

**COMMON COUNCIL  
CITY OF NOBLESVILLE  
JANUARY 23, 2018**

The Common Council of the City of Noblesville met in regular session on Tuesday, January 23, 2018. Christopher Jensen called the meeting to order pursuant to public notice with the following members present: Brian Ayer, Mark Boice, Wil Hampton, Roy Johnson, Greg O'Connor, Rick Taylor, and Megan Wiles. Mary Sue Rowland was absent.

Also present were Mayor John Ditslear, City Clerk Evelyn Lees, Deputy Mayor Steve Cooke, Deputy Clerk Jacqueline Thompson, City Attorney Michael Howard, department directors, interested citizens, and members of the media.

**APPROVAL OF MINUTES: JANUARY 9, 2018**

Mr. Taylor moved to approve the minutes, second Ms. Wiles, eight aye.

**APPROVAL OF AGENDA**

Mr. O'Connor moved to approve the agenda as presented, second Mr. Taylor, eight aye.

**PETITIONS OR COMMENTS BY CITIZENS WHO ARE PRESENT**

There was one petition to speak. Mike Corbett of 498 South 10<sup>th</sup> Street addressed the Council. He stated he wanted to comment on the Indiana Department of Transportation's (INDOT's) project for State Road 32 on the west side near the River. He stated he went to a public meeting a couple of weeks ago; Councilors Jensen, O'Connor, and Taylor were there as well. He stated INDOT wants to add lanes in front of the old Noblesville Square shopping center and Walgreens and essentially take the existing five lanes of traffic at Federal Hill Commons and enlarge the street all the way to Cicero Creek. He stated after the meeting he spent a half hour talking to INDOT's communications manager, Christopher Myers. He stated he asked Mr. Myers if INDOT takes the City's plans into account when they come up with these projects; Mr. Myers replied that they do, and they plan to talk to the City soon. Mr. Corbett stated they may have already done that by now. He stated he asked if they are aware of the Pleasant Street plans. Mr. Myers replied they are, but that is a long term project, and they are concerned about the next few years. Mr. Corbett asked if they build trails as a part of their projects; Mr. Myers replied they don't like to, but sometimes they will. He stated in this case they are not planning to build trails but will install sidewalks. He stated he believes INDOT's plans are completely counter to the City's plans for the west side of the River, and that we ought to object strenuously to what they are planning on doing there. Mr. Corbett stated as he understands it, we want to expand our Downtown to the west, embrace the River, and make Federal Hill Commons more walkable. He stated if that is the case, S.R. 32 needs to be redesigned next to the park to be more like it is next to the Courthouse Square. He stated but INDOT doesn't plan to do that; it plans to expand those five lanes of traffic further west. He stated as you know, park accessibility is a problem; S.R. 32 is just too wide immediately west of the bridge. He stated it makes it difficult for families to reach the Farmers Market and other events going on in the park if they are parked in the old Kahlo lot. He stated a wide road (five lanes) invites drivers to go fast on that stretch, especially considering that they are coming down a hill from the west. He stated it is a nasty road for pedestrians and needs to go on a road diet. He stated at one time, it was a fast way out of the town, but that's not what it is now. He stated the road needs to conform to what we have built there. Mr. Corbett stated the INDOT designer actually told him the solution is to put a police cruiser there to remind people to go slow. He stated he doesn't think that is the answer; the answer is to design the road for the environment that it is in, and that road now is adjacent to a park. He stated the road should be an appropriate size. He stated he made that point to INDOT. He stated the public comment period is open until this Friday, so he hopes the Council will exert their influence and make the area more walkable. He stated now is the time to intervene and make our plans known to INDOT.

**MAYOR'S REPORT TO COUNCIL**

Mayor Ditslear stated he did not attend ribbon cuttings and other events in the past two weeks because in January he meets with each department director individually for at least an hour each.

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He stated they reviewed each department's performance and challenges in 2017 and identified goals for 2018. He stated the State of the County address will be delivered tomorrow by Commissioner Steve Dillinger at the Noblesville Chamber of Commerce luncheon. Mayor Ditslear stated he has a call in to the INDOT commissioner to discuss the S.R. 32 plans and Mr. Corbett's questions. He thanked Mr. Corbett for his comments.

**COUNCIL COMMITTEE REPORTS**

Mr. Ayer stated the Roads Committee met on January 19<sup>th</sup>. He stated the General Assembly is considering amending last year's bill concerning micro cell towers. He stated several towers were recently installed in locations other than what was permitted. At the meeting, Mr. Jensen recommended documenting these issues to share with the legislature. Mr. Ayer stated design for Pleasant Street will be completed in January, Mr. Beery will meet with federal officials concerning environmental aspects in February, and the project will come to the Council and the public in March. He stated the Midland Trace Trail tree clearing for Phase II was delayed due to weather, but will proceed as soon as conditions improve. He stated the design is 80% complete for the Riverwalk from Riverside Cemetery to Southside Park; once the design is complete, the project will be let for bid. He stated the Levee Trail design is complete and will be submitted to the County Parks Department and Citizens Energy Group for final review and approval. He stated all of the Metropolitan Planning Organization (MPO) roundabout projects are progressing and are in the midst of land acquisition. He stated the BorgWarner project is complete. He stated construction of the fieldhouse at Boden Road/Finch Creek Park is behind schedule, so the improvements to Boden Road will be added to the site work project. He stated the Logan Street pedestrian bridge project is in the design phase.

Ms. Wiles asked if the cell towers that were not properly installed will be moved. City Engineer John Beery stated the permits will be enforced. He stated this particular company has a history of using out-of-state contractors, which has caused issues. Mr. Howard stated a bill has been introduced in the legislature that would repeal the prohibition that the City put in place in April last year, but nothing is final yet. Mr. O'Connor asked if these towers were installed on existing light poles. Mr. Beery replied no, they are independent special pole installations. He stated the City received complaints on poles in residential areas that were too close to the back of the curb. He stated there is a concern that they could be hit by snow plows. Mr. Boice asked if the City would be liable if a snow plow hit the pole. Mr. Beery replied he did not know. Mr. O'Connor replied the poles would be acceptable if they are not intrusive, but stand-alone poles must be monitored. Mr. Beery stated the permit system is simple: the installers submit plans for approval, and they are expected to install the poles according to their plans. Ms. Wiles asked if the new poles have to meet higher architectural standards than the ones at the high school and east middle school. Mr. Beery replied the poles have to be decorative. He stated the permits are administered by the Planning Department and cross-checked by the Engineering Department. Mr. Hampton asked if the submitted plans are considered a legal document. Mr. Howard replied yes, they are. He stated if a permit is issued and the plans are not followed, then the work was not permitted. Mr. Beery stated if the City has to correct an improper installation, the owner has to reimburse the City for the cost.

Mr. O'Connor stated the Finance Committee met on January 18<sup>th</sup>. He stated they reviewed the sources and uses of funds from the BorgWarner bond. He stated they also discussed the Department of Local Government Finance (DLGF) transparency information available on their website. He stated the committee was informed about the City's property and casualty insurance; Controller Jeff Spalding and the Mayor have moved the City to a self-insurance program. He stated this will produce a cost savings on premiums for most years and is a good idea. He stated ordinances that will come before the Council soon were discussed. He stated the Kronos January 12<sup>th</sup> payroll was submitted six minutes before the deadline due to a heroic effort by employees. Ms. Wiles clarified that the challenges were due to issues beyond the employees' control. Mr. Taylor noted Kronos has not been in use for a full year yet. Continuing his report, Mr. O'Connor stated the employees are still adjusting to the new chart of accounts and are making good progress. He stated the Controller's office is undergoing some restructuring, including adding a



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new payroll employee from the Fire Department, who began on January 16<sup>th</sup>. He stated the City continues to investigate fleet management through an outside vendor. He stated OpenGov will not be implemented until the chart of accounts is finished. He stated the committee recommended approval of the claims.

**APPROVAL OF CLAIMS**

Mr. O'Connor moved to approve the claims as submitted, second Mr. Johnson, eight aye.

**MISCELLANEOUS**

#1 COUNCIL TO CONSIDER RESOLUTION #RC-2-18, A RESOLUTION CONCERNING THE ACQUISITION OF RIGHT-OF-WAY FOR VARIOUS PROJECTS (JOHN BEERY)

Mr. Beery stated this resolution lists eight parcels for two projects; one is a culvert to be replaced on Greenfield Avenue just west of Marilyn Road, with a roundabout to be built over the culvert at a later date. He stated that project will require six parcels, which will be affected by drainage improvements. He stated the final two parcels listed in the resolution concern road widening on 136<sup>th</sup> Street west of Brooks School Road, where the iTown Church will be built. He stated the City is working with Fishers, since the church will be in Fishers, but the road belongs to Noblesville. He stated they are in preliminary negotiations with a tentative agreement from the church to build passing blisters and improve the road. He explained the City has done this sort of project before; an agreement will be submitted to the Board of Works to acquire right-of-way on the north side of the road. Mr. Ayer asked if the City will be reimbursed by the church. Mr. Beery replied the City has already received \$25,000.00 to obtain appraisals, which is in escrow. He stated this will be a public improvement, and the City will participate in the road design and have approval of the plans. Mr. Ayer asked if the culvert under Greenfield Avenue is a legal drain with a 75-foot easement on each side, should the County pay to replace the culvert. Mr. Beery replied the road belongs to the City. He stated the Drainage Board is the higher authority, and they grant the City the privilege of having a road over the drain. Mr. O'Connor asked if the road will be closed during construction. Mr. Beery replied yes; traffic will be probably be routed to Promise Road. He stated the roundabout is expected to be built in the next year or two, depending on other Road Impact Fee projects. Mr. Ayer moved to approve Resolution #RC-2-18, second Mr. Boice, eight aye.

**COUNCIL COMMENTS**

There were no comments.

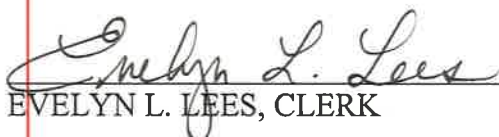
**ADJOURNMENT**

There being no further business before the Common Council this 23<sup>rd</sup> day of January, 2018, Mr. Ayer moved to adjourn, second Mr. Boice, eight aye.



CHRISTOPHER JENSEN, PRESIDENT

ATTEST:

  
EVELYN L. LEES, CLERK