

**COMMON COUNCIL  
CITY OF NOBLESVILLE  
AUGUST 28, 2018**

The Common Council of the City of Noblesville met in regular session on Tuesday, August 28, 2018. Christopher Jensen called the meeting to order pursuant to public notice with the following members present: Brian Ayer, Wil Hampton, Roy Johnson, Greg O'Connor, Mary Sue Rowland, Rick Taylor, and Megan Wiles. Mark Boice was absent.

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

**APPROVAL OF MINUTES: AUGUST 14, 2018 – SPECIAL SESSION**

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

**APPROVAL OF EXECUTIVE SESSION MEMORANDUM: AUGUST 14, 2018**

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

**APPROVAL OF MINUTES: AUGUST 14, 2018**

Mr. O'Connor moved to approve the minutes, second Mr. Taylor, eight aye.

**APPROVAL OF MINUTES: AUGUST 21, 2018 – SPECIAL SESSION**

Ms. Wiles moved to approve the minutes, second Mr. O'Connor, eight aye.

**APPROVAL OF AGENDA**

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

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

There were several petitions to speak. The petitioners chose to speak when the item was considered.

**MAYOR'S REPORT TO COUNCIL**

Mayor Ditslear stated on August 16<sup>th</sup> he attended the grand opening of Ed Martin Toyota at 141<sup>st</sup> Street and State Road 37 and the ribbon cutting for the Midland Trace Trailhead on Hazel Dell Road. On August 17<sup>th</sup>, he attended the Millers football game against Cathedral at Lucas Oil Stadium. He attended a regional strategy meeting with the Indianapolis Chamber of Commerce partnership on August 20<sup>th</sup>. He attended a school safety meeting hosted by U.S. Representative Susan Brooks on August 24<sup>th</sup>. Earlier today he attended a ribbon cutting at Horizon Bank on 8<sup>th</sup> Street. On August 30<sup>th</sup>, he will be interviewed by Gerry Dick for Inside Indiana Business and will attend an open house for the new Riverview Hospital in Westfield. He stated City buildings will be closed on Labor Day. On September 4<sup>th</sup>, he will attend a ribbon cutting for Merit Pointe Insurance Group, and Andrew Murray will join the Economic Development Department as Assistant Director. Mayor Ditslear stated he will attend a ribbon cutting, open house, and art show for Aspire's new health clinic on September 5<sup>th</sup>.

**COUNCIL COMMITTEE REPORTS**

Mr. O'Connor stated the Finance Committee met on August 23<sup>rd</sup>. He stated they discussed a potential economic development project and spoke with a representative of Enterprise Fleet Management with the aim of reducing costs for the City's vehicles. He stated they discussed the ordinance on tonight's agenda, as well as various ordinances that should come before the Council in the next 60 days. He stated the budget was also discussed. He noted that there will be one more meeting before the public hearing on the budget. Mr. O'Connor stated the Finance Committee had a few questions about the claims, and they were answered.

APPROVAL OF CLAIMS

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

NEW ORDINANCES FOR DISCUSSION

#27-08-18      COUNCIL TO CONSIDER ORDINANCE #27-08-18, AN ORDINANCE  
ESTABLISHING AN ECONOMIC INCENTIVE REVOLVING FUND  
(JEFFREY SPALDING)

Mr. Johnson moved to introduce ordinance #27-08-18, second Mr. Taylor. Mr. Spalding stated this ordinance establishes a new fund and is self-explanatory to a large degree. He stated at times the City participates in development agreements that will produce revenue, but the City may need to fund the agreement up front before the revenue stream begins producing. He stated the ordinance provides that cash balances will be continually appropriated, which means when the Council approves a development agreement, money for the project is automatically appropriated without an additional approval by the Council. He noted the fund can only be capitalized via cash transfers from other funds with Council approval, and there is an escape clause that provides for a transfer from the fund to another fund in the case of a fiscal emergency. He stated the primary purpose of the fund is to provide structure and a process when the City enters into a development agreement. He stated the City may make a temporary loan to assist with cash flow at the beginning of a project, which is very normal and is something that many communities do. He stated in the past there was no consistent approach to these temporary cash flow remedies; they were hard to track, which led to false impressions of true cash balances in various funds. He stated this fund will provide greater transparency and better tracking of spending for economic development projects. He noted at the next meeting he will present a transfer resolution of \$1 million from the Rainy Day Fund to the Economic Incentive Revolving Fund if the ordinance is adopted.

MISCELLANEOUS

#1                COUNCIL TO CONSIDER RESOLUTION #RC-12-18, A RESOLUTION  
CONCERNING A DEVELOPMENT AGREEMENT FOR A PARKING  
GARAGE AND MIXED-USE COMMERCIAL/RESIDENTIAL PROJECT IN  
DOWNTOWN NOBLESVILLE (STEVE COOKE)

Mr. Ayer declared a conflict of interest and recused himself from participation in any discussion on this project and any votes taken on actions related to it. Mr. Ayer left the meeting.

Mr. Cooke stated on behalf of Mayor Ditslear he presents an agreement for a mixed use project to bring new multi-family residential, commercial, and parking to our Downtown. He stated in addition to the presenters, department directors and staff are present to answer questions. He stated if Council approves this agreement, there will be multiple public meetings to follow, including a public hearing before the Plan Commission, giving the public many opportunities to have a voice on the project. To explain the origins of the project, he stated in the recently announced Noblesville Now Capital Improvement Plan, at the top of the list is Downtown development. He stated for several years the Mayor has worked to bring more residents to Downtown, and the 2016 housing study identified this type of housing as missing in Noblesville. He stated this project would provide greater density to support our Downtown businesses and help to generate more nighttime culture to make our Downtown as vibrant in the evenings as it is during the day. He stated Noblesville has the small town charm and historic architecture that for many years other cities have been emulating and copying in their new downtowns. He stated it is important to continue to advance our Downtown. He stated City Parking Lot #3 was suggested for this project for a number of reasons: the lot offered close proximity to the Courthouse Square and the south alley, which is already a pedestrian walkway; the City already owns most of the parcel, which gives the City a greater degree of control; and the greatest number of visitors would come from the south, turning onto Maple Avenue to enter the garage, creating less traffic



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on Conner and Logan Streets than if the garage were built north of Downtown. He stated the parking garage is a key component of the project; a Parking Task Force has been studying Downtown parking since 2015. He stated the Parking Task Force has studied existing conditions, analyzed data, conducted public outreach and surveys, and researched best practices in parking management and technology. He stated the task force found there definitely is a parking problem that needs to be addressed. He stated 70 percent of those surveyed support a parking garage Downtown. He stated The Levinson plan includes 337 parking spaces, of which 237 to 287 would be for public use, available for permit holders or hourly visitors for a net gain of 167 parking spaces for the City. He stated construction would cause much inconvenience, and they are working with current lot permit holders to help them during that time. He stated they also plan to work with the Noblesville Chamber of Commerce and Noblesville Main Street to help businesses that might be negatively impacted by construction. He stated once the garage is constructed, they plan to increase communication and signage to make the public aware of the available parking. He stated they will work to gather opinions about the look of the building, and noted these will be the first new apartments built Downtown in 100 years. He stated this project has the potential to both preserve history and make it.

Shelby Bowen, president of Rebar Development at 8937 Technology Drive, Fishers, Indiana, addressed the Council. He stated he is a Noblesville resident, so this project matters to him. He stated for the last several months there have been discussions about the significance of this project. He stated he imagined similar discussions happening 100 years ago; after meeting with County historian David Heighway, he hopes that 100 years from now there will be people saying they want Downtown development to reflect how The Levinson project was created. He stated it is very important to him, and this is an opportunity to do something special. He stated as president of Rebar Development, he has spent his career building mixed use developments in downtowns. He stated it is his passion; every project and community is different, and it is important to get it right. He stated his team is committed to do that. He stated the highlight of his partnership with the City is transparency; the entire project will be conducted with complete transparency.

Mr. Bowen stated this project is unique to central Indiana in several ways. He stated it will be transformative to Downtown by providing housing density, parking, retail, and by boosting economic development. He stated the project will be completely open book, and if it is built below the estimated cost, the extra incentive will be returned to the City. He stated if the apartment rents are higher than expected, the extra revenue will be shared with the City. He stated this will provide transparent assumptions and a true partnership with the City if there is success beyond expectations. He stated if the project is sold, those profits will also be shared with the City. He stated he needs the City's help to build the project, so the City will have to give permission for him to sell the project. He stated providing affordable housing is difficult to achieve in growing communities, but he plans to set aside ten apartment units with rent based on income. He stated those whose income is higher than the threshold will not qualify for those units. He noted they will use the State calculation for affordable housing, which is 80 percent of Area Median Income (AMI). He commended the City for their help in accomplishing this goal. He stated in other projects, many parking spaces reserved for residents sit empty during weekdays. He stated in partnership with the City, he has agreed to make many of those spaces available for public use during the week. He pointed out the third floor courtyard and rooftop patio, which he hopes will be great amenities. He stated lastly, he is excited to have a public lobby on 8<sup>th</sup> Street that will include historical exhibits of Downtown Noblesville. He stated he has already received many offers of pieces to display, which has been fun. He stated there is already interest from a restaurant for the 9<sup>th</sup> Street commercial portion. He stated there will be two levels of parking underground, two levels of parking above ground, and the third through fifth floors would be apartments. He stated they pulled many elements from other Downtown buildings for the rendering, but it is only a starting point. He welcomed collaboration and questions.

Dennis Otten, attorney with Bose McKinney & Evans LLP, 111 Monument Circle, Suite 2700, Indianapolis, addressed the Council. He stated the features just presented are set forth in the

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project agreement. He stated the total cost of the project is estimated to be \$24.3 million, with the City's portion estimated at \$15.4 million. He stated under the agreement, the City will issue bonds and make the proceeds available to the developer for construction of the parking garage and mixed use development. He stated the City will be required to convey some property to the developer, but a portion of that property will be conveyed back to a building corporation identified in the agreement as the Noblesville Community Development Corporation (CDC). He stated that entity will be created if the Council approves the development agreement. He stated before an estimated start date in February, the agreement has to be approved by several parties: the Redevelopment Commission, the Economic Development Commission, the Community Development Corporation, and then back to the Council again. He stated all of these approvals are needed for the City's financing agreement and for some real estate matters. He stated he has prepared similar agreements for similar projects in the past; this agreement is not uncommon or unique. He stated there are a number of provisions in the agreement to protect the City's interests. He stated the developer's financing must be closed and set aside before the City issues the bonds, and there will be a number of agreements concerning disbursement of the bond proceeds, all of which must be approved by the City. He stated the agreement also provides the City with rights to inspections, review of marketing plans, review of designs, and review of the construction contract. He stated the developer must provide a signed construction contract and construction loan financing, and the City must provide proof of financing before closing on the real estate. He stated unique features of this agreement include participation by the City in profits above a stated threshold, workforce housing, and a special provision if the project is sold within five years. He stated there are special remedies in case of a work stoppage if construction does not commence: the City can take the property back and complete the project itself in addition to other legal remedies. He stated resolution #RC-12-18 approves the form of the agreement, execution of the agreement by the Mayor with any changes he deems necessary with the advice of legal counsel, and advises the Mayor to proceed with formation of the CDC. He noted the CDC will hold title to the garage real estate. He explained a CDC is similar to a building corporation, but with additional authorities for economic development purposes. He stated when the bonds are paid off, the garage will belong to the City.

Ms. Rowland stated the project sits in the Downtown Tax Increment Financing (TIF) district. She asked if the existing TIF revenue will be used for this project or if it will be left alone. Mr. Otten replied the project will generate additional tax value. He stated in the project agreement the developer will pledge to maintain a certain level of tax payments on the mixed use portion of the project. He stated he anticipates that the bonds will be paid from a share of the tax increment from this project and from local income tax revenues. Ms. Rowland asked if anything will be left in the TIF fund for other improvements. Mr. Spalding replied ideally the project would be funded as much as possible from the TIF increment. He stated he assumes the project will produce enough tax increment to fund the debt, and he assumes 100 percent of the increment will be used to pay off the debt, which will be 20 years. He stated once the bonds are paid off, all of the tax increment will go into the TIF until it expires, at which time the taxes will return to the general tax base. Ms. Rowland asked Mr. Howard how many years are left in the TIF district. Mr. Howard replied the TIF expires in 2040. He stated he assumes a sub-district will be created, which will allow the tax increment to be captured for 25 years, but it has not been discussed yet. Mr. Jensen stated the Council wants to be good fiscal stewards. He asked if there are projections of the current tax revenue versus the projected tax revenue from the project. Mr. Spalding distributed a breakdown of public and private costs of the project and a sample bond structure and payment schedule to the Council. Mr. Spalding stated most of the City's TIF districts function in a tight relationship between the generated increment and the purpose for which it was pledged. He stated the Downtown TIF yields cash flow above the debts pledged to it and is used to fund the Downtown Façade Improvement Grant program. He estimated the extra revenue as approximately \$100,000.00 per year. He estimated that the project will generate an extra \$185,000.00 per year, which would be used to support the garage and the City's partnership in the apartments. He stated the TIF revenue is expected to cover the City's share of the costs. Mr. Hampton asked if funding from the TIF for the Façade Grants would be protected. Mr. Spalding replied the City will be able to continue current obligations. Mr. O'Connor noted that while the Façade Grant program has historically been funded from the TIF, it does not have to be. He



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stated other funding can be used; no one wants to make such a large investment and then not fund the Façade Grants. Mr. Hampton asked what date is set for the project to commence. Mr. Otten replied they have set February 1, 2019 as the closing date. He stated the City will issue the bonds 15 to 20 days after the closing. He stated there is a series of requirements on both sides that if not met, either party can back out of the agreement. Mr. Jensen asked what clawbacks are in place past the construction phase in order to protect taxpayer dollars. Mr. Otten replied there are a number of protections. He stated the City has a continual right of inspection, and if defects are found and the developer is notified, there are penalties if the defects are not cured. He stated there are special provisions whereby if there are work delays or stoppages, the City can take the property back. He stated the outside date of completion is 30 months, although they expect the project to be completed much sooner. Ms. Rowland stated the Downtown District Committee anticipates improvements to the district and is trying to figure out funding beyond the Downtown District Fund. She asked what Downtown TIF revenue might be available for other projects. Mr. Spalding replied he does not have the answer at this time, but he has hired Policy Analytics, LLC to create a business plan for each TIF district. He stated then they will have good future projections and be able to provide requested numbers. Ms. Rowland agreed the Council has been good stewards, and if this project generates more revenue for Downtown, that is a positive thing. Mr. O'Connor and Mr. Howard discussed the Hague Road bond and determined there is not any significant revenue available from that source.

Mr. Jensen asked Mr. Bowen to do as much due diligence as possible to preserve the existing facades. He stated Noblesville prides itself on its historic charm. He stated he thinks those buildings have historic significance. Mr. Bowen replied he plans to ask someone with local historic expertise to join their team to determine the feasibility of saving the facades. He promised to pursue it and be able to articulate the feasibility of Mr. Jensen's suggestion. Mr. Taylor agreed that the façade should be saved if possible. Ms. Rowland asked how many floors the building would be. Mr. Bowen replied it will be five stories above ground. Ms. Rowland noted the Richwine building across the street is three stories, so this will be much taller. Mr. Bowen agreed. Ms. Rowland stated she was unable to see the exterior details in the rendering. Mr. Bowen offered to distribute a high-resolution photo. Ms. Rowland asked what the height limit on Downtown buildings is. Planning Director Sarah Reed replied this is the first project to use a process initiated in 2015 by her predecessor regarding mixed use in Downtown. She stated they have, through the public process, an opportunity to modify standards. She stated the current standard is four stories or 50 feet, but each project can be examined on its own merits. She stated a waiver could be granted for height. Ms. Reed explained the height standard was put in place many years ago because the City did not have a ladder tall enough to put out a fire in buildings taller than 50 feet. Ms. Rowland stated if it is not written, it should be that no building can be taller than the Courthouse. She stated she is concerned that the new does not overpower the old. Ms. Reed agreed. She stated she will work with Mr. Bowen. Ms. Rowland asked what the amenities on 9<sup>th</sup> Street will be. Mr. Bowen replied that space will be their leasing office, but they want to make it look vibrant and fun. Mr. Johnson congratulated Mr. Bowen for bringing together several things that the City has needed and citizens have wanted for some time. He stated there are still details to work out, but it is a good idea. Mr. O'Connor asked if the third floor courtyard would be available to the public. Mr. Bowen replied it is not likely to be a public amenity for the sake of the safety and privacy of the residents. He stated they may allow special events, but he wants to protect the integrity of the space for the people who will live there. Ms. Rowland stated she drove by a building in Carmel that looks just like this project, and she hears there is one in Fishers that looks just like this one. She stated if this is true, she does not think it is a good idea. Mr. Bowen agreed that it would not be a good idea. He stated he does not want this building to look like anything other than itself. He stated he has tried to take elements from other Downtown buildings to create something special. Ms. Rowland asked if this building was designed from a template. Mr. Bowen replied no, he has studied precedent photos of buildings around the country and in Noblesville, but he is not copying another community. Ms. Rowland stated in fairness, communities built around the same time used the same facades. She stated Arcadia has the same historic facades and upper level design as the historic buildings in Noblesville, so designs were duplicated quite often back then; however, we do not want to duplicate Carmel or Fishers. Mr. Bowen agreed. Mayor Ditslear pointed out that there will not be

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a lot of these. He stated emphatically that Noblesville will not be a Carmel or Fishers. Mr. Hampton observed it must be a challenge to design something unique that is not like what other communities have. He stated he also thinks the building is too tall, but he understands there are probably financial considerations. Mr. Bowen reiterated Mr. Cooke's comment that Fishers and Carmel are trying to create what Noblesville already has. He stated he lives in Noblesville and has family that live and work Downtown; he wants to get it right. He stated this rendering is merely a canvas; there are many ways to improve it. He noted the building that once stood on the site was 50 feet, so this building will be nine feet taller. He stated it is close to the Square, but since it is not on the Square, they felt there was room to breathe. He noted the courtyard facing Maple also decreases the impact on the view. He stated they have flown drones and done angle studies to make sure the view and shade are pleasing. He stated it could be cost prohibitive to have fewer apartment units unless the City makes a much larger contribution to the project. He stated they studied several variations and determined this design has the best outcome for both partners. Mr. Jensen stated several businesses will be impacted by this project. He asked who they should contact with their questions. Mr. Bowen stated he has already met with several people, but he encouraged anyone else with questions or concerns to contact him. Ms. Rowland noted the Public Safety Building was once the post office, and that façade was preserved. She urged Mr. Bowen to keep the facades if possible. Mr. Bowen agreed and stated he would love to keep the façade, but below ground parking will make it more difficult. He stated he will have to rely on his engineers to make the best decision. Ms. Rowland referenced a newspaper article that mentioned possible artifacts from the Wild Opera House. She encouraged Mr. Bowen to be sensitive to artifacts when they dig. Mr. Bowen replied he plans to be sensitive to those concerns and thinks it would be fun to have our own "archeological dig".

Bob DuBois of 416 Westchester Boulevard and president of the Noblesville Chamber of Commerce addressed the Council. He stated he has been waiting for the right time to come to this lectern with a comment, and today is the day to do that. He stated he is impressed with what he has seen and heard tonight, as well as what he became aware of over the last couple of days. He stated we have been looking as a community at how to retain our workforce. He stated we have heard a bunch of different things, but one was that Noblesville didn't offer a wide variety of housing. He stated this project begins to do that. He stated young folks want to live Downtown, and retirees want to get out of their homes and live in a Downtown setting; this does that. He stated we've been talking about parking for 60 years, and now we finally have a solution. He stated the Parking Task Force looked at every way to address and enhance parking in Downtown Noblesville; every conversation came back to the need to expand capacity. He stated surface parking lots make no sense and do not make good use of our limited Downtown land. He stated you have to go vertical, and it is expensive; you have to find a really creative way to make it happen. He stated this is extraordinarily creative. He stated the relationship that he heard tonight between the City and the developer is extraordinarily unique and very complicated. He stated he will not comment on the finances of the project because there is a lot for the Council to figure out, but he heard a lot of willingness on behalf of the developer to work with the City on making sure the financing works, making sure there is protection for the taxpayers, and working with the people who care how it looks, which is quite important. He stated he likes it a lot, but he is not a good architect. He stated he will let others who are savvier than he is make comments on it. He stated this begins to address all the things we have been talking about in Downtown Noblesville that are needed to create some vitality and sustainability for our Downtown merchants and property owners. He stated retail is under siege across this country, so in order to maintain what we have, we need to put more bodies that live in Downtown Noblesville. He stated this begins to do it. He stated he couldn't be more pleased with where the City is headed. He stated there are a lot of questions that still have to be asked and answered, and a lot of complicated finances, but this begins to do what is needed for the life of Downtown Noblesville. He commended the City for its hard work. He stated he is glad we are publicly talking about it, because there have been lots of rumors for months about what was going to happen. He stated he knows others are looking at other properties, but this is the first one out of the box. He stated as the Mayor said, there will not be a lot of these. He stated we need to do the first one really well to set the bar and the standard for anyone else that might come along; it lays a road map for others. He thanked the City for their hard work and stated the Chamber of Commerce lends their support.



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Jeff Zeckel of 519 North 17<sup>th</sup> Street addressed the Council. He stated he is here first to applaud the name; the Levinsons and Josephs were the first two successful Jewish families that settled in Noblesville. He stated some may remember Harry Levinson. He stated he is here because he thinks it is important not to rush to judgment; it is important to gather all the facts. He asked the Council three questions: 1) will there be enough parking spaces (even a one bedroom apartment may have two people living there, and people may not leave on the weekends); 2) for the sake of transparency, how will Mr. Holt and Mr. Ayer be compensated for their land; and 3) will the Council have final approval of the project. Mr. Jensen replied questions will be answered after everyone from the public has spoken.

Lorna Steele of 200 Wintergreen Drive and executive director of Noblesville Main Street addressed the Council. She stated she echoes Mr. DuBois; he did a great job. She stated Noblesville Main Street is a 501(c)(3) independent non-profit organization whose mission is to lead and organize community resources, and to develop and promote the economic and cultural vitality of Downtown Noblesville. She stated they believe that The Levinson is a phenomenal asset to our Downtown by providing additional parking, housing, and retail space. She stated they deeply appreciate and support the City's vision and commitment to ensuring that Noblesville maintains forward progress, and their commitment to ensuring our economic base is very diverse and vital. She stated they also want to express interest in our Downtown businesses; she stated she is committed to working with the City and the developer to ensure our current businesses are highlighted and not crowded out. She stated she is also excited to bring more and different restaurants and businesses into Downtown.

Jesse Pohlman of 5695 Kenyon Trail addressed the Council. He stated he is a member of the Board of Directors for Noblesville Main Street, but his comments tonight are as a private citizen. He encouraged the Council to continue to pursue opportunities like this and partnerships with the private development community. He stated so often communities come up with their vision for their downtown or other parts of their community, but for whatever reason do not follow through with implementation. He encouraged the Council and hoped they have the courage to follow through and implement their plan. He stated his perspective of The Levinson is that it is unique and contextually appropriate and complementary to what we have in Downtown. He stated when we talk about historic architecture and history, if we wait too long, our surface parking lots become historically relevant. He stated to see projects like this that don't necessarily replicate what was built 100 years ago but are of high quality, when they look back in 100 years, it will represent what Noblesville is today. He stated our children and grandchildren will understand what Noblesville was 100 years ago, which is exciting and gives him a reason to bring his children Downtown. He stated there are a lot of exciting things that continue to happen with the river and on the tax base side. He stated as a citizen and taxpayer, he gives permission to use his tax dollars to encourage this type of development Downtown.

Elizabeth Thompson of 411 North 10<sup>th</sup> Street addressed the Council. She stated she also has a business in the community. She stated she did not anticipate speaking this evening. She thanked the Council for listening to what is taking place. She stated she came to Noblesville 17 years ago from Chicago; she grew up in Carmel, went to Carmel High School, and went to Purdue. She stated she is an Indiana girl. She stated when she moved here to take care of her parents who are still in Carmel, she fell in love with Noblesville. She stated she fell in love with the lollipops and Kirk Hardware; he still makes her screens, and she goes in the back door that squeaks. She stated she goes to the Copper Still on Friday night for their fish tacos; they bring back all the history and the wood grain – all of that. She stated Ms. Rowland is probably a kindred spirit. She stated she cannot tell how important it is from generation to generation not to lose what we have here. She stated we have a majestic clock tower. She stated she knows of six apartments in a Victorian home, and every tenant grew up here and wants to come back. She stated the owners renovated those homes, but they still want the exterior and the Victorian feel. She stated her daughter and son-in-law are first time home buyers. She stated she has taken them all through greater Indianapolis, Carmel, Noblesville, and Westfield. She stated they would like to be here. They want to be here on brick streets and walk to the Square; they want that hometown, quiet feeling.

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She stated she respects what they are trying to do with the design of this project. She asked the Council to bring back the richness of years ago. She stated her children want the modern tech on the inside, but on the exterior, they want that community feeling. She asked why there can't be a trolley for people who don't want to walk from parking. She asked why this garage isn't on Plum and 9<sup>th</sup> Streets, or development next to Federal Hill Commons, or moving Kroger and developing there. She stated we have a waterfront and a gorgeous clock tower; that is our gem and what we are all about. She stated don't take that away and diminish it with the new. She stated she gets her hair done by William on the Square; she is with him for two hours every five weeks. She stated during those two hours, he shares the life he grew up with in Noblesville. She stressed to the Council not to lose that. She stated this project would help her business, but it doesn't bring her heart to stay in Noblesville.

Mike Corbett of 498 South 10<sup>th</sup> Street addressed the Council. He stated he agrees with Bob DuBois; Downtown has needed this for a long time, and he is gratified that we are looking at this and talking about it. He stated he would like to say a few words about the process. He stated most of the people in this room first heard about this project last week when the City issued its press release. He stated this is the first opportunity that many of us have had to weigh in. He stated this will have a profound effect on Downtown and will set a precedent that will probably set the tone for future development. He stated considering that this is the first apartment project Downtown in 100 years and millions of taxpayer dollars are at stake, it is worth taking time to get feedback from people that care deeply about their neighborhoods and get the kind of reaction that you are hearing today to make a more informed decision. He stated there are local organizations who would love to help refine this idea. He stated he belongs to two of them, and the City actually helps fund Noblesville Main Street. He stated one of Main Street's committees is focused on design. He stated presuming that the City supports Main Street for expertise and not just for guaranteed support, he encouraged the Council to use the resources at their disposal and look to them for input. He stated the Noblesville Preservation Alliance (NPA) also is full of people who feel strongly about this issue and have backgrounds that can help improve the quality of your decisions. He urged the Council to use them; they are eager to help. He stated this Administration has a reputation for making backroom deals and presenting completed projects to the public when it is too late to do anything. He stated he hopes that is not the case here and is gratified to hear from Mr. Cooke that there will be more opportunities for public input. He stated Mr. Bowen has said he is committed to transparency, and that would be a welcome change. He stated finally, he wanted to bring the Council's attention to the inflated price tag of the proposed parking garage. He stated we haven't seen a lot of figures having to do with this, but the one figure that we have seen is that the parking garage is going to cost \$13.2 million. He stated for 337 parking spaces, if you do the math, we are paying more than double the national average for a parking structure. He stated if you consider we are only netting 167 parking spaces (after all, this is being built on a parking lot), the price is quadruple the average. He stated according to national estimates, parking garages cost an average of \$20,000.00 per spot; at \$13.2 million, this will cost \$40,000.00 per spot. He stated this seems expensive, and he encouraged the Council to take a look at it.

Brian Holcombe of 12312 Inside Trail addressed the Council. He thanked the Council for providing this forum for public input on such an essential need for the City of Noblesville. He stated he rises in support of Resolution RC-12-18. He stated it is a logical and straightforward response to the growing need for accessible parking and housing for millennial members of the community. He stated his wife has lived in Noblesville her entire life; there was no other place that she would ever call home. He stated as soon as they moved here, he quickly realized she was right. He stated they have lived in downtown Indianapolis, West Lafayette, and Muncie. He stated close proximity to amenities is a major need for not only himself, but for his growing family. He stated to recreate that proximity, they looked for apartments in and around Downtown Noblesville that fit their small budget without success. He stated they settled in apartments northwest of Little Chicago Road and 216<sup>th</sup> Street, just inside the city limits. He stated being away from Downtown, they shop and dine in other local areas, such as Westfield, Carmel, and Cicero, as they are closer to our home. He stated millennials want accessibility and will go to the closest location without loyalty to certain brands. He stated with an affordable housing focus on



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this growing group, the City is opening its doors to a new wave of millennial residents and their buying power with this development. He stated additional parking will not only provide Hoosiers access to local stores, but also the community access to county government. He stated Downtown serves growing Hamilton County just as much as it does our community. He stated with the county Courthouse on the Square, residents come from throughout the community during business hours to court hearings, to obtain marriage licenses, and for other county services. He stated his wife and her colleagues at the Department of Child Services are issued numerous parking tickets due to the prolonged court hearings and minimal parking spaces around. He stated with a central parking garage, parking issues may not be completely answered, but it is a step in the right direction. He stated Noblesville needs change; the status quo will only push the next generation of Millers to become Royals, Tigers, or worse – Greyhounds. He stated with the sound foundation of this development, millennials will have a location that caters to their wants and needs. He stated the great community of Noblesville will have an historic Downtown with modern amenities. He stated it is important to remember the last hundred years, but it is also important to embrace the next 100.

Brian Landress of 294 South 9<sup>th</sup> Street addressed the Council. He thanked the Council and Mayor. He stated he will not repeat what they have heard tonight; he commended the City for exploring visionary ideas of a garage. He stated we know we need a garage and that we have a parking problem. He stated all of the businesses on 9<sup>th</sup> Street know we need this amenity to improve their businesses. He stated we heard tonight about making history, but the question is, are we going to make the right history or the wrong history. He stated there are a lot of tradeoffs in this plan, and hearing this has already proceeded for three months with no input from the community or citizens is a missed opportunity at best. He stated there are opportunities to be more transparent; we heard about transparency tonight. He stated the question is, are the Council and the City willing to be transparent with the people here tonight and everyone throughout Noblesville. He stated we want a partner, and there are good opportunities for the citizens and the organizations (he is a board member of the NPA, but he is not speaking on their behalf), but as Mr. Corbett mentioned, there are many members of the NPA who would be willing to provide input on this process. He stated the developer seems like a fine developer, and we would like to work with him. He stated the question around transparency really is that we have been through this “check the box” process before; we’ve seen it on the rails, on Seminary Park, and on the Pleasant Street bypass. He stated the question is, what will the Council do tonight to show the citizens for the first time in a while that you will listen to the citizens’ input. He stated the height of the building is too tall; you’ve heard this tonight. He stated it clearly impacts the financials of the deal; is the City willing to look at a four story building or a three story building. He stated he hopes that they are, and he thinks that is the opportunity. He stated will the Council, who approves the funding, says what goes, and represents we the people, put us first in this process. He stated a good foot forward would be to ask the Administration and the developer to put a board together representative of the citizens and these organizations, and not permit this to proceed until that is assembled. He stated there needs to be true, legitimate input in the process and not just a “check the box”. He stated we don’t want any more “check the box”. He stated as a Downtown citizen and citizen of Noblesville, we live with this every day. He stated it is a fantastic project that clearly has lots of excitement, but you need engagement with the citizens that A) will pay the bill on this for quite a while, and B) will live with it. He stated he appreciated their time and consideration and asked that the Council deny moving this forward until a citizen and organization board can be assembled to provide input in this process.

Harry Sauce with offices at 829 Conner Street addressed the Council. He stated he has been in this community for almost 50 years, and almost 30 years at his present location. He stated enough has been said about Carmel, and although he happens to live there right now, his heart is in Noblesville. He stated his business is here, and he has practiced law here. He stated he served this community for 15 years in the older Courthouse that is outside his front door. He stated while they have eroded if not erased his memories of going to the basement of the Courthouse for county court for 15 years, it is still in his heart, and in the hearts of many in this room. He stated he counts the Mayor, Mr. Howard, and Ms. Rowland as friends. He stated he has mixed emotions about what he has heard tonight and what he was given in an email last night. He stated

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he is not pro or against the project at this point, but he has some concerns. He stated he can be expected to come more than once. He stated he is sure a great deal of thought and a lot of talent went into designing this building, but just like every nice piece of architecture, he isn't sure if he wants it in his back yard. He stated he is on Conner Street, and he walks through the south alley to go to work every morning. He stated he is disabled; he doesn't ask for himself, but for the community, that handicapped access be considered. He stated the first time he went to Macy's, he had to park on the top level of the parking garage, and his wife had to push him in a wheelchair to a floor where they could access the elevator to enter the store. He stated the back door of his office is approximately 30 feet from a handicapped parking spot. He stated he parks there every day. He stated he is concerned about getting to and from a parking garage. He stated he sees people in vans that are much worse off than he is, and he wonders how they will fare. He stated a lot of great thought has gone into this, and a lot of great thought still needs to go into it. He stated he has some concerns, but he also is very thrilled. He stated we have needed parking spaces for a long time. He stated he questions, and he hopes the Council does too, what is the best solution for the people of Noblesville. He stated he owns a building and pays taxes; he appreciated the Council's time.

Rick Smith of 519 Canterbury Court addressed the Council. He stated he wanted to talk about a couple of things: first, he has heard a lot of concerns about the project, and the rollout was surprising, but he likes it. He stated he isn't sure about the height, but overall it looks like a good project. He stated it has a lot of good things going for it. He reminded the Council that he spoke to them about the SMC abatement a few months ago, and one thing he mentioned at that time was that the average acreage tax in the Downtown area was \$145,729.00. He stated this was based on all of 9<sup>th</sup> Street's Assessed Values (AV). He stated he also did a study on Lowe's, Meijer, and Walmart; they average \$19,000.00 per acre. He stated the land Downtown is very, very valuable, and a building like this will help to energize that property and help get more value from it by bringing people Downtown all the time. He stated he has many positive things to say about it, but he is very concerned about the parking garage. He stated the most expensive place in the country to build a parking garage is New York City, and it costs \$26,510.00 per space. He stated we are paying \$36,169.00 per space for 337 spaces. He stated on the 167 spaces that we gain, the fully allocated cost per space is \$79,000.00, which is huge. He stated in Indianapolis, the average is \$18,041.00 per space. Mr. Smith distributed a handout to the Council. He stated he likes a lot of what he sees; he thinks it is a good thing and will do well, but he is really concerned about the parking garage. He stated he has \$7.1 million concerns.

Thane Bushong, owner of 835 Conner Street, address the Council. He stated he has served on the Parking Task Force for the past two years, so he has a high level interest in this. He stated his business is also next door to Mr. Sauce's, and he shares some similar concerns. He stated he hasn't decided if he is for or against it yet. He stated as this is being talked through, he encourages further consideration of the location that best suits the City, not just in the here and now but also for the 80 residents that will become members of this community. He stated he would like everyone to remember that we are not only citizens of Noblesville, but citizens of Hamilton County. He stated it is time for the City and the County to get along and consider what is in the best interests of our citizens, whether of Noblesville or Hamilton County, because we are all one and the same. He stated whether we are from Carmel, Westfield, Noblesville, or wherever, we all want to make this place great. He stated he likes the vision; he has had conversations with the developer and likes what is going on, but he thinks we should continue to consider the location. He stated we have a wonderful riverfront and have had a fully developed plan for a very long time. He stated he would like to see us take advantage of one of our greatest resources and put this thing in the right spot. He stated he is not talking about where he is located, because he will have a different view than he currently has. He stated the City was kind enough to give him a façade grant several years ago and helped him activate the alley that will now have a little different view. He stated he will address his personal concerns with the developer directly; he has been kind enough to grant an audience. He stated he encouraged the Council to continue to look at locations, because this is one step in a plan of progress that is sorely needed in Noblesville.



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Mr. Jensen invited Mr. Cooke to address the expressed concerns. Mr. Cooke replied there have been many good questions and good conversation. He requested to give the team a chance to sit down and go through the questions together, in order to provide complete answers. He stated he thinks that would be the most appropriate. He reminded the Council that they are not asking for approval of the resolution tonight. He stated typically for a project agreement, they could request a vote, but they wanted the process to play out and ask for the project to be considered again at the September 11<sup>th</sup> meeting. Mayor Ditslear stated they committed earlier to answering Mr. Zeckel's questions, and they need to honor that. He asked Mr. Zeckel to repeat his first question. Mr. Zeckel stated he wanted to know more details about the parking and how the spaces will be shared between the apartments and the public. Mr. Bowen replied they have decided to maximize spaces for the public as much as possible, which is different from any community who has entered into a partnership like this. He stated a majority of the residential spaces will be public when the residents are presumably not home Monday through Friday. He stated 100 spaces will be reserved on nights and weekends, when the residents will presumably be home. Mr. Zeckel asked if 100 spaces will be reserved for 83 apartments. Mr. Bowen replied that is correct. He stated there are only 12 two bedroom apartments for a total of 95 bedrooms. He stated typically a developer would reserve 150 spaces for residents, but we are beginning on the other end of the spectrum. He stated he needs the City to be a good partner, because if this arrangement becomes a problem for the residents and the project doesn't succeed, that would be an issue. He stated it is possible that 100 residents will be there at the same time, but it is not likely that 200 will be there at the same time. He stated this arrangement is based on experience and trying to leverage more to the public's benefit than the typical arrangement of the developer reserving the spaces all the time. He stated because he is a developer and will not construct the garage, he is incentivized to keep costs down. He stated two floors below ground cost twice as much as an above ground garage. He stated unequivocally that it is more expensive to build below ground; much more has to be done. He stated putting apartments on top of a garage is also an expensive endeavor; a podium must be built and fire safety features added, things that do not have to be included in a parking garage only. He stated lastly, this doesn't look like a parking garage; staff and everyone else said they didn't want it to look like a parking garage, which also comes with a price. He stated he believes he could build an above ground parking garage with no apartments for less than \$20,000.00 per space. He reiterated that the project is open book; it will cost what it costs, and he hopes it costs less than estimated and the City gets money back. He stated the City has a consultant to review all the numbers, so it is easy for him to say he thinks it is more expensive too. Mr. Bowen stated he hopes it is less than the estimate, but it will be more expensive than a traditional parking garage. Mr. Hampton noted that residents will know when they move in that there will be only one parking space, so they may or may not choose to come here. Mr. Bowen agreed. He stated it is part of an urban, Downtown project. Mayor Ditslear stated many apartments reserve 1.5 to two spaces per apartment, but this project reserves only one per apartment. Mr. Zeckel asked for the sake of transparency, how will the Holts and the Ayers be compensated for their property. Mr. Bowen replied he negotiated purchase agreements with both property owners six or seven months ago, and has purposely not shared them with Council. Mr. Zeckel asked if they were bought out. Mr. Bowen replied yes, and he has not forwarded those agreements to anyone out of respect for the private landowners. Mr. Zeckel stated it makes sense that the City was not involved. Mayor Ditslear stated it is in the constitution that the City can't just build wherever they want to. He stated there is eminent domain, but they don't want to use it ever. He stated land taken through eminent domain must be used for a public purpose and can't be sold after a few years. He stated the City doesn't know what the landowners are getting, and he doesn't care. Mr. Zeckel asked if the Council will have the final say in the project. Mr. O'Connor replied yes, they will.

Mr. Taylor thanked everyone for coming. He stated there has been talk of other locations, and several have been mentioned. He noted these are his own thoughts. He stated 6<sup>th</sup> and Conner Streets is owned by the County, and the parking study said it was too far away. He stated the County owns two other lots; the one on north 9<sup>th</sup> Street is too close to residences for this type of project, and the north 8<sup>th</sup> Street lot is too small. He noted that even if the City were able to work out an agreement with the County, their parking spots would have to be replaced, which would require an even bigger garage. He stated he doesn't believe the County is interested at this time;

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they don't need the spaces. He stated he believes this is the right place and the right proximity. He stated apartments are already established across from this site, so it would fit in well. He stated the parking study found that in 2009, 75 percent of parking was on the street; in 2015 it was 80 percent. He stated in his opinion we have waited too long and should have started long ago, but progress takes time. He stated he thinks this needs to move fairly quickly and shouldn't be studied for two more years, or many people here will want to know why there isn't any parking. He stated it is a big issue; the parking study showed the Downtown merchants are screaming for more parking so they can keep their businesses going. He stated he believes the design needs work, and the height bothers him; he would like to see what else we can come up with. He stated some people don't want this in their backyard; he noted it is his backyard too. He stated he wants to make sure we get it right the first time. Ms. Wiles echoed Mr. Taylor's comments and thanked everyone for coming to be a part of this tonight. She stated many times there are Council meetings with no one sitting in the audience. She stated she thinks it is wonderful that so many have come to be a part of these conversations, and she urged them to come back and continue to do so. She stated she wants to continue the conversation at the next meeting, and if there are further conversations and questions, they might need to delay further action later on. She stated the Council appreciates having everyone here and encouraged them to share their thoughts with the deputy mayor, Mr. Bowen, the development team, or Council members. Ms. Rowland agreed that every meeting should be standing room only, but not every meeting is as exciting as this one. She stated she thought it was a good idea for appointments from interested organizations within the community along with Council members to work with the Administration and the developer. She stated she does not mean to slow the project, but it would give legitimate process to the project. She stated both elected and non-elected officials cannot be too transparent. She stated NPA and Main Street are two obvious groups that should be involved, and she would like to see some Council members involved. She stated she will watch to see that it happens and hopes there is a commitment from the Administration to make it happen. She stated she would also like to see a schedule of the approvals by the different authorizing bodies and when they are expected to happen. She stated when the dates are set, they could be included in a reference guide, published in the paper, and put on the website. She stated she agrees that the building is expensive, but agrees with the developer. She stated she agrees about the height of the building and that there could be a cash flow problem. She stated she believes there is a long way to go, but it also needs to keep moving, which is a trick. She stated she knows that if everyone can sit at a table and get answers, it begins to go much easier than feeling like something is perhaps not as transparent as it should be. She stated this is a big project that will cost a lot of money; she encouraged everyone to get close, figure it out, and feel comfortable with it. She told Mr. Bowen that the next one will be much easier; the first one is the toughest. She stated she appreciates the interest in Noblesville, and she is excited that we have one chance to get it right. She stated from what she has seen, the people 150 years ago did it a heck of a lot better than we seem to be able to do it today. She stated she is amazed at the success Noblesville has had all these years. Mr. Hampton stated he loves the idea of a citizens board and thinks some of the people who spoke tonight would be great representatives on that board to share ideas. He stated he hopes the development team takes the idea seriously. He stated until we take another step in the process, we should recognize that request and be as transparent as we can. Mr. O'Connor stated he appreciates Mr. Sauce's comments on ADA compliance. He stated it is important to make sure everyone has access and can move freely; rest assured that it will be part of the thought process. He stated being finance-minded, the parking garage is expensive, there are no two ways about it. He stated in order for this to work effectively, it needs to be a 50 to 75 year asset. He stated practically speaking, we don't need more surface parking. He stated it is expensive to build below ground – the cost doubles. He stated he didn't like it when he first saw it, but from a practical perspective, amortized over a 50 year life, it isn't that expensive. He stated it is a lot of money up front, but he would rather put it in now. He stated there are costs associated with below-ground parking, but once it is in, it will be a great amenity for a long time. He stated he appreciated the earlier comments, because we could build a concrete structure for \$20,000.00 per space perhaps, but what will we have. He stated it would not be aesthetically pleasing, and none of us want that in our Downtown where we pride ourselves on what we see every day. He stated he recognizes that it will be expensive, but there is real rational thought behind it so that everyone can enjoy what they see and not look at a parking structure that



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doesn't fit in with the streetscape that has been created over 100-plus years, as Ms. Rowland said. He stated we will work on the transparency piece; these things evolve over time and take time to digest before it is made public because no one is sure if it will work from an economic perspective. He stated as much information as possible will go out, and he hopes everyone comes back. He stated everyone on the Council is trying to represent the citizens' thoughts and views, and they want to get it right the first time. Mr. Jensen also thanked everyone for attending. He echoed Ms. Rowland's statement that this is exciting; there are a lot of opinions about it, but it is exciting. He stated he tries to avoid social media, but someone made a comment that City government viewed Old Town as a harvesting ground for demolition. He stated that stuck with him, because he couldn't think of feeling more the opposite about Old Town. He stated he felt he spoke for most of the Council that it is simply not true. He stated he is trying to make this community the best it can be; it is his hometown, as it is for many on the Council. He thanked everyone for coming. He stated the resolution could have been voted on this evening, but he feels there needs to be more conversation, and the Council is excited to listen.

Ms. Wiles moved to postpone consideration of resolution #RC-12-18 until the September 11<sup>th</sup> meeting, second Mr. Taylor, eight aye.

**COUNCIL COMMENTS**

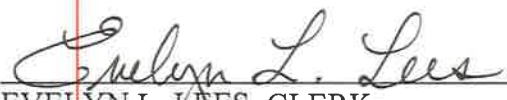
There were no additional comments.

**ADJOURNMENT**

There being no further business before the Common Council this 28<sup>th</sup> day of August, 2018, Mr. O'Connor moved to adjourn, second Mr. Taylor, eight aye.

  
CHRISTOPHER JENSEN, PRESIDENT

ATTEST:

  
EVELYN L. LEES, CLERK