



Common Council Agenda Item Cover Sheet

MEETING DATE: March 13, 2018

- ☒ Previously Discussed Ordinance
- ☐ Proposed Development Presentation
- ☐ New Ordinance for Discussion
- ☐ Miscellaneous
- ☐ Transfer

ITEM or ORDINANCE #: 03-02-18

INITIATED BY: Jeffrey Spalding

- ☒ Information Attached
- ☐ Bring Paperwork from Previous Meeting
- ☐ Verbal
- ☐ No paperwork at time of meeting

ORDINANCE NO. 03-02-18

ORDINANCE TO RE-ESTABLISH CUMULATIVE FUND TAX RATE
120 CUMULATIVE CAPITAL DEVELOPMENT FUND

WHEREAS, under State law the City may establish certain cumulative funds for funding capital improvements as specified by procedures provided in IC 6-1.1-41.

WHEREAS, the procedures set forth in IC 6-1.1-41 must be followed for the City to either establish a new cumulative fund or re-establish the tax rate for an existing cumulative fund.

WHEREAS, the procedures set forth in IC 6-1.1-41 must be completed before May 1 for the City's action to be approved by the State's Department of Local Government Finance for execution in the following calendar year.

WHEREAS, the maximum allowable property tax rate for a municipal Cumulative Capital Development is \$0.0500 per \$100 assessed value established by State law under IC 36-9-15.5.

WHEREAS, under State law the property tax rate for the City's cumulative funds are automatically reduced, below the level originally established by the Common Council, each year a general reassessment increases the assessed value of real property within the City's legal boundaries due to general increase in the market value of real estate.

WHEREAS, automatic property tax rate reductions erode the purchasing power of the City's cumulative funds as price inflation increases the assessed value of real property.

WHEREAS, automatic property tax rate reductions for the Cumulative Capital Development fund erode the City's share of Hamilton County local income tax revenue.

WHEREAS, general price inflation increases City's cost of providing services to the citizens of Noblesville.

WHEREAS, the Common Council wishes to maintain the purchasing power of this cumulative fund by restoring its property tax rate to the level authorized in Ordinance 08-03-13 and such action does not increase the property tax rate above the level intended prior to the subsequent automatic reductions.

NOW, THEREFORE BE IT ORDAINED, by the Common Council of the City of Noblesville, Indiana, that Chapter 38, Section 21 of the city code be amended as follows:

§38.21 CUMULATIVE CAPITAL DEVELOPMENT FUND.

- A) There is hereby established a Cumulative Capital Development Fund.
- B) An ad valorem property tax levy will be imposed and the revenue generated from the levy will be retained in the Cumulative Capital Development Fund.
- C) The tax rate may not exceed the maximum allowable rate established by State law under IC 36-9-15.5. The tax rate is established at \$0.0500 per \$100 assessed value for assessments in 2018 and thereafter.
- D) The revenue accumulated in the Cumulative Capital Development Fund may be used for all permissible uses as established by the following State statutes:

IC 8-16-3	Cumulative Bridge Fund
IC 36-8-14	Cumulative Fire Fund
IC 36-9-16	Municipal Cumulative Building or Sinking Fund and Capital Improvement Fund
IC 36-9-16.5	Municipal Cumulative Street Fund
IC 36-9-17	Municipal General Improvement Fund
IC 36-10-3-21	Park Cumulative Building Fund
IC 36-10-4-36	Park Cumulative Building and Sinking Fund

- E) Notwithstanding division (D), funds accumulated in the Cumulative Capital Development Fund may be spent for purposes other than the purposes stated in division (D), if the purpose is to protect the public health, welfare and safety in an emergency situation which demands immediate action. Money may be spent under the authority of this Section only after the Mayor issues a declaration that the public health, welfare and safety is in immediate danger that requires the expenditure of money in the fund.
- F) This fund and tax rate take effect upon the annual approval of the Department of Local Government Finance.

ALL OF WHICH IS RESOLVED by the Common Council of the City of

Noblesville this 13th day of March, 2018.

AYE

NAY

Brian Ayer

Mark Boice

Wil Hampton

Christopher Jensen

Roy Johnson

Gregory P. O'Connor

Mary Sue Rowland

Rick L. Taylor

Megan G. Wiles

Approved and signed by the Mayor of the City of Noblesville, Hamilton County,
Indiana, this 13th day of March, 2018.

John Ditslear, Mayor
City of Noblesville, Indiana

ATTEST:

Evelyn L. Lees, Clerk
City of Noblesville, Indiana