

**COMMON COUNCIL
CITY OF NOBLESVILLE
APRIL 23, 2024**

The Common Council of the City of Noblesville met in the Council chamber on Tuesday, April 23, 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, Community Development Director Sarah Reed, Public Safety Director Chad Knecht, City Attorney Jonathan Hughes, Department Directors, staff, interested citizens, and a member of the media.

PLEDGE OF ALLEGIANCE

Noblesville Main Street Executive Director Kate Baker led the chamber in the Pledge of Allegiance.

ROLL CALL

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

APPROVAL OF MINUTES: APRIL 9, 2024

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

APPROVAL OF AGENDA

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

PETITIONS OR COMMENTS BY CITIZENS WHO ARE PRESENT

There were two requests to speak from citizens. They chose to speak when the item is considered.

MAYOR'S COMMENTS

Mayor Jensen stated State Road 32 closes tomorrow from 16th Street to 9th Street for 45 days for the second phase of the project. He stated the road is highly traveled and is the main thoroughfare through Downtown. He stated the closure will be really, really difficult. He asked drivers to be patient, give each other grace, and allow extra time when traveling Downtown. He encouraged people to consult the project's website for the latest updates and information at www.reconstructingSR32.com. He stated public safety officials are working overtime to keep everyone safe and keep traffic moving. He stated the City has an ordinance prohibiting large trucks from using residential streets Downtown, but not all truckers are aware of the ordinance. He stated police officers are doing their best to maintain traffic flow and support our small businesses. He stated there are other construction projects as well. He stated Hamilton County is constructing an interchange at 146th Street and Allisonville Road. He stated Allisonville Road is closed to the north and south. He stated he wishes the large projects could be staggered, but they are under different agencies with different timelines and funding streams. He stated delaying projects will only impact other projects that need to be done. He thanked the Council for their support. He stated the City is doing the best it can to communicate with the public. He thanked those working on the projects. He thanked Downtown residents for their patience. He asked anyone with concerns to contact him or his office. Mr. Peterson expressed appreciation for the Mayor's response to concerns.

COUNCIL COMMITTEE REPORTS

Ms. Wiles stated the Economic Development Council Committee met on April 10. She stated the committee received a report on key performance indicators for 2023 from the Economic Development Department, and the information was very positive. She stated the Make My Move program resulted in 123 new residents to the City. She stated the average salary of the grantees

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was \$142,000.00. She stated marketing and business attraction were discussed, and Innovation Mile and Campus Center were reviewed. She stated staff provided business retention updates. She stated Economic Development Manager Amy Smith reviewed the TIF proformas.

Mr. Peterson stated the Roads Committee met on April 12. He stated the 2023 Street Rehabilitation – Contract II paving Old Town south of Cherry and east of 10th Streets is almost complete. He stated Contract III on Boden Road from 146th Street/Greenfield Avenue to State Road 38 is almost complete. He stated the State Road 32 project that the Mayor mentioned has a helpful website at www.reconstructingSR32.com. He stated the Pleasant Street project is ongoing. He stated the Little Chicago Road Trail over Morse Lake will have barriers and lane restrictions into June. He stated there will be a full closure of the bridge from June to October.

Mr. Davis stated the Finance Committee met on April 18. He stated Chief Financial Officer and Controller Jeffrey Spalding discussed an ordinance establishing an audit committee, which is on the agenda tonight. He stated Human Resources Director Holly Ramon discussed the City's benefits self-insurance performance. He stated Doug Walker of Walker Professionals insurance discussed the City's property and casualty self-insurance performance. He stated Mr. Spalding discussed the bond sale closing for the event center. He stated Deputy Controller Caitlin Moss discussed a quarterly investments performance for the first quarter of 2024, and she discussed a quarterly negative fund balances tracking report for the first quarter of 2024. He stated Deputy Finance Officer Ian Zeligowski discussed quarterly financial reports for the first quarter of 2024. He stated the committee recommended approval of the claims.

APPROVAL OF CLAIMS

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

MISCELLANEOUS

#1 COUNCIL TO CONSIDER RESOLUTION RC-16-24, A RESOLUTION AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF NOBLESVILLE, INDIANA TO UPDATE THE TRANSPORTATION ZONE IMPROVEMENT PLAN (JONATHAN HUGHES)

Mr. Hughes stated this resolution and the next one are related to the impact fee ordinances. He stated one of the steps required to enact an impact fee includes adopting the Zone Improvement Plan into the City's Comprehensive Plan. He stated this Zone Improvement Plan is for transportation. He stated a study was conducted by A&F Engineering, then it was reviewed by the Impact Fee Advisory Committee and himself. He stated then the Plan Commission held a public hearing before the impact fee ordinance was presented to the Council. He stated all reviewers recommend adoption of the plan. Ms. Wiles moved to approve Resolution RC-16-24, second Mr. Schwartz, nine aye, motion carried.

#2 COUNCIL TO CONSIDER RESOLUTION RC-17-24, A RESOLUTION AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF NOBLESVILLE, INDIANA TO UPDATE THE PARKS AND RECREATION ZONE IMPROVEMENT PLAN (JONATHAN HUGHES)

Mr. Hughes stated this resolution is similar to the previous one, but it concerns Parks and Recreation. He stated Chuck Lehman of Lehman & Lehman conducted the study for the Parks and Recreation Zone Improvement Plan. He stated the Impact Fee Advisory Committee, himself, and the Plan Commission all recommend adopting the plan into the City's Comprehensive Plan. Ms. Wiles moved to approve Resolution RC-17-24, second Mr. Boice, nine aye, motion carried.

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PREVIOUSLY DISCUSSED ORDINANCES

#09-04-24 COUNCIL TO CONSIDER ORDINANCE 09-04-24, AN ORDINANCE ESTABLISHING A DESIGNATED OUTDOOR REFRESHMENT AREA (DORA) IN ACCORDANCE WITH IC 7.1-3-31 (AARON HEAD)

Community Engagement Manager Aaron Head stated there have been amendments to the ordinance since first reading. He stated the description of the boundaries of the Designated Outdoor Refreshment Area (DORA) have been reworded to make them more understandable. He stated three more restaurants have been added to the list of permittees, and two more vendors have been added. He stated he assumes there will be more designated permittees in the future. He stated the weekday hours for the DORA were changed from noon to 11:00 p.m. to noon to 10:00 p.m. Monday through Thursday to better align with restaurant hours. He stated this DORA is new to Hamilton County, but there are 11 approved DORAs throughout the state. He stated other communities have asked for assistance in writing their DORA ordinances due to the publicity this ordinance has received. He stated because there is so much construction in Downtown, he hopes this ordinance will help bring additional foot traffic to Downtown businesses. Mr. Peterson asked if the Council would have to approve any new businesses or vendors. Mr. Head replied yes, and staff will work with event and festival organizers for Council approval to add additional vendors for their events. Mr. Smith thanked the Mayor and Mr. Head for lobbying the legislature to allow DORAs. Mr. Boice asked Mr. Hughes if the City will be liable if someone drinks in the DORA then is hurt on the sidewalk, for instance. Mr. Hughes replied the question of liability and reasonable claims are two different things. He stated he feels comfortable with the ordinance. He stated State law allows the DORA, and there will not be unlimited drinks served. He stated he doesn't feel this ordinance exposes the City to an unreasonable increased liability risk. Mr. Johnson asked if there will be a fee associated with participating in the DORA. Mr. Head replied no, there are no fees charged by the City or the State for designated permittees; it is added to their existing liquor license. Mr. Johnson asked who would bear the cost of the special cups and signs. Mr. Head replied the City will provide the required signs, and the City may provide the first designated cups to the businesses, but then they will be responsible for buying their own. He stated the City will work with their suppliers to provide the correct logo and branding on the cups. Mr. Boice asked when the Courthouse Club restaurant is expected to open. Mr. Head replied they want to open in time for the Peony Festival on May 18. He stated the Riverfront Redevelopment District helps vendors obtain liquor licenses more affordably than buying them on the open market.

PUBLIC HEARING FOR ORDINANCE #09-04-24

Mr. Peterson opened the public hearing for Ordinance #09-04-24.

Noblesville Main Street Executive Director Kate Baker addressed the Council. Ms. Baker stated Main Street supports DORA. She stated they are very excited. She stated Main Street's mission is to raise up Downtown Noblesville businesses. She stated Main Street feels strongly that the DORA will enhance a lot of Main Street's fan-favorite programming, such as the Street Dance or a First Friday Sip & Shop event. She stated the DORA brings another level of connectivity between businesses and restaurants. She stated often restaurants struggle to participate in some of Main Street's activities, and the DORA will allow them to get involved. She stated Main Street also wrote a letter to the Statehouse to show support for the legislation allowing DORAs. She thanked the Council for their consideration.

Jeff DeCocq of 1207 Maple Avenue addressed the Council. Mr. DeCocq stated he is a resident of Old Town and serves on the Front Porch Music Festival committee. He stated he also works part-time at Primeval Brewing at 960 Logan Street. He stated he wholeheartedly supports the DORA, and he sees the benefits to the businesses on the Square. He stated on a weekend afternoon, couples go shopping. He stated one half of the couple will stop at Primeval Brewing for a beer while the other half is shopping. He stated they often ask if they can take their beer to the antique shop to join their significant other, and he must answer, "Sorry, you can't do that." He stated a mandate of the Front Porch Music Festival is to help drive more business to the Downtown area. He stated they believe the DORA will help their event and other events like the

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Indiana Peony Festival. He stated the DORA will make Old Town and Downtown an even better place for people to come.

Tim Winton of 10373 Alto Court addressed the Council. Mr. Winton stated he just found out about the DORA today. He stated he is against it. He stated his family moved here in 2009 and started a church. He stated he is the pastor of Freedom Church, and he doesn't mind people drinking. He stated his family fell in love with Noblesville because of Downtown. He stated when they decided to start a church, they decided wherever the church may be, they would live in Noblesville. He stated at Thanksgiving time in 2008, they drove through Downtown and saw the Santas and Christmas decorations, and it was Mayberry to them. He stated he is all for progress, and he understands the DORA may help business, but he is a family man with two adopted daughters. He asked how the DORA would be regulated. He asked how someone would be stopped from overdrinking and affecting his family when they are enjoying the Street Dance. He asked what will happen to families with children who oppose drinking. He stated it is very possible for someone to overdrink. He stated everyone has heard about someone served by a friend who would say, "I've got you covered," and then it turned into something more. He stated he is against the DORA, and he hopes the Council is too. He stated he is not opposed to drinking, but he is opposed to putting it in front of his children. He stated he doesn't drink in his house, and he doesn't see why it should be in a public place. He stated there are all kinds of places to drink. He stated if the DORA is all of Downtown, where people can walk with an open drink, how will it be regulated so somebody can't get carried away. He stated he would like to have an answer if it is possible. Mr. Peterson replied an answer will be provided after the public hearing.

Aili McGill, Executive Director of Noblesville Creates at 107 South 8th Street, addressed the Council. Ms. McGill stated she also is a great proponent of the City's Cultural District, one of only 12 in the state. She stated she believes this is the first Cultural District to explore the DORA ordinance. She stated she is excited about the City's ability to lead and create a more welcoming environment in Downtown. She stated on behalf of the parents of the more than 2,000 little fairies that were in Downtown for Fairyville, many of them wanted a drink. She stated the DORA would have been very helpful this past weekend. She stated she believed the DORA can be done safely and in a classy way that allows the City to keep a high standard of what the Downtown experience is like. She stated the DORA will encourage people to explore more and have a unique Downtown experience. She stated she lends her support.

Bob DuBois, Executive Director of the Noblesville Chamber of Commerce, addressed the Council. Mr. DuBois stated the DORA district was one of the Chamber's legislative priorities several years ago. He stated people may say it is an unusual thing to make a top legislative priority, but Downtown businesses need a lot of tools to be successful. He stated they need to collaborate, coexist, and partner. He stated the DORA district and some of Pastor Winton's concerns were debated during the legislative session, and they were addressed in the crafting of this legislation. He stated no one wants their Downtown community to change its character by adding some of these nice amenities. He stated the Chamber is supportive of the DORA, and he knows that Noblesville will do the right thing and make sure all controls are in the right place. He stated if the controls need to be tweaked, the Chamber knows the City will tweak them to make sure that the Downtown experience is great for families and people who want to have an adult beverage and celebrate. He stated safety and celebration can coexist in Downtown, and the Chamber believes this is another great tool.

Ms. Wiles moved to close the public hearing for Ordinance #09-04-24, second Mr. Boice, nine aye, motion carried.

Mr. Peterson asked Mr. Hughes if he could address Mr. Winton's concerns. Mr. Hughes stated in general, this ordinance does not supersede any other laws. He stated public intoxication laws will still be enforced in the City of Noblesville. He stated the responsibility of bartenders not to overserve customers is still in place. He stated the ordinance does not encourage public intoxication, since there is a limit of two beverages per person. He stated public intoxication will still be against the law. He stated Public Safety personnel will get involved if anyone is intoxicated, damages public safety, or disturbs the peace in any way.

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Mr. Knecht stated several factors were discussed as this ordinance was being written. He stated the DORA is set up for success. He stated the Police Department's motto is "not in Noblesville". He stated the DORA is being set up in a safe manner. He stated the laws for possessing alcohol are not changing. He stated "safe serve" regulations for bartenders still apply. He stated the safe zone will be established by collaboration, communication, presence for deterrence, and when necessary, enforcement. He stated the police station and EMS headquarters are Downtown. He stated any concerns that arise can be addressed. He stated the DORA will deter people who used to smuggle their own alcohol into special events. He stated no one was designated to monitor what they were drinking or how much they were drinking. He stated the Police monitored drinking based on people's behavior with presence and enforcement. He stated with the DORA, bartenders who are liable for overserving patrons will monitor how much is being served. He stated the police devise an action plan for each special event held Downtown, and that will continue. He stated public safety staffing will be in place relative to crowd size. He stated the DORA hours end at 10:00 or 11:00 p.m., so people are not being served until 2:00 a.m. He stated the DORA provides a safe environment where people can relax, have a drink, and enjoy the Downtown.

Mr. Head expressed appreciation for Mr. Hughes' and Mr. Knecht's comments. He stated the DORA is set up to be able to control this type of district. He stated the Police patrol Downtown, and they monitor and perform at a very high level. He stated the DORA is self-policing. He stated when patrons enter bars, they have a responsibility not to drink too much. He stated bars have a legal liability not to overserve patrons, and DORA does not change that liability. He stated there are additional regulations, such as prohibiting anyone from bringing outside alcohol into the DORA. He stated extra enforcement is included in the ordinance. Mr. Smith stated DORAs are new to Indiana, but not to other states. Mr. Head replied that is correct; Ohio has had DORAs for ten years, approximately 120 districts. He stated Wisconsin, West Virginia, and North Carolina also allow DORAs. He stated those states have models that are safe and productive. He stated this ordinance provides the regulations that fit this community. Mr. Peterson asked if any other communities with DORAs have reported an increase in crime. Mr. Head stated Troy, Ohio conducted a survey of 24 communities with DORAs. He stated 23 of 24 communities reported zero increase in crime, and one community reported some increase, but not a significant one. He stated this ordinance is very similar to theirs. He stated staff feel secure with this ordinance. He stated he is a third generation Noblesville resident who loves the Downtown. He stated he has an eight-year-old son sitting in the back of the chamber, and he wants to bring his son to safe and secure events. He stated he does not believe this ordinance will change that.

Mr. Boice thanked Mr. Winton for stating his concerns. He stated he has seen intoxicated individuals at the Street Dance, and he does not believe this ordinance will increase that. He stated the ordinance will help those like the gentlemen at Primeval Brewing who want to buy one drink and take it around with them. He stated the ordinance is a live document. He stated the City can see how it goes. He stated he feels the Council will probably see the ordinance again. He stated the police will probably have suggestions for what can work better, and Mr. Hughes will advise. He stated he thinks the ordinance is a good first step, and the benefits will outweigh the problems.

Ms. Wiles moved to amend Ordinance #09-04-24 as presented, second Mr. Smith, nine aye, motion carried. Ms. Wiles moved to approve Ordinance #09-04-24 as amended, second Mr. Smith. The following roll call vote was taken for Ordinance #09-04-24:

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

Nine aye, motion carried.

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#10-04-24 COUNCIL TO CONSIDER ORDINANCE 10-04-24, AN ORDINANCE ADOPTING A CHANGE OF ZONING FROM R1 SINGLE-FAMILY RESIDENTIAL TO R5 MULTI-FAMILY RESIDENTIAL FOR APPROXIMATELY 27 ACRES NORTH OF GREENFIELD AVENUE, SOUTH OF EAST 156TH STREET, AND EAST OF PROMISE ROAD (JOYCEANN YELTON, ATTORNEY JIM SHINAVER)

This ordinance was discussed with Ordinance #11-04-24.

#11-04-24 COUNCIL TO CONSIDER ORDINANCE 11-04-24, AN ORDINANCE ADOPTING A CHANGE IN ZONING FROM R5 MULTI-FAMILY RESIDENTIAL TO R5/PD RESIDENTIAL PLANNED DEVELOPMENT, INCLUDING A PRELIMINARY DEVELOPMENT PLAN FOR THE CONSTRUCTION OF FOR-SALE TOWNHOMES ON APPROXIMATELY 27 ACRES NORTH OF GREENFIELD AVENUE, SOUTH OF EAST 156TH STREET, AND EAST OF PROMISE ROAD, AS AMENDED (JOYCEANN YELTON, ATTORNEY JIM SHINAVER)

Development Services Manager Joyceann Yelton displayed a map of the area. She stated these ordinances were previously introduced. She displayed a preliminary development plan. She stated Ordinance #10-04-24 proposes a change of zoning from R1 to R5 for 27 acres on the north side of Greenfield Avenue. She stated R5 is the only zoning district that allows for three or more units in one building. She stated Ordinance #11-04-24 adopts a preliminary development plan for a maximum of 190 two- and three-story townhomes. She stated Ordinance #11-04-24 has been amended to change the name of the development from Townes at 238 to Montelena. She stated the Plan Commission forwarded a favorable recommendation with a vote of eight to zero.

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 project was introduced to the Council in February and presented to the Plan Commission in March. He stated the ordinance has been amended to include commitments regarding rentals. He stated the R5 density is the only zoning that allows townhomes. He stated R5 allows approximately 14 homes per acre, and this project will have seven homes per acre. He stated R4 allows eight homes per acre. He stated the only change to the ordinances since introduction is the name of the development. Ms. Wiles stated she has received multiple concerns from residents close to the area regarding the density of this project. She stated it is the right type of project, but not the right location. Mr. Smith stated he appreciates the petitioners working to accommodate the Council's requests.

Mr. Smith moved to amend Ordinance #11-04-24 as presented, second Mr. Davis, nine aye, motion carried. Mr. Smith moved to approve Ordinance #10-04-24 and Ordinance #11-04-24 as amended, second Mr. Davis. The following roll call vote was taken for Ordinances #10-04-24 and #11-04-24 as amended:

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

NAY: Mark Boice and Megan Wiles.

Seven aye, two nay, motion carried.

#12-04-24 COUNCIL TO CONSIDER ORDINANCE #12-04-24, AN ORDINANCE ADOPTING ROAD IMPACT FEES, AS AMENDED (JIM HELLMANN)

Assistant City Engineer Jim Hellmann stated he made a presentation on the ordinance at the last meeting. He reviewed amendments to the ordinance since first reading. He stated the effective date has been amended. He stated there have been amendments to clarify language concerning building permits and receipt of the fees, but the amount of the recommended fee has not changed. Ms. Wiles moved to amend Ordinance #12-04-24 as presented, second Mr. Smith, nine

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aye, motion carried. Ms. Wiles moved to approve Ordinance #12-04-24 as amended, second Mr. Smith. The following roll call vote was taken for Ordinance #12-04-24 as amended:

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

Nine aye, motion carried.

#13-04-24 COUNCIL TO CONSIDER ORDINANCE #13-04-24, AN ORDINANCE ADOPTING PARK IMPACT FEES, AS AMENDED (MATT LIGHT)

Mr. Light stated this ordinance adjusts Park Impact Fees, which allows the City to fund park capital projects necessitated by growth. He stated this ordinance has amendments similar to the Road Impact Fee ordinance. Ms. Wiles moved to amend Ordinance #13-04-24 as presented, second Mr. Johnson, nine aye, motion carried. Ms. Wiles moved to approve Ordinance #13-04-24 as amended, second Mr. Smith. The following roll call vote was taken for Ordinance #13-04-24 as amended:

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

Nine aye, motion carried.

NEW ORDINANCES FOR DISCUSSION

#15-04-24 COUNCIL TO CONSIDER ORDINANCE #15-04-24, AN ORDINANCE ESTABLISHING A CITY AUDIT COMMITTEE IN ACCORDANCE WITH IC 5-11-24.4 (JEFFREY SPALDING)

Ms. Wiles moved to introduce Ordinance #15-04-24, second Mr. Smith. Chief Financial Officer and Controller Jeffrey Spalding stated this ordinance is an exercise in long-term strategic financial management for the City. He stated an audit committee will enhance the City's access to capital markets. He stated the City prepares certain financial statements that require sophisticated audits. He stated up to this point, the audits have been received through the State Board of Accounts, and that will continue for the time being. He stated these audits may not be best for the long term. He stated if the City wants to continue to use private audit firms, it must first establish an Audit Committee, which would then select an auditor. Mr. Peterson stated he appreciates Mr. Spalding's efforts to protect the City's credit rating. Ms. Wiles stated an audit committee has been discussed for several years. Mr. Smith stated often government is seen as reactive, but this is a proactive effort.

#16-04-24 COUNCIL TO CONSIDER ORDINANCE #16-04-24, AN ORDINANCE ADOPTING A CHANGE OF ZONING FROM R5 MULTI-FAMILY RESIDENTIAL TO PB PLANNED BUSINESS FOR APPROXIMATELY THREE ACRES NORTH OF EDENSHALL DRIVE AND EAST OF HAZEL DELL ROAD WITHIN THE NOBLE WEST PLANNED DEVELOPMENT (JOYCEANN YELTON, ATTORNEY JIM SHINAVER)

Ms. Wiles moved to introduce Ordinance #16-04-24, second Mr. Davis. This ordinance was discussed with Ordinance #17-04-24.

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#17-04-24 COUNCIL TO CONSIDER ORDINANCE #17-04-24, AN ORDINANCE ADOPTING A CHANGE OF ZONING FROM PB PLANNED BUSINESS TO R5-PB/PD RESIDENTIAL AND COMMERCIAL PLANNED DEVELOPMENT, AND THE ADOPTION OF AN UPDATED PRELIMINARY DEVELOPMENT PLAN AND ORDINANCE FOR APPROXIMATELY 31 ACRES IN THE NOBLE WEST PLANNED DEVELOPMENT, AND SPECIFICALLY AMENDING ORDINANCE #21-06-13 AND ALL AMENDMENTS THERETO, NORTH OF EDENSHALL DRIVE AND EAST OF HAZEL DELL ROAD (JOYCEANN YELTON, ATTORNEY JIM SHINAVER)

Ms. Wiles moved to introduce Ordinance #17-04-24, second Mr. Johnson. Development Services Manager Joyceann Yelton displayed a map of the area. She stated the project concerns a total of 34 acres in the Noble West development. She stated the Noble West Planned Development was adopted in the early 2000s and has had only a few amendments. She stated a multi-family development with 611 apartments was approved for this site and never came to fruition. She stated this new proposal would rezone approximately three acres for retail and 31 acres for multi-family and residential uses. She displayed a preliminary development plan. She stated a tree preservation area in the original development plan will be maintained. She stated the apartments have been reduced from 611 units to a maximum of 150 townhomes and 284 apartment units. She stated the Architectural Review Board has reviewed the project and forwarded a favorable recommendation. She displayed renderings of the multi-family component and the townhomes. She displayed character renderings of the commercial portion. She stated the Plan Commission voted in favor of adoption nine to zero. She stated copies of the commitments for the townhomes have been provided. Mr. Hughes stated the commitments regarding townhome rental are very similar to the commitments provided for the development approved earlier in the meeting. Mr. Peterson stated he appreciates the commitments.

Jon Dobosiewicz of Nelson & Frankenberger, P.C. at 550 Congressional Boulevard in Carmel, addressed the Council on behalf of the applicants. He stated the commitments are identical to the commitment for the other project. He thanked Mr. Hughes for providing the documents quickly. He requested adoption of the two ordinances. Ms. Wiles moved to amend Ordinance #17-04-24 as presented, second Mr. Smith, nine aye, motion carried.

Ms. Wiles moved to approve Ordinance #16-04-24, second Mr. Smith. The following roll call vote was taken for Ordinance #16-04-24:

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

Nine aye, motion carried.

Ms. Wiles moved to approve Ordinance #17-04-24 as amended, second Mr. Smith. The following roll call vote was taken for Ordinance #17-04-24 as amended:

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

Nine aye, motion carried.

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MISCELLANEOUS, CONTINUED

#3 COUNCIL TO CONSIDER RESOLUTION RC-18-24, A RESOLUTION APPROVING THE NOBLESVILLE SAFETY ACTION PLAN (ANDREW RODEWALD)

Assistant City Engineer Jim Hellmann spoke on behalf of Andrew Rodewald. Mr. Hellmann stated in January 2023, the City received a Safe Streets for All grant from the Federal Highway Administration. He stated a consultant analyzed crash data, solicited stakeholder feedback and public input to produce a recommended safety action plan. He stated in February the Council approved a resolution approving the Towards Zero initiative, which would improve roadways and pedestrian spaces to reduce fatalities. He stated the report will help make the City eligible for additional grants and more federal aid funding. He stated approval of the safety action plan is the final requirement of the Safe Streets for All grant. He stated the plan is a living document that can be improved in the future. Mr. Hughes stated the goal is to have safer areas. He stated the City recognizes that accidents will still happen, but this action shows the City is doing its best. Mr. Hellmann stated the City is working to control what it can. Mr. Johnson stated the plan is exhaustive and very thorough. He stated some of his constituents are concerned with traffic on Greenfield Avenue, and this plan addresses those concerns. He stated he plans to share the plan with his constituents. Ms. Wiles moved to approve Resolution RC-18-24, second Mr. Davis, nine aye, motion carried.

COUNCIL COMMENTS

Mr. Smith recognized former councilman Brian Ayer in the chamber. He stated in honor of Mr. Ayer, he will announce upcoming free Downtown events. He stated the first Farmers Market will be held on May 4. He stated for the first time, patrons will be able to park in the new Federal Hill parking garage to attend the market.

Mr. Peterson stated before this meeting, the Council toured two homes on Pleasant Street that have been renovated by HAND. He commended HAND for the renovations.

ADJOURNMENT

There being no further business before the Common Council this 23rd day of April, 2024, Mr. Peterson adjourned the meeting.

DARREN PETERSON, PRESIDENT

ATTEST:

EVELYN L. LEES, CLERK