (JEFFREY SPALDING)

Ms. Wiles moved to introduce Ordinance #03-02-24, second Mr. Davis. Chief Financial Officer and Controller Jeffrey Spalding stated this ordinance is a routine action required by statute. He stated the ordinance sets the tax rate for the Fire Cumulative Capital Fund at the maximum allowed in state law, which is \$0.0333. He stated if the City adopts a tax rate lower than the maximum, the next year the state automatically sets the maximum rate at the prior year's rate. He stated this action resets the rate at the maximum, although it may not be used. Mr. Peterson asked what the rate has been historically. Mr. Spalding stated this year and last year the rate was set at \$0.027, and the year before it was \$0.02.

Ms. Wiles moved to establish a public hearing for Ordinance #03-02-24 at the March 12 meeting, second Mr. Boice, nine aye, motion carried.

#04-02-24 COUNCIL TO CONSIDER ORDINANCE #04-02-24, AN ORDINANCE AUTHORIZING THE INVESTMENT OF PUBLIC FUNDS PURSUANT TO IC 5-13-9-5.7 (JEFFREY SPALDING)

Ms. Wiles moved to introduce Ordinance #04-02-24, second Mr. Davis. Chief Financial Officer and Controller Jeffrey Spalding stated this ordinance is one of three actions that work together. He stated the other two actions are resolutions that will be presented at the next meeting. He stated this ordinance is the second of the three actions, but because it is an ordinance, it requires

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two readings. He stated statute requires the Council to take specific action to authorize investment of City funds for up to five-year terms. He stated without this ordinance, the City could only invest funds for a maximum of two years.

PROPOSED DEVELOPMENT PRESENTATION

#1 COUNCIL TO HEAR INTRODUCTORY INFORMATION FOR A PRELIMINARY DEVELOPMENT PLAN FOR TOWNES ON 238, A PROPOSED TOWNHOMES PROJECT ON THE NORTH SIDE OF GREENFIELD AVENUE, EAST OF PROMISE ROAD (ATTORNEY JIM SHINAVER)

Jon Dobosiewicz of Nelson & Frankenberger, P.C. at 550 Congressional Boulevard in Carmel, addressed the Council on behalf of M/I Homes. He stated the proposed Townes at 238 would rezone the approximately 27 acres east of Promise Road, south of 156th Street, and north of Greenfield Avenue and establish a Planned Development. He described the surrounding uses. He displayed a preliminary site plan. He stated the project would include approximately 190 two- and three-story townhomes. He stated access would be from Greenfield Avenue and 156th Street. He stated there would be a central park and dog park. He stated all garages would face internally. He stated prices are expected to range from \$290,000.00 to \$350,000.00. He stated the same product has been built on the south side of State Road 32 west of Gray Road in Bonterra. He stated all of the townhomes would have two-car garages with room for two vehicles in the driveways, as well as guest parking areas and on-street parking. He displayed renderings of the townhome elevations. He stated vinyl will not be used on the exteriors. He stated hardie plank and masonry will be used. He stated the park will include a playground and a pavilion. He displayed renderings of playground and dog park features. He stated the project will be presented to the Plan Commission at its March 18 meeting, and a neighborhood meeting also will be held. He stated depending on the Plan Commission's timing and consideration, the project would come before the Council in April.

Mr. Boice stated Planning Director Caleb Gutshall provided him with housing data. He stated 3,848 apartments and/or duplexes have been approved but not yet built. He stated if those are added to the apartments that have been built in the last few years, the number is approximately 5,000. He stated the City will need more multi-family housing in the future, but he is nervous about keeping up with infrastructure, public safety, and other services. He stated there are 39 percent more public safety calls per multi-family unit than there are from single family homes. He stated he is not suggesting the City stop approving dense development, but he encouraged the Council to think seriously about it. Mr. Dobosiewicz replied this development is not multi-family, but for-sale townhomes. He stated he will ask Mr. Gutshall for a breakdown of the data between traditional multi-family and for-sale townhomes and duplexes. Mr. Peterson stated the housing study commissioned by the City a few years ago indicated "missing middle" density housing was needed. He stated this project fits the "missing middle" concept. Mr. Smith stated this project also is an infill project, which helps with infrastructure. Mr. Peterson asked if the alleys will be privately owned, but the streets will be public. Mr. Dobosiewicz replied that is what is planned. Mr. Peterson asked if the streets are wide enough for street parking. Mr. Dobosiewicz replied they are, but the ordinance will be modified to permit street parking only in certain locations.

MISCELLANEOUS

#1 COUNCIL TO CONSIDER RESOLUTION RC-4-24, A RESOLUTION AUTHORIZING THE CARRY-FORWARD OF ENCUMBRANCES FROM THE PRIOR BUDGET YEAR (CAITLIN MOSS)

Deputy Controller Caitlin Moss stated each year a resolution is presented to carry forward funds in last year's budget that were encumbered but have not yet been spent. Ms. Wiles moved to approve Resolution RC-4-24, second Mr. Davis, nine aye, motion carried.

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- #2 COUNCIL TO CONSIDER RESOLUTION RC-5-24, A RESOLUTION
APPROVING THE NOBLESVILLE TOWARDS ZERO PLAN
(ANDREW RODEWALD)

Engineering Project Manager Andrew Rodewald stated approximately one year ago, the City received a grant from the Federal Highway Administration for the Safe Streets and Roads for All program. He stated Noblesville was one of only ten communities in the state to receive the grant. He stated the grant will fund the creation of a safety action plan. He stated this program is part of the Vision Zero program advertised by the Department of Transportation. He stated open houses and online tools were used to engage the public's help to identify unsafe areas of the City, not just for vehicles, but also for pedestrians and everyone who uses the transportation network. He stated a consultant analyzed the data collected as well as historic data and the City's policies to compile an action plan. He stated a requirement of the grant is for the Council to enact a resolution affirming all of the facets of the Towards Zero plan. He stated the goal is to have zero fatalities by 2050. He stated the City has averaged three fatalities per year for the past five years. He stated the number has remained consistent despite the City's rapid growth. He credited wise governance for the low number of fatalities. Mr. Thurston stated he attended the open houses, and he encouraged others to attend. He stated it is a good program. Mr. Rodewald stated another online presentation will be available in the future. Mr. Smith moved to approve Resolution RC-5-24, second Mr. Schwartz, nine aye, motion carried.

TRANSFERS

- #1 COUNCIL TO CONSIDER TRANSFER TA-01-24, AN APPROPRIATION
TRANSFER IN THE GENERAL FUND TO PROVIDE ADDITIONAL
FUNDING FOR A NEW ECONOMIC DEVELOPMENT POSITION
(IAN ZELGOWSKI)

Deputy Financial Officer Ian Zelgowski stated this transfer moves a small appropriation from personal services contingency to the Economic Development Department budget for a slight salary increase to a new Economic Development Manager position. He stated the salary increase still falls within the salary ordinance and does not increase the City's overall budget.

Economic Development Assistant Director Chuck Haberman stated the person that will be hired will bring some marketing in-house which previously has been outsourced. He stated BlueSky Commerce built a website and assisted with marketing, but the initiative is in a maintenance phase now. Ms. Wiles moved to approve Transfer TA-01-24, second Mr. Smith, nine aye, motion carried.

- #2 COUNCIL TO CONSIDER TRANSFER TA-02-24, AN APPROPRIATION
TRANSFER IN THE GENERAL FUND TO PROVIDE FUNDING FOR A
SALT BARN ROOF REPLACEMENT (IAN ZELGOWSKI)

Deputy Financial Officer Ian Zelgowski stated this transfer will move \$35,000.00 in appropriation authority from the 300 series to the 400 series in the Street Department budget to replace the roof on the west salt barn. He stated the project was budgeted in 2023, but salt levels in the barn were too high to allow the work to be done. He stated the salt levels are low enough now to do the work. He stated funds that were budgeted for a snowplowing contract and unspent will be used for the transfer. Ms. Wiles moved to approve Transfer TA-02-24, second Mr. Davis, nine aye, motion carried.

COUNCIL COMMENTS

There were no comments.

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ADJOURNMENT

There being no further business before the Common Council this 13th day of February, 2024, Mr. Peterson adjourned the meeting.

DARREN PETERSON, PRESIDENT

ATTEST:

EVELYN L. LEES, CLERK