

**COMMON COUNCIL
CITY OF NOBLESVILLE
SEPTEMBER 24, 2024**

The Common Council of the City of Noblesville met in the Council chamber on Tuesday, September 24, 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 City Clerk Evelyn Lees, Deputy Mayor Matt Light, City Attorney Jonathan Hughes, department directors, staff, interested citizens, and a member of the media.

PLEDGE OF ALLEGIANCE

Ms. Wiles led the chamber in the Pledge of Allegiance.

ROLL CALL

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

APPROVAL OF MINUTES: SEPTEMBER 10, 2024

Mr. Johnson moved to approve the minutes, second Mr. Davis, 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.

COUNCIL COMMITTEE REPORTS

Mr. Davis stated the Finance Committee met on September 19. He stated Human Resources Director Holly Ramon reviewed the 2025 salary ordinances. He stated Chief Financial Officer and Controller Jeff Spalding discussed the High Assessed Value Levy Appeal and the 2025 Civil City budget. He stated the committee recommended approval of the claims.

APPROVAL OF CLAIMS

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

PROPOSED DEVELOPMENT PRESENTATIONS

- #1 COUNCIL TO HEAR INTRODUCTORY INFORMATION FOR A SPECIAL CONSIDERATION FOR AN INDOOR RECREATION FACILITY AT 9535 – 9575 EAST 151ST STREET WITHIN WASHINGTON BUSINESS PARK, A PART OF THE CORPORATE CAMPUS PLANNED DEVELOPMENT FOR A CONTENDERS WRESTLING ACADEMY (MIN YOO, OWNER)

Senior Planner Amy Steffens stated this application is a special consideration request to permit an indoor recreational use in the Corporate Campus Planned Development (CCPD) zoning district. She stated indoor recreational uses are a special consideration for certain land uses within the CCPD. She stated the site already has a 24,000 square foot multi-tenant commercial building constructed in 2023. She stated current tenants include the applicant's business, a functional and aesthetic medical practice, and a distribution warehouse. She stated the remaining 4,500 square feet in the building would be used by the Contenders Wrestling Academy. She stated the academy would serve ages four through high school. She stated the hours of operation would be after 5:00 p.m. with very rare Saturday events. She stated because the academy would operate after the other tenants in the building are closed, staff felt this use was appropriate. She stated the modest size of the academy is also in its favor. She stated the Plan Commission has heard the proposal and voted in favor of adoption. Mr. Peterson asked if there would be enough

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parking spaces. Mr. Thurston stated with the ages of the students, most of them will be dropped off, since they are too young to drive. Min Yoo, the property owner of 9535 East 151st Street, stated if parking would be an issue, he would not have signed the lease. He stated he is passionate about wrestling. He stated hours will be 5:00 p.m. to 9:00 p.m., and he will have to get permission from the City before hosting any Saturday events. He stated there will be some busy times because Premier Sports and a pickleball venue will be there as well, but the busy times will be after business hours. He stated if there are any issues, he will address them.

**#2 COUNCIL TO HEAR INTRODUCTORY INFORMATION FOR AN
AMENDED DEVELOPMENT PLAN FOR 16 PATIO HOMES NORTHEAST
OF PRAIRIE LAKES BOULEVARD WITHIN THE PRAIRIE LAKES
TRILOGY PLANNED DEVELOPMENT (JOE NAWROCKI, TRILOGY
HEALTH SERVICES)**

Senior Planner Amy Steffens stated this request is for an amendment to the Trilogy Planned Development ordinance. She stated the site plan has been before the Council in the past. She stated in 2008, a planned development was adopted to allow for nursing, assisted living, memory care, and independent living. She stated part of the project has been constructed. She stated in 2020, Trilogy proposed reducing the number of independent living units from 100 to 32 in the form of 16 duplexes. She stated the project stalled, and now Trilogy proposes 16 duplexes with changes to the layout and parking. She stated the units will not be for sale and will remain under Trilogy's control. She stated Trilogy will include the previously required ten visitor parking spaces. She stated the front of the homes have been changed, bringing the garages forward. She stated the elevations were approved by the Architectural Review Board (ARB) with conditions. Mr. Peterson stated a few years ago, the Council banned vinyl siding. He stated the applicant asked for a waiver to allow vinyl siding. Mr. Hughes stated under state law, the City is able to set aesthetic standards, and vinyl siding does not meet those standards. He stated in order for the City to waive that standard, the Plan Commission and the Council must hear the request. He recommended Council provide feedback, since vinyl has not been used in new buildings for several years. Mr. Thurston asked if any applicants have proposed vinyl siding since that time and been denied. Ms. Wiles replied yes, there was one developer who applied several times, requesting a heavier grade of vinyl siding.

Joseph Nawrocki, Director of Development and Entitlements for Trilogy Health Services at 303 North Hurstbourne Parkway, Louisville, Kentucky, addressed the Council. Mr. Nawrocki stated he joined the company in 2022. He displayed a site plan. He explained the history of Trilogy Health and their intended use for the units. He stated they are owners and operators for the long term, and they maintain their facilities. He stated they currently own the land for the 32 units and a community center. He displayed renderings for elevations of the proposed homes. Mr. Smith asked if moving the garages forward reduced the driveway parking space. Mr. Nawrocki replied yes, but there is still room for one car in the garage and for another car in the driveway. He stated there is a national housing shortage. He stated this project will free 32 homes in the community for someone else to buy. He stated there has been a discussion regarding vinyl siding. He stated Trilogy uses Alside Charter Oak vinyl siding with a 50-year warranty against fading, which is a Consumer Reports best buy. He stated hardie plank must be repainted every five to seven years on average. He stated the siding cannot be touched up; the whole elevation has to be painted. He stated they prefer the vinyl siding when possible. Mr. Smith stated the ARB discussed the siding, and he believes there should be a conversation concerning the City's standards as a whole. He stated he does not support a waiver to allow the vinyl siding. Mr. Boice stated the year before he joined the Council, the Planning Department was very unhappy with the use of vinyl in several subdivisions. He stated vinyl was banned approximately 20 years ago. He stated approximately three years ago, there were lengthy discussions about allowing vinyl siding, and it was decided that it should not be allowed. He stated the vote was not unanimous. He stated he was willing to have the conversation again. He stated a few developers have asked for a waiver for vinyl siding, but to his knowledge, the requests were all denied. Mr. Elliott asked what material was used on the existing units in the planned development. Mr. Nawrocki replied there are a variety of materials, but no vinyl siding that he is aware of. Mr. Peterson stated he feels vinyl siding has an undeserved bad reputation. He stated there is not a lot of vinyl proposed for this project. He stated the Council could require that vinyl be on three sides but not the front. He acknowledged

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Mr. Smith's point that allowing vinyl siding for this project would open the door for a flood of other requests.

NEW ORDINANCES FOR DISCUSSION

#56-09-24 COUNCIL TO CONSIDER ORDINANCE #56-09-24, AN ORDINANCE ESTABLISHING THE 2025 BUDGET (JEFFREY SPALDING)

Ms. Wiles moved to introduce Ordinance #56-09-24, second Mr. Smith. Mr. Light presented the budget on behalf of the Mayor. He commended the Office of Finance and Accounting for their work compiling the budget, and he commended the departments that work to spend the taxpayers' money wisely. He thanked the Council for its three work sessions and for individual liaisons who met with the departments to review their budgets. He recognized the three new Council members for their involvement and questions. He stated the overarching themes of the budget include maintaining the \$1.10 tax rate for the fifth consecutive year; aligning spending with revenue; maintaining the City's AA bond rating to keep borrowing costs low; and balancing investments in personnel through hiring new employees and increasing salaries. He stated some work is performed by outside contractors as the most cost effective option. He reviewed changes to department budgets made since the August budget meetings.

Chief Financial Officer and Controller Jeff Spalding displayed a PowerPoint presentation of the 2025 Budget Overview. He stated the amounts in this presentation are not the same as the amounts in the ordinance. He stated the ordinance sets limits higher than actual expected spending to allow for flexibility in adjusting the budget after it must be submitted to the State. He reviewed revenue growth and budget growth. He stated the eight-year average growth of the budget for core operational funds is 6.7 percent, and the 2025 budget growth for core operational funds is 6.4 percent. The total budget for 2025 is \$127,685,621.00. He stated the City has strong reserves. He reviewed various fund balances. He reviewed projected 2025 revenue and budgeted expenditures. He reviewed proposed budget increases. He stated the budget includes a five percent wage increase for all employees and elected officials. He stated the budget also includes eight new full-time positions and 2.2 full-time equivalent positions. He reviewed one-time spending and ongoing spending. He reviewed 2025 capital project funding, which is not a common practice amongst municipalities. He reviewed other notable items, such as budgeted employee benefits and contingency funding. Mr. Smith stated the Finance Committee thoroughly reviewed the presentation and the budget. He asked for an explanation of unfunded capital projects. He stated even though revenue is strong, and the community is growing, capital projects must still be prioritized. Mr. Light replied the ten year capital plan is updated twice per year and presented to the Council for feedback. He stated the plan lists capital projects by year, by priority, and by department. He stated the plan uses the budgeted funds and lists projects that have been identified by staff as necessary in the future. He stated the plan lists currently funded projects and approximately \$200 million in currently unfunded projects for the next five years. He stated grants are being sought, and excess reserves may be used carefully to fund some projects. Ms. Wiles asked what percentage of the budget is in the Rainy Day Fund. Mr. Spalding replied that recommended reserves for all funds is 15 percent. He stated he did not have the Rainy Day Fund percentage at that time. He stated excess reserve balances are spent strategically so that they are reinvested in the community. He displayed the budget ordinance. He stated because of various state requirements, several amounts must be inflated to allow flexibility after the budget is adopted. He stated his budget overview presentation is the actual budget that will be used. Mr. Peterson expressed appreciation for the budget process. Mr. Thurston thanked Mr. Light and Mr. Spalding for answering his questions.

PUBLIC HEARING FOR THE 2025 OPERATING BUDGET

Mr. Peterson opened the public hearing for the 2025 operating budget, Ordinance #56-09-24. Seeing no one come forward, Ms. Wiles moved to close the public hearing for Ordinance #56-09-24, second Mr. Johnson, nine aye, motion carried.

Mr. Peterson stated second reading and the vote for the ordinance will be at the October 29 meeting. He stated the public may contact the Administration or Council with questions.

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#57-09-24 COUNCIL TO CONSIDER ORDINANCE #57-09-24, A SALARY ORDINANCE FOR APPOINTED OFFICIALS AND EMPLOYEES OF THE CITY OF NOBLESVILLE FOR 2025 (HOLLY RAMON)

Ms. Wiles moved to introduce Ordinance #57-09-24, second Mr. Smith. Human Resources Director Holly Ramon stated the Council received a letter outlining the changes in the ordinance. She stated new positions have been added, some targeted pay increases have been added, and some position titles have been adjusted to better align with duties. She stated Police and Fire salaries for sworn employees were increased according to the Meet and Confer agreement with their unions. She stated Board of Works and Public Safety members received a \$50 increase. She stated they have not received an increase since 2020. She stated a few positions were removed, and there are a few pay grade changes. She stated in Section 2, language regarding medical insurance for elected officials was removed and added to the elected officials salary ordinance. She stated in Section 7, the annual compensation for specialty pay in the Fire Department was updated. She stated in Section 8, civilian longevity pay was increased to a maximum of 25 years to match Police and Fire. Mr. Peterson stated second reading and the vote for the ordinance will be at the October 29 meeting.

#58-09-24 COUNCIL TO CONSIDER ORDINANCE #58-09-24, A SALARY ORDINANCE FOR ELECTED OFFICIALS FOR THE CITY OF NOBLESVILLE FOR 2025 (HOLLY RAMON)

Ms. Wiles moved to introduce Ordinance #58-09-24, second Mr. Davis. Human Resources Director Holly Ramon stated all elected officials will receive the universal pay increase, and language removed from the employee salary ordinance regarding insurance benefits was added to this ordinance. Mr. Peterson stated second reading and the vote for the ordinance will be at the October 29 meeting.

MISCELLANEOUS

#1 COUNCIL TO CONSIDER RESOLUTION RC-41-24, A RESOLUTION REGARDING THE 2025 HIGH ASSESSED VALUE LEVY GROWTH APPEAL (JEFFREY SPALDING)

Chief Financial Officer and Controller Jeff Spalding stated this resolution is a companion piece to the budget. He stated the resolution directs the Controller to submit a high Assessed Value levy growth appeal for the City to the Department of Local Government Finance. He stated if the appeal is successful, the City's property tax levy will be increased beyond what is set by the State. He stated the appeals process allows rapidly growing communities to increase their tax levy in order to provide services. He stated there is a calculation to determine if the community qualifies for the appeal, and Noblesville does qualify, as it has the last few years. He stated he would submit this Council action with the appeal. He stated a decision from the State is expected in late November or early December. He stated the results of the appeal could affect the budget. Mr. Smith stated the appeal is not only for large communities, but for rapidly growing communities. He stated the Town of Yorktown qualifies for an appeal. Ms. Wiles moved to approve Resolution RC-41-24, second Mr. Johnson, nine aye, motion carried.

#2 COUNCIL TO CONSIDER 2025 MEETING SCHEDULE (EVELYN LEES)

Ms. Lees presented the proposed regular meeting schedule for 2025. She stated the meetings in October, November, and December have been moved up by one week to accommodate holidays. Mr. Hughes noted the meeting time for 2025 will be 6:00 p.m. He stated he will work with Ms. Lees to update City Code to reflect the change. Ms. Wiles moved to approve the 2025 meeting schedule, second Mr. Johnson, nine aye, motion carried.

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COUNCIL COMMENTS

Mr. Peterson encouraged the public to attend the Party on Pleasant on September 26, 2024 for the ribbon cutting of Pleasant Street, Phase I from 8th Street to River Road. He stated Mayor Jensen and Hamilton County Commissioner Steven Dillinger are scheduled to speak. He stated the road would open the following day.

Ms. Wiles stated Homecoming is on Friday, and the Homecoming parade will be that afternoon. She advised drivers to be aware of different traffic patterns at that time.

ADJOURNMENT

There being no further business before the Common Council this 24th day of September, 2024, Mr. Peterson adjourned the meeting.

DARREN PETERSON, PRESIDENT

ATTEST:

EVELYN L. LEES, CLERK