

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

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

Also present were Mayor Chris Jensen, City Clerk Evelyn Lees, Deputy Mayor Matt Light, Community Development Director Sarah Reed, City Attorney Jonathan Hughes, department directors, staff, representatives of applicants, interested citizens, and a member of the media.

**PLEDGE OF ALLEGIANCE**

Nora Levy of Scout Troop 222 and Nick Levy of Scout Troop 183 led the chamber in the Pledge of Allegiance.

**ROLL CALL**

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

**APPROVAL OF MINUTES: JULY 23, 2024**

Mr. Johnson moved to approve the minutes, second Mr. Thurston, nine aye, motion carried.

**APPROVAL OF AGENDA**

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

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

There were no petitions to speak.

**MAYOR'S COMMENTS**

Mayor Jensen stated Noblesville was rated the 12<sup>th</sup> safest suburb in the U.S. recently by SmartAsset's analysis of 360 suburbs of major U.S. cities. Noblesville received the highest ranking in Indiana. He thanked the Police for their efforts and the Council for funding the Police Department's needs. He thanked the Police and Fire Departments for finding innovative ways to keep the community safe. He stated last week was the Police and Fire Departments' National Night Out at the Ivy Tech campus. He stated at the event he was approached by a family that had moved to Noblesville from Miami, Florida two weeks ago through the MakeMyMove program. He stated they have two children enrolled at Stony Creek Elementary School. He stated the parents were very grateful to be here. He stated they were a reminder of why the City does what it does.

**COUNCIL COMMITTEE REPORTS**

Mr. Smith stated the Downtown District Committee met on July 26. He stated the committee discussed several Downtown projects. He stated State Road 32 reconstruction Phase III recently reopened, and now Phase IV is underway, which is milling and paving from the State Road 32/38 roundabout to 6<sup>th</sup> Street, and then from 16<sup>th</sup> Street to 19<sup>th</sup> Street. He stated improvements on State Road 37 and 186<sup>th</sup> Street are underway, and the intersection of 10<sup>th</sup> and Pleasant Streets is closed for construction of a roundabout. He stated the Federal Hill to Forest Park Trail will be constructed this fall. He stated the committee spent considerable time discussing the DORA (Designated Outdoor Refreshment Area) that was recently approved by the State and its implementation. He commended the Administration for its advocacy at the General Assembly on behalf of DORAs.

Mr. Thurston stated the Roads Committee met on August 2. He stated there are several ongoing projects. He stated the 2024 Street Rehabilitation Contract I is underway for resurfacing on Stony Creek Drive and the Sommerwood subdivision. He stated concrete work will begin in August. He stated the Oakmont roundabout on State Road 38 is open with a temporary

**COMMON COUNCIL  
CITY OF NOBLESVILLE  
AUGUST 13, 2024, PAGE II**

streetlight. He stated permanent lighting will be installed in September. He stated a new signal is being installed at State Road 19 on State Road 32 as part of the State Road 32 reconstruction project. He stated the east leg of the State Road 37/191<sup>st</sup> Street intersection will be closed for 60 days while improvements are constructed, then the west leg of the intersection will be closed for 30 days. He stated the tunnel under the railway for the Federal Hill to Forest Park Trail will be constructed after Labor Day and will be complete by the end of the year. He stated information on the 146<sup>th</sup> Street over Allisonville Road interchange can be found at [www.streamline146.com](http://www.streamline146.com). He stated information on the State Road 37 and 141<sup>st</sup> Street interchange can be found at [www.drivesr37.com](http://www.drivesr37.com). He stated information on the State Road 32 added travel lanes project can be found at [www.reconstructingsr32.com](http://www.reconstructingsr32.com).

Mr. Davis stated the Finance Committee met on August 8. He stated they discussed an ordinance amending the reimbursement policy for travel and related expenses. He stated they also discussed fiscal actions regarding mid-year budget adjustments, including multiple additional appropriations and multiple transfer appropriations. He stated the committee recommended approval of the claims.

**APPROVAL OF CLAIMS**

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

**PREVIOUSLY DISCUSSED ORDINANCE**

#41-07-24 COUNCIL TO CONSIDER ORDINANCE #41-07-24, AN ORDINANCE AMENDING RATES AND CHARGES FOR THE USE OF AND SERVICES RENDERED BY THE CITY OF NOBLESVILLE, INDIANA SEWAGE WORKS, AND AMENDING THE SERVICE, RATES, AND CHARGES FOR THE COLLECTION AND DISPOSAL OF TRASH AND SOLID WASTE (JONATHAN MIRGEAUX)

Mr. Light displayed a comparison of Noblesville's trash rates to those of other communities in Central Indiana. He stated the current trash fee has been in place since 2020 under a four-year contract with Republic Services for solid waste disposal and recycling. He stated the City has extended the contract for an additional four years. He stated the proposed increase amounts to three percent annually. He stated inflation for water, sewer, and trash has increased by 17 percent nationally. He stated the contract extension creates a new trash rate of \$15.55, a \$1.70 increase. He stated more information on the trash and recycling program and fees is on the Street Department and Utilities Department web pages. He stated the hardship program has been maintained and expanded. He stated credit card fees for payment and administrative costs are absorbed elsewhere in the budget and are not passed on to residents.

Utilities Director Jonathan Mirgeaux stated the Utilities are responsible for wastewater collection and processing in a rapidly growing community with aging infrastructure. He stated expenses that the Utilities can control are debt service payments and salaries and wages. He stated expenses outside the Utilities' control are for services such as solids disposal, which has increased by 32 percent since 2020; capital costs; and equipment replacement. He stated construction costs have risen by approximately 20 percent. He displayed a comparison of Noblesville's sanitary and storm sewer rates to those of other communities in Central Indiana. He stated Noblesville is on the lower end of the rate increases. He stated a comprehensive study was conducted by consultant Baker Tilly, which generated a rate model based on a 20-year forecast. He stated one priority was maintaining the Utilities' high credit rating, which will save taxpayer money in the long term for bond interest payments. He stated the increase is 15.5 percent for a new residential rate of \$53.28 per month, a \$7.15 increase. He stated the rate will be fixed for four years, amounting to an annualized increase of 3.6 percent. He stated the total increase for sewer and trash combined is \$8.85 per month. He stated while most residents can easily afford the increase, for some it will cause hardship. He stated the Utilities have worked with the Mayor's office to increase the discount for those who qualify for a property tax

**COMMON COUNCIL  
CITY OF NOBLESVILLE  
AUGUST 13, 2024, PAGE III**

deduction and to reinstate the temporary hardship program established during the pandemic. He stated the total discount would be \$21.00, or a 30 percent reduction. He stated the overall eight year increase is comparable to neighboring communities.

**PUBLIC HEARING FOR ORDINANCE #41-07-24**

Mr. Peterson opened the public hearing for Ordinance #41-07-24.

Seeing no one come forward, Ms. Wiles moved to close the public hearing for Ordinance #41-07-24, second Mr. Smith, nine aye, motion carried.

Ms. Wiles moved to approve Ordinance #41-07-24, second Mr. Boice. The following roll call vote was taken for Ordinance #41-07-24:

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

Nine aye, motion carried.

**NEW ORDINANCES FOR DISCUSSION**

**ZONING MATTERS**

#42-08-24 COUNCIL TO CONSIDER ORDINANCE #42-08-24, AN ORDINANCE AMENDING ORDINANCE #06-01-06 AND ALL AMENDMENTS THERETO, ADOPTING TEXT AMENDMENTS AND UPDATED PRELIMINARY DEVELOPMENT PLAN FOR THE COMMERCIAL LOTS WITHIN THE PROMENADE PLANNED DEVELOPMENT ADJACENT TO THE NORTHEAST INTERSECTION OF STATE ROAD 32 AND LITTLE CHICAGO ROAD (AMY STEFFENS, MEIJER REPRESENTATIVE KURT ADAMS)

Ms. Wiles moved to introduce Ordinance #42-08-24, second Mr. Davis. Senior Planner Amy Steffens stated this ordinance is an amendment to the Promenade Planned Development adopted in 2006. She stated the most recent development is the Meijer Express grocery store. She displayed a site map. She stated this ordinance concerns three outlots numbered 10, 12, and 13 not yet developed. She stated a 2008 amendment to the Planned Development limits the number of drive-through windows allowed. She stated the location of drive-through windows is prohibited from being adjacent to any public roads in the development. She stated this request allows additional drive-through windows but does not change the prohibited locations. She stated the petitioners have requested different waivers for each of the outlots. She stated the Plan Commission forwarded a unanimous favorable recommendation. She stated waivers are requested for lots 12 and 13 for parking spaces and landscaping. She stated the building-based landscaping would keep the same number of plantings but reduce their required size. She stated the size of some parking spaces also would be slightly reduced but would still be a commonly used size. Ms. Wiles moved to approve Ordinance #42-08-24, second Mr. Smith. The following roll call vote was taken for Ordinance #42-08-24:

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

Nine aye, motion carried.

*Intentionally left blank*

**COMMON COUNCIL  
CITY OF NOBLESVILLE  
AUGUST 13, 2024, PAGE IV**

**ALL OTHER ORDINANCES**

#43-08-24 COUNCIL TO CONSIDER ORDINANCE #43-08-24, AN ORDINANCE AMENDING SECTION 37.03 OF THE CITY'S CODE OF ORDINANCES, REIMBURSEMENT POLICY FOR TRAVEL AND RELATED EXPENSES (CAITLIN MOSS)

Ms. Wiles moved to introduce Ordinance #43-08-24, second Mr. Davis. Deputy Controller Caitlin Moss stated this ordinance amends the City's travel policy for employees. She stated the amendment proposes a per diem rate rather than a general reimbursement. She stated the rate of reimbursement would be based on the federal General Services Administration (GSA) rates, depending on the destination. She stated the per diem could be paid in advance or as a reimbursement after travel. She stated supporting documentation of destinations and dates of travel would be required, as well as approval by the department director or their designee. She stated hotel accommodations, airfare, and similar expenses would continue to be reimbursed at actual cost.

Ms. Wiles congratulated Ms. Moss on her upcoming wedding Saturday.

#44-08-24 COUNCIL TO CONSIDER ORDINANCE #44-08-24, AN ORDINANCE APPROVING BUNDLED ADDITIONAL APPROPRIATION REQUESTS, AND ESTABLISHING A PUBLIC HEARING (JEFFREY SPALDING)

Ms. Wiles moved to introduce Ordinance #44-08-24, second Mr. Johnson. Chief Financial Officer and Controller Jeffrey Spalding stated this ordinance is one of three fiscal actions on the agenda that are being referred to as mid-year budget adjustments. He stated this ordinance approves several additional appropriations in multiple funds for costs that were discovered after the budget was adopted.

Ms. Wiles moved to establish a public hearing for Ordinance #44-08-24 at the August 27 meeting, second Mr. Johnson, nine aye, motion carried.

#45-08-24 COUNCIL TO CONSIDER ORDINANCE #45-08-24, AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE AMERICAN RESCUE PLAN CORONAVIRUS LOCAL FISCAL RECOVERY FUND, AND ESTABLISHING A PUBLIC HEARING (JEFFREY SPALDING)

Ms. Wiles moved to introduce Ordinance #45-08-24, second Mr. Boice. Chief Financial Officer and Controller Jeffrey Spalding stated this ordinance is the second of three fiscal actions. He stated this ordinance approves additional appropriations for the remaining balance of the American Rescue Plan Act (ARPA) funds the City received in 2021. He stated the funds will be used for various projects that help the community. He stated some of the appropriations were requested by community partners.

Ms. Wiles moved to establish a public hearing for Ordinance #45-08-24 at the August 27 meeting, second Mr. Davis, nine aye, motion carried.

**MISCELLANEOUS**

#1 COUNCIL TO CONSIDER RESOLUTION #RC-31-24, A RESOLUTION APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT WITH FLAHERTY & COLLINS FOR A MIXED-USE DEVELOPMENT AT SOUTH 8<sup>TH</sup> STREET (CHUCK HABERMAN)

Economic Development Assistant Director Chuck Haberman displayed a rendering of the proposed project. Mayor Jensen stated this project has been discussed internally for some time, known as Project Grain, a partnership with Flaherty & Collins. He stated the Collins family are longtime residents of Noblesville. He stated the property lies between south 8<sup>th</sup> and 9<sup>th</sup> Streets

**COMMON COUNCIL  
CITY OF NOBLESVILLE  
AUGUST 13, 2024, PAGE V**

along the Pleasant Street corridor. He stated the site was the home of the Noblesville Milling Company's granary, built in the early 1900s, from which the Noblesville Millers get their name. He stated the site is at the south end of Downtown, and this project will help to revitalize that area. He stated the project is a four-story mixed use development with a parking garage. He stated the project would include 225 luxury apartments, 5,000 square feet of commercial space, and approximately 300 parking spaces for residents and the public. He stated the southern portion of the project would be on Walnut Street and would include a trailhead for the Nickel Plate Trail with public restrooms and lockers. He stated three trails converge in the area: the Nickel Plate, the Riverwalk, and the Midland Trace. Mr. Haberman stated the project will be built by Flaherty & Collins. He stated this type of project was contemplated in the Nickel Plate corridor masterplan and redevelopment of 8<sup>th</sup> Street. He stated the economic development agreement for the project represents a \$67 million investment by Flaherty & Collins. He stated the City's contribution would be \$13.4 million. He stated the project will appear before the Council again to approve the incentive and for rezoning. He stated the incentive is expected to close in 2025 with a two-year construction timeframe, with the project opening in 2027.

Mr. Boice stated he is supportive of the concept of the project, and he is a proponent of working with Flaherty & Collins. He stated he is strongly in favor of the planning and development of the south 8<sup>th</sup> Street corridor. He stated at the same time, the City would give taxpayer money to the developer when a portion of the project property won't be included, and he cannot support it. He stated this project omits a portion of the property he saw as necessary to the project and would like to see included. He stated he struggled to approve an economic development agreement when a plan for the corridor will be coming soon. He stated the agreement seemed premature. He stated the City should have a plan and then approve the development. He stated he is strongly in favor of the concept and of Flaherty & Collins. He stated he hopes that talks will continue in the coming weeks and that he will be able to change his mind.

Mr. Smith stated he liked the project's intersection and interaction with the trail. He stated the project will be an asset to the City at the place where three trails converge. Mr. Haberman stated the trailhead will include public restrooms and bike stations. Mr. Smith acknowledged the site has challenges, and he appreciated the work to resolve the issues. Ms. Wiles moved to approve Resolution RC-31-24, second Mr. Smith, eight aye, one nay, motion carried. Mr. Boice voted nay.

**TRANSFERS**

#1 COUNCIL TO CONSIDER TA-05-24, A TRANSFER APPROVING BUNDLED APPROPRIATION TRANSFER REQUESTS (JEFFREY SPALDING)

Chief Financial Officer and Controller Jeffrey Spalding stated these transfers are the third of three fiscal actions on the agenda. He stated this action is for needs that can be met by transfers from contingency funds. Ms. Wiles moved to approve Transfer TA-05-24, second Mr. Johnson, nine aye, motion carried.

**COUNCIL COMMENTS**

There were no comments.

**ADJOURNMENT**

There being no further business before the Common Council this 13<sup>th</sup> day of August, 2024, Mr. Peterson adjourned the meeting.

---

DARREN PETERSON, PRESIDENT

ATTEST:

---

EVELYN L. LEES, CLERK