

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
MARCH 12, 2024**

The Board of Public Works and Safety met in regular session on Tuesday, March 12, 2024 in the Council chamber. Jack Martin called the meeting to order at 9:00 a.m. pursuant to public notice with the following members present: John Ditslear, Laurie Dyer, Robert Elmer, and Rick Taylor.

Also present were City Clerk Evelyn Lees, Deputy Mayor Matt Light, Deputy Clerk Christina Adamson, Community Development Director Sarah Reed, Public Safety Director Chad Knecht, City Attorney Jonathan Hughes, Department Directors, and staff.

**PLEDGE OF ALLEGIANCE**

Mr. Martin led the chamber in the Pledge of Allegiance.

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

There were no comments.

**APPROVAL OF AGENDA**

Mr. Taylor moved to amend the agenda to remove Item #8 from the Consent Agenda and add it to New Items for Discussion as Item #17, Board to consider amendments to services agreement with Buckland & Associates, LLC for appraisals of city owned structures, second Mr. Martin, five aye, motion carried.

**CONSENT AGENDA**

**FOR APPROVAL**

- #1 APPROVAL OF EXECUTIVE SESSION MEMORANDUM: FEBRUARY 27, 2024
- #2 APPROVAL OF MINUTES: FEBRUARY 27, 2024
- #3 BOARD TO CONSIDER TEMPORARY NO PARKING SIGNS FOR SOUTH HARBOUR'S SPRING GARAGE SALE 2024 (RENÉ GULLEY)
- #4 BOARD TO CONSIDER TEMPORARY NO PARKING SIGNS FOR SOUTH HARBOUR'S FALL GARAGE SALE 2024 (RENÉ GULLEY)
- #5 BOARD TO CONSIDER TEMPORARY STREET CLOSURE IN SOUTH HARBOUR FOR THE 2024 4<sup>TH</sup> OF JULY PARADE (RENÉ GULLEY)
- #6 BOARD TO CONSIDER ACCEPTANCE OF WARRANTY DEED FOR PARCEL NO. 3 FOR GREENFIELD AVENUE OVER WHEELER DRAIN CULVERT REPLACEMENT (EN-354-02) (ANDREW RODEWALD)

**CONTRACTS/PURCHASES UNDER \$50,000 (APPROVED BY MAYOR OR DIRECTOR)**

- #7 SERVICES AGREEMENT WITH STRYKER FOR PREVENTATIVE MAINTENANCE OF FIVE LIFEPAK 15 UNITS (DIVISION CHIEF JAMES MACKY)
- #9 SERVICES AGREEMENT WITH SENTINELONE ANTIVIRUS FOR IT DEPARTMENT (ADAM HEDDEN)
- #10 SERVICES AGREEMENT WITH GKM PROPERTY SERVICES, INC. FOR LANDSCAPE MAINTENANCE AT GOLF COURSES AND WATERING PROGRAM FOR DOWNTOWN (WENDY STREMLAW)

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
MARCH 12, 2024, PAGE II**

- #11 SERVICES AGREEMENT WITH TRAFFIC AND PARKING CONTROL CO., INC. FOR ANNUAL TRAFFIC SIGNAL PREVENTATIVE MAINTENANCE (RENÉ GULLEY)

Mr. Ditslear moved to approve the consent agenda as amended, second Mr. Taylor, five aye, motion carried.

**NEW ITEMS FOR DISCUSSION**

- #1 BOARD TO CONSIDER RESOLUTION RB-12-24, A RESOLUTION CONCERNING A PUBLIC-PRIVATE AGREEMENT FOR THE DESIGN, CONSTRUCTION, OPERATION, AND TRANSFER OF AN EVENTS CENTER AND PARKING GARAGE IN ACCORDANCE WITH IC 5-23, AS AMENDED (JONATHAN HUGHES)

Mr. Hughes stated the past several months have been spent scoping the size of the event center. He stated it was decided that a Build-Operate-Transfer (BOT) agreement would be used to construct the event center, and this resolution authorizes the Mayor to approve the final agreement. He stated highlights of the agreement are that the event center will be substantially completed by the end of May 2025, which is an expedited timeline. He stated the BOT agreement is with Patch Innovation Mile LLC, and they have selected Wilhelm Construction to build the facility. He stated the maximum price of the event center and parking garage will be \$149,208,403.00. He displayed renderings of the event center as viewed from I-69 and from the north. He displayed renderings from various angles. He stated the design committee met last week, and the designs in the renderings were approved. He stated some color schemes have not been finalized yet. He displayed renderings of the parking garage. Mr. Martin asked if the parking garage will have five levels. Mr. Hughes replied yes, he believed so. He stated the exact location of the southwest stair tower cannot be finalized until State approval is received. He displayed a site plan for Innovation Mile, Phase I. He stated a surface lot for the event center also will be constructed. He stated all infrastructure relating to the project is included in the maximum price, including rerouting 141<sup>st</sup> Street. He stated a privately developed hotel and mixed-use project will be constructed adjacent to the event center as a part of the BOT agreement. He stated the private development will produce tax revenue that will help pay debt service for the event center. He stated the site location is southeast of 141<sup>st</sup> Street and Olio Road, east of the BorgWarner site. He displayed a view of the event center and parking garage from the north. He stated the event center will be home court for the Pacers G-League team, as well as other events during the year. He stated the City is working with REV Entertainment to scope the other events. He stated maximum seating capacity will be 4,200. He stated there will be approximately 950 parking spaces in the garage. Principal Planner Denise Aschleman stated the surface lot will have 211 spaces. Mr. Hughes stated the outdoor area is intended to be a community gathering space. Mr. Martin asked if the surface lot will be shared with the private development. Mr. Hughes replied the City has agreed to share the garage, but sharing the surface lot has not been decided yet. He stated the project just won an award from the Indiana Chapter of the American Planning Association for Outstanding Economic Development Plan.

**PUBLIC HEARING FOR RESOLUTION RB-12-24**

Mr. Martin opened the public hearing for Resolution RB-12-24.

An email to Mr. Light from Linda at clownatheart060@hotmail.com was requested to be entered into the record:

*Good morning, Matt. Thank you for the information you provided. I am unable to attend the meeting but wanted to make my concerns known to the board. It appears this event center has been under consideration for some time now. How is it the project is up for discussion and yet I am unable to locate any mention of exactly where this facility is to be built?? How is it that the event facility will have 3,400 seats or more with only 600 parking spaces identified?? This is*

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
MARCH 12, 2024, PAGE III**

*identified as a "public-private" facility. How much is the City of Noblesville expected to be pay for the event center project including roads, utilities, drainage, etc. - "start to finish??" What fund is the city's money coming from to support this project?? Is the property within the corporate limits of the City of Noblesville?? Will the roads be widened to four lanes with excel, decel, and turn lanes to account for the increased traffic that will be generated by this facility?? Will all the noise generated by this facility be confined to the interior of the building?? Any chance the facility would have a roof that opened?? Will any residential areas be impacted by the increased traffic??*

*Is there a reason I am not permitted to contact the Board of Works members directly?? Please provide my email to the board for consideration and comment. Thank you for your time. Linda*

Mr. Light replied to the email as follows:

*Thank you for the message. I am providing it to the Board this morning, along with the Clerk and City Attorney.*

*You are always welcome to contact the Board of Works members on matters of public interest.*

*Your questions are all good questions. They have been addressed and discussed at various public meetings where previous approvals have been given for this project, including Board of Works, Redevelopment Commission, and Common Council. We can gather information from those meetings and presentations and share them with you for your review.*

Seeing no one from the public come forward, Mr. Martin moved to close the public hearing for Resolution RB-12-24, second Mr. Ditslear, five aye, motion carried.

Mr. Elmer moved to approve Resolution RB-12-24, second Mr. Taylor, five aye, motion carried.

#2            **BOARD TO CONSIDER RESOLUTION RB-13-24, A RESOLUTION FOR THE DECLARATION OF RESTRICTIVE COVENANTS CONCERNING LIMITATION OF ACCESS TO WALNUT STREET FOR PLEASANT STREET, PHASE I (JONATHAN HUGHES)**

Mr. Hughes stated this resolution authorizes the Mayor to execute a declaration on behalf of the Board regarding the Pleasant Street project. He stated as the Pleasant Street corridor was being designed, the Engineering Department identified areas on Walnut Street that would best be pedestrian-only. He stated after conversations with property owners regarding access to driveways, all issues have been resolved. He stated the property owners have agreed not to access Walnut Street, and the City will commit to a mountable curb. Mr. Ditslear moved to approve Resolution RB-13-24, second Ms. Dyer, five aye, motion carried.

#3            **BOARD TO CONSIDER RESOLUTION RB-14-24, A RESOLUTION APPROVING A PARK IMPACT FEE AGREEMENT FOR THE VILLAGE AT FEDERAL HILL ACTIVATION LOT (SARAH REED, JONATHAN HUGHES)**

Mr. Hughes displayed an aerial map of the area. He stated this resolution concerns the Village at Federal Hill, which is adjacent to Federal Hill Commons. He stated the developer has agreed to construct a retail activation lot that will be used and shared by the developer and the City. He stated the lot will be used for parking, but it can also be closed off for the Farmers Market and other events. He stated the developer owes approximately \$327,000.00 in Park Impact Fees for the project. He stated in this agreement, the City offers up to \$300,000.00 in Park Impact Fee credits, since the City will use the activation lot as well.

Ms. Reed stated when the spaces are outlined on the lot, they will also serve as stalls for the Farmers Market. She stated the Engineering Department has recommended using a thicker aggregate base and thicker asphalt to support non-parking uses. She stated gate arms will be designed to close the lot when it is used for events, but at all other times it will be available for

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
MARCH 12, 2024, PAGE IV**

parking for a coffee shop and two new restaurants. She stated the activation lot will be where the skating rink was. She stated the lot will have bollards around the perimeter rather than concrete wheel stops. She stated where the restrooms were, there will be another feature that is yet to be decided by the Parks Department. Mr. Martin asked if the impact fee credit will equal the expense of constructing the activation lot. Ms. Reed replied yes, and the Engineering Department will verify the amount. Mr. Martin stated the agreement seems to be a win-win. Ms. Reed stated the developer is working with the Engineering Department to finalize the design, but the lot will be completed before the Farmers Market opens in early May. Mr. Taylor moved to approve Resolution RB-14-24, second Ms. Dyer, five aye, motion carried.

**#4 BOARD TO CONSIDER APPROVAL TO PURCHASE 33 FORD 2024 POLICE INTERCEPTOR SUVs FROM COMMUNITY FORD OF BLOOMINGTON FOR THE POLICE DEPARTMENT'S FLEET REPLACEMENT PROGRAM (ASSISTANT CHIEF BRAD ARNOLD)**

Assistant Police Chief Brad Arnold requested approval of a special purchase for 33 Ford 2024 Police Interceptor vehicles. He stated this purchase covers the department's needs for two years. He stated he was unable to purchase vehicles last year due to production delays. He stated 2025 orders will open in December, and the vehicles may not be available until 2026. Community Ford of Bloomington quoted \$1,535,335.25 for 33 Ford Explorer Interceptors. He stated funding for the 2023 purchase was encumbered to 2024, so funding for the purchase is in the budget. Mr. Martin asked how the old vehicles will be disposed of. Assistant Chief Arnold replied a few vehicles will be kept, but the others will be auctioned, which is more cost effective than trading them in. Mr. Ditslear asked why the other two dealerships declined to provide quotes. Assistant Chief Arnold replied he requested other quotes as due diligence, but the others were unable to fill the order and could not provide quotes. He stated it was very difficult to obtain the vehicles, because Ford only allowed certain dealerships to take orders. Mr. Ditslear moved to approve the purchase of 33 Ford 2024 Police Interceptors, second Ms. Dyer, five aye, motion carried.

**#5 BOARD TO CONSIDER SPECIAL PURCHASE OF NEW VEHICLE EMERGENCY LIGHTING, EQUIPMENT, AND INSTALLATION FROM AMERICAN EAGLE EQUIPMENT FOR 2024 FLEET VEHICLES (ASSISTANT CHIEF BRAD ARNOLD)**

Assistant Police Chief Brad Arnold stated this special purchase is to outfit the new police vehicles with emergency lighting and equipment. He stated the City has used American Eagle Equipment for many years, and they have offered a 35 percent discount. He stated they have also discounted their labor costs. The total cost is \$99,528.15. Mr. Elmer moved to approve the special purchase for new vehicle emergency lighting, second Mr. Taylor, five aye, motion carried.

**#6 BOARD TO CONSIDER REQUEST FOR ADDITIONAL LEAVE TIME ON BEHALF OF A CITY EMPLOYEE (KIM POTTENGER)**

Human Resources Assistant Director Kim Pottenger stated as discussed in Executive Session, this request is for four weeks of additional leave time for an employee. Mr. Elmer moved to approve the request for additional leave on behalf of a city employee, second Ms. Dyer, five aye, motion carried.

**#7 BOARD TO CONSIDER USE OF ACCRUED VACATION HOURS AND REQUEST FOR ADDITIONAL LEAVE TIME ON BEHALF OF A CITY EMPLOYEE (KIM POTTENGER)**

Human Resources Assistant Director Kim Pottenger stated this request is for 90 hours of accrued vacation time for 2025 and 12 weeks of additional leave time. Mr. Elmer moved to approve the use of accrued 90 vacation hours for 2025 and request for additional leave time on behalf of a City employee, second Mr. Ditslear, five aye, motion carried.

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
MARCH 12, 2024, PAGE V**

- #8 BOARD TO CONSIDER SERVICES AGREEMENT WITH JP MORGAN CHASE N.A. FOR COMMERCIAL CREDIT CARDS FOR CITY EMPLOYEES (CAITLIN MOSS)

Deputy Controller Caitlin Moss stated this agreement for employee credit cards has been in place for many years. She stated this is a five-year agreement. She stated the City earns a rebate on credit card purchases, and the bank provides a self-service online portal, which allows staff to efficiently administer the program. She stated the current agreement expires at the end of March. Mr. Elmer asked if the City carries a balance on the credit cards. Ms. Moss replied no, all balances are paid in full every month. Mr. Taylor moved to approve the services agreement with JP Morgan Chase N.A. for commercial credit cards for City employees, second Mr. Ditslear, five aye, motion carried.

- #9 BOARD TO CONSIDER ACCEPTANCE OF CONFLICT OF INTEREST DISCLOSURE (EVELYN LEES)

Ms. Lees stated Ms. Dyer has submitted a conflict of interest disclosure regarding her work with the City. Mr. Ditslear moved to approve, second Mr. Taylor, four aye, one abstention, motion carried. Ms. Dyer abstained.

- #10 BOARD TO CONSIDER AGREEMENT WITH SONDHI SOLUTIONS FOR VEEAM SOFTWARE LICENSE RENEWAL FOR LOCAL AND REMOTE BACKUP OF CITY OWNED SERVERS AND EMAIL (ADAM HEDDEN)

Information Technology Director Adam Hedden stated this agreement renews a contract for Veeam software to backup the City's email, Microsoft OneDrive, and data servers both locally and at a remote location in Hammond, Indiana as part of the City's disaster recovery plan. He stated the contract is under the master agreement with Sondhi Solutions. The contract is for a one-year term at a total cost of \$19,926.00. Mr. Elmer moved to approve the agreement with Sondhi Solutions for Veeam software, second Mr. Ditslear, five aye, motion carried.

- #11 BOARD TO CONSIDER SERVICES AGREEMENT WITH RIZINGSTAR ENTERTAINMENT, INC. FOR 2024 CONCERTS AT FEDERAL HILL COMMONS AND DILLON PARK AND 4<sup>TH</sup> OF JULY CONCERT AT FOREST PARK (ERIN HINSHAW)

Recreation Program Coordinator Erin Hinshaw stated this agreement with Rizingstar Entertainment will book bands for concerts in 2024, to include the preclipse concert on April 6, the summer concert series at Federal Hill Commons and Dillon Park, and the 4<sup>th</sup> of July concert at Forest Park. The contract will terminate on October 26, 2024 at a total cost not to exceed \$95,000.00. Mr. Martin stated Rizingstar has worked with the City for approximately 25 years. Mr. Ditslear moved to approve the services agreement with Rizingstar Entertainment, second Ms. Dyer, five aye, motion carried.

- #12 BOARD TO CONSIDER AGREEMENT WITH DAYSTAR DIRECTIONAL DRILLING FOR REALIGNMENT OF SANITARY SEWER AT DILLON PARK (JONATHAN MIRGEAUX)

Utilities Director Jonathan Mirgeaux requested to postpone this item to the next meeting. He stated a late quote was received that is 20 percent less than Daystar's quote, and he would like to time to evaluate whether the late quote is fully responsive. Mr. Ditslear moved to postpone the agreement with Daystar Directional Drilling to the next Board meeting, second Mr. Taylor, five aye, motion carried.

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**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
MARCH 12, 2024, PAGE VI**

- #13 BOARD TO CONSIDER PERMISSION TO ADVERTISE REQUEST FOR PROPOSALS AND QUALIFICATIONS FOR THE UTILITY'S SLUDGE PROCESS IMPROVEMENTS BUILD-OPERATE-TRANSFER PROJECT (JONATHAN MIRGEAUX)

Utilities Director Jonathan Mirgeaux requested permission to advertise for Requests for Proposals and Qualifications (RFPQ). He stated the project will bring major upgrades to the treatment plant. He stated there is a water treatment train and a solids treatment train, and this project will improve major equipment in the solids treatment train and the buildings, including HVAC systems and mechanical, electrical, and plumbing systems. He stated several buildings also will be rehabilitated. He stated the RFPQ is for a Build-Operate-Transfer project, which a committee will evaluate. He stated once the committee chooses a vendor, a contract will be presented to the Board for approval. Mr. Elmer moved to approve the RFPQ for the Utility's sludge process, second Ms. Dyer, five aye, motion carried.

- #14 BOARD TO CONSIDER CHANGE ORDER NO. 2 AND PROJECT CLOSE-OUT WITH BLUE RIVER ENVIRONMENTAL FOR ITM SITE REMEDIATION (MATT LIGHT)

Mr. Light spoke on behalf of Engineering Project Manager Andrew Rodewald. Mr. Light stated remediation of the former Indiana Transportation Museum (ITM) site is complete. He stated IDEM has accepted the work, although there will be groundwater monitoring for three more quarters. He stated the Administration expects final approval from IDEM by the end of the year. He stated most of the remediation work was completed in 2022, except for coal ash removal in 2023. The change order deducts \$961,759.20 for a new contract total of \$2,399,931.30. Mr. Taylor moved to approve Change Order no. 2 and project close-out with Blue River Environmental for ITM site remediation, second Mr. Ditslear, five aye, motion carried.

- #15 BOARD TO CONSIDER PERMISSION TO ADVERTISE FOR BIDS FOR GREENFIELD AVENUE OVER WHEELER DRAIN SMALL STRUCTURE (EN-354) (DEON OCHOA)

Engineering Construction Manager Deon Ochoa stated a full inspection and inventory of all small structures was performed in 2020. He stated the Greenfield Avenue structure over Wheeler Drain was rated as a "4-poor" condition, which was one of the five structures noted for replacement within five years. He stated as part of the project, a roadway safety project for adding a dedicated left turn lane into the Arbor Grove subdivision will be completed. He stated this secondary project benefit was recommended by the designers during project scoping. He stated the project plans have been completed and all necessary right-of-way has been obtained. Mr. Martin asked if the dedicated left turn lane was due to the recently approved safety action plan for Towards Zero. Principal Planner Denise Aschleman replied a draft safety plan is due this week and will be reviewed by the Traffic Committee next week, but she was not sure if this turn lane is included or not. Mr. Elmer moved to approve advertising for bids for the Greenfield Avenue over Wheeler Drain small structure, second Mr. Taylor, five aye, motion carried.

- #16 BOARD TO CONSIDER CLOSURE OF 141<sup>ST</sup> STREET FOR INNOVATION MILE INFRASTRUCTURE (DEON OCHOA)

Engineering Construction Manager Deon Ochoa stated 141st Street must be closed for six months to construct two ponds and reconstruct 141st Street in front of the event center. He stated the detention ponds are to be located in the current roadway. He stated work will commence after AT&T relocates their service lines and a wetland permit is approved by the Indiana Department of Environmental Management (IDEM) and the Army Corp of Engineers (USACE). He stated the closure is expected to begin on or after April 9, 2024, after the solar eclipse. He stated the intersection of 141<sup>st</sup> Street and Prairie Baptist Road has been checked to ensure farmers can access their fields. Mr. Ditslear moved to approve the closure of 141<sup>st</sup> Street for Innovation Mile infrastructure, second Ms. Dyer, five aye, motion carried.

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
MARCH 12, 2024, PAGE VII**

#17 BOARD TO CONSIDER AMENDMENTS TO SERVICES AGREEMENT WITH BUCKLAND & ASSOCIATES, LLC FOR APPRAISALS OF CITY OWNED STRUCTURES (JEFFREY SPALDING)

Chief Financial Officer and Controller Jeffrey Spalding stated this request is for an amendment to the agreement with Buckland & Associates. He stated the vendor performs appraisals of City buildings for property and casualty insurance purposes. The amendment includes appraisals for 151 North 8th Street (formerly the Bolden Building): the total appraisal fee for year one is \$1,950.00 and reappraisals on an annual basis for \$75.00; and appraisals for 23 remote lift stations for the Wastewater Treatment Plant: the total appraisal fee for year one is \$22,850.00 and reappraisals on an annual basis for \$860.00. He stated the appraisals are required by the City's insurance broker in order to find the appropriate insurance coverage for the City. Mr. Ditslear moved to amend the services agreement with Buckland & Associates, LLC for appraisals of City-owned property, second Ms. Dyer, five aye, motion carried.

**ADJOURNMENT**

There being no further business before the Board of Public Works and Safety this 12<sup>th</sup> day of March, 2024, Mr. Martin adjourned the meeting.



JACK MARTIN, PRESIDENT

ATTEST:



EVELYN L. LEES, CLERK