

**COMMON COUNCIL
MEETING MINUTES
MONDAY, JUNE 17, 2024 – 6:00 P.M.
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE**

MEETING CALLED TO ORDER

Council President Anthony Green; Council Vice-President Adam Aasen; Council Members: Jeff Worrell, Ryan Locke, Rich Taylor, Teresa Ayers, Matthew Snyder, Anita Joshi, Shannon Minnaar and Deputy Clerk Jessica Komp were present.

Council President Green called the meeting to order at 6:03 p.m.

AGENDA APPROVAL

The agenda was approved unanimously.

INVOCATION

Pastor John Newton, Northview Church, delivered the Invocation.

Prairie Trace Elementary 5th grader David Bukovac led the pledge of allegiance.

RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS

There were none.

RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL

Bruce Shire of Hunters Glen Condominums wished to express his gratitude to the Council, to Buckingham Companies, and to Henry Mestetsky for their willingness to cooperate and work together to help achieve a favorable result for the Gramercy project.

COUNCIL AND MAYORAL COMMENTS/OBSERVATIONS

Councilor Joshi introduced Dr. Umayr Raza Shaikh. Dr. Shaikh spoke about a project that he is working on with the Carmel Clay Parks and Recreation Department and City Councilor Dr. Anita Joshi, called Practice Safe Skin. This initiative aims to mitigate the impact of melanoma by placing ten sunscreen dispensers at the splash pads throughout Carmel.

David Bukovac gave the Mayor’s update to Council. The Mayor reports that the U.S. Olympic Team Trials have begun in Indianapolis. We have 14 swimmers from Carmel Swim Club who have qualified for the trials, and one swimmer, Aaron Shackell, that has already qualified for the Olympic games in Paris in July. We have temporarily changed our city signs to say “SwimCity, USA”, to honor the fact that we grow swimmers here. SwimCity t-shirts are available for purchase at All Things Carmel. The Mayor thanked the Council for adding an ordinance to the agenda to create a new position for the city, Chief Infrastructure Officer. This position will be important to create a long-term capital asset plan and to coordinate all infrastructural activities. Lastly, our search for a new fire chief is underway, with over 30 talented applicants, from here in Carmel to across the U.S.

CONSENT AGENDA

Councilor Minnaar moved to approve the consent agenda. Councilor Aasen seconded. There was no discussion. Council President Green called for the vote. The consent agenda was approved 9-0.

a. Approval of Minutes

1. June 3, 2024 Regular Meeting

b. Claims

1. Payroll - \$3,704,921.14
2. General Claims - \$3,829,978.08
3. Wire Transfers - \$2,864,896.81

ACTION ON MAYORAL VETOES

There were none.

COMMITTEE REPORTS

Councilor Worrell reported that the Finance, Utilities and Rules Committee met on June 10th. The committee has requested additional data from the Engineering department regarding the proposed ordinance for speed limits within roundabouts (Ordinance D-2696-23). Speed studies will be conducted at 8-10 different roundabouts to supply the needed data, so Councilor Worrell requested that this item stay in committee until we have that additional data. Ordinance D-2710-24 returns from the Finance Committee tonight. The property abatements were reviewed and all are in compliance.

Councilor Snyder reported that the Land Use and Special Studies Committee met on June 5th to discuss the first third of Article 7 of the Unified Development Ordinance. The committee will next meet on Wednesday, June 26th, in the Board Room of the Carmel Clay Public Library at 5:30 p.m. to discuss the second third of Article 7 of the UDO.

OTHER REPORTS

Michael Klitzing, Director of Carmel Clay Parks and Recreation, gave the quarterly report. Director Klitzing recently served as the Accreditation Review Team Lead for the Commission for Accreditation of Park and Recreation Agencies (CAPRA) at the U.S. Army Garrison Rheinland-Pfalz, in Kaiserslautern, Germany. CCPL went through our own re-accreditation visit last week, and we highly anticipate receiving reaccreditation at the end of October. We are a 2-time Gold Medal award winning agency, and we will be eligible to be considered for a Gold Medal again in 2026. (Gold Medals can only be awarded every six years.) Our oldest playground is at Founder's Park, at less than 15 years old. Our Central Park playground at Westermeier Commons is 10 years old, and the remaining playgrounds are four years old or less. It is a priority to make sure all of our playgrounds include universal (inclusive) design principles. We have installed fencing around Westermeier Commons to create controlled entry points and increase safety. We have also installed fencing between the playgrounds and the parking lots at Carey Grove and Inlow Parks to increase safety there as well. Accessible ramps to upper play elements also increase accessibility. River Heritage Park has a Nature Trail with a rubberized surface. Overlooks have been designed low enough so that railings are not required. This means that those in a wheelchair or stroller will have an unobstructed view. River Heritage Park is also a beta-testing site for interpretive signage.

Construction has begun on the new pedestrian bridge that is connecting Hazel Landing Park to Heritage Park in Fishers.

Tony Reck, Chair of the Carmel Climate Action Advisory Committee, gave their quarterly report. The first recommendation the CCAAC gave was to hire a Sustainability Coordinator. This individual would be able to work on the tasks that the volunteer committee members do not have the time to complete, such as applying for grants. The Committee has compiled a job description for this new role. Carmel Utilities now has the capability to provide real-time usage data through new water meters. The treatment of our city water is not as expensive as the movement of our water. It takes electricity to move the water, so by conserving water, we are conserving electricity, which is the second biggest source of carbon emissions in the city. The committee is working on a backyard composting program, talking to both Republic Services, and to neighboring communities about their programs. Current initiatives include City Hall improvements to conserve water and use green energy. The Monon Community Center just did a guaranteed energy savings study, to investigate replacing the chillers, the dehumidification system, and HVAC. Duke Energy has proposed a 2024 rate increase, by about 33%. Duke has not fulfilled their pledge to move away from coal-burning plants to renewable energy. This rate increase will enable them to delay these actions even longer. The Mayor of Westfield has already spoken out against this. The CCAAC asks the City Council to investigate how this rate increase would impact the city of Carmel's ability to reach its climate action goals.

Councilor Aasen asked if there has been a salary proposed for the role of Sustainability Coordinator. Mr. Reck responded that there has not yet. Councilor Aasen stated that it seems the CCAAC has created a new climate plan, different than the original plan that was created by Council for the committee to address. Mr. Reck responded that everything recommended tonight is in line with the original plan, but the committee's hands are tied in having the time and manpower to achieve these goals without filling the role of a Sustainability Coordinator. Councilor Locke, a member of the CCAAC, stated that from the original plan, the committee narrowed it down to seven key goals to focus on. The committee is relying on the members from city departments to report back on what the different departments are doing to focus on these goals, and that is what is being reported on now. Councilor Taylor stated that the guaranteed energy savings study is not just an environmental stewardship item, but it is also fiscally responsible, by being able to pay for improvements with the savings that are generated by the improvements implemented, and not by tax dollars. These kinds of programs can help us achieve our environmental goals without hiring a specific person. Mr. Reck responded that the city would still need a person to aggregate the data and load it up to the dashboard, measuring it against our goals on a continuous basis. When this committee started, we had interns doing this work, but we no longer do. Councilor Snyder commented that it seems everything is contingent on hiring a Sustainability Coordinator, so if we don't get that person hired, how does the committee go forward towards its goals? Mr. Reck stated that everything is not contingent on this position, but it is more difficult to work towards the stated goals without that person, and it will take much longer. The discussion wrapped up with Councilor Locke inviting other members of Council to attend a CCAAC meeting to better understand what the committee is working on.

Adrienne Keeling, Planning Administrator for the Department of Community Services, introduced Joe Nickol of Yard & Co. to give an update on the upcoming Home Place and US 31 Corridor Plans. Joe shared that this week begins the process of working on the sub-area plans for both of these areas. For Home Place, the goal is to provide a planning process that establishes the community's vision and goals for the future of the area, leaning into the community's sense of place to guide future decision-making, while building ownership and excitement for the outcomes of the plan and neighborhood branding. We will be working on a neighborhood master plan and sub area plan, a neighborhood brand, and a short film about the neighborhood. In the week ahead, there will be a volunteer orientation, a Greater Home Place Neighborhood Association meeting, and a community cookout, just to name a few events. The US 31 Corridor Sub Area Plan was then introduced by Mr. Nickol. The planning context includes the 2020 Carmel Transit Study, the 2020 US 31 Corridor Future Development Plan, the 2022 Comprehensive Plan, the 2023 City of Carmel Positioning

Strategy, and various site plan submittals that have been made over the last decade. Focus group and stakeholder meetings start this week. In the months to come, we will draft options for zoning update recommendations, produce illustrations to depict refined recommendations, and format the US-31 subarea plan.

OLD BUSINESS

Council President Green announced the twelfth reading of **Ordinance D-2696-23**; An Ordinance of the Common Council of the City of Carmel, Indiana, Adding Chapter 8, Article 4, Section 8-44 to the Carmel City Code; Sponsor(s): Councilor(s) Worrell and Aasen. This remains in the Finance, Utilities and Rules Committee. (Next Meeting 7/9/24)

Council President Green announced the fifth reading of **Ordinance D-2710-24**; An Ordinance of the Common Council of the City of Carmel, Indiana, Authorizing the Issuance of Economic Development Tax Increment Revenue Bonds to Support the Gramercy Project, and Authorizing and Approving Other Actions in Respect Thereto; Sponsor: Councilor Aasen. This item returns from the Finance, Utilities and Rules Committee with a positive recommendation, 3-1. (Worrell opposed.) The Land Use Committee gave a unanimous positive recommendation. Henry Mestetsky, Director of the Carmel Redevelopment Commission, spoke to Council about this item and the process of conversations with all interested parties to work through some specifics of the project. Council President Green asked if Director Mestetsky could detail the changes made to the proposed project between its original introduction back in 2023, and the version that is being considered right now. Director Mestetsky replied that Buckingham has reduced the multi-family by about 250 units, added 63 more for-sale townhomes, and brought back in 104 age-targeted (55+) multi-family dwellings. More green space was also added. Councilor Worrell spoke up about why his vote was no. He stated that he could not vote to incentivize a project of this size without the benefit of the findings of the Mayor's Housing Task Force, out of respect for the citizens that he represents. Councilor Taylor spoke about his belief that this project will provide some of the "missing middle" that the Carmel housing market is lacking. He stated that the high TIF split is directly related to the reduction in the number of dwellings that Buckingham agreed to. Councilor Snyder spoke about the cooperation between all parties through the process of changing and refining this project. He stated that he couldn't think of a better place to build new apartments than in an already existing apartment complex. Councilor Ayers asked when the age-targeted dwellings would be built, and the response was that those would start in 2026, as part of the townhouse phase of Area G, with a projected completion date of mid or late 2027. Councilor Aasen moved to approve. Councilor Snyder seconded. There was no further discussion. Council President Green called for the vote. **Ordinance D-2710-24** approved 7-2. (Worrell and Ayers opposed.)

PUBLIC HEARINGS

Council President Green announced the first reading of **Ordinance Z-690-24**; An Ordinance establishing Non-Dwelling Short Term Rental Use-Specific Standards and Definitions in the Unified Development Ordinance; Sponsor(s): Councilor(s) Worrell and Minnaar. Councilor Minnaar moved to introduce the item into business. Councilor Worrell seconded. Councilor Worrell presented the item to Council. Adrienne Keeling explained the definition of a short-term non-dwelling rental. The approval process proposed a one-year special exception approval by a BZA Hearing Officer that involves adding a fee in the UDO.

President Green started the public hearing at 8:07 p.m. Dee Fox spoke to Council in favor of this ordinance, as it seeks to protect residents from the negative impact of neighbors renting out their pools and other backyard structures. This intent is to protect the quality of life of residents and quiet enjoyment of property as well as to conserve property values in residential districts. Seeing no one else who wished to speak, Council President Green closed the public hearing at 8:09 p.m. Councilor Aasen asked if this type of non-dwelling short-term rental was restricted to the specific dates that short-term rentals are already restricted to.

Ms. Keeling stated that the date-specific language is not in this ordinance but could be added. Councilor Joshi asked if the language of this ordinance is strong enough to make it enforceable, and Ms. Keeling stated that it was. Council President Green then sent this item to the Land Use and Special Studies Committee for further review.

Council President Green announced the first reading of **Ordinance Z-691-24**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending the Jackson's Grant Village Planned Unit Development District (Ordinance Z-653-20); Sponsor(s): Councilor(s) Minnaar and Green. Councilor Minnaar moved to introduce the item into business. Councilor Joshi seconded. Councilor Minnaar presented the item to Council. Ashley Ulbricht of Taft Law presented on behalf of the petitioner, Air Alchemist, LLC. Ms. Ulbricht stated that the rapid growth of our city's population warrants the addition of a high-quality daycare, as is being proposed with this ordinance. Ms. Ulbricht stated that the daycare would be placed within the already approved commercial node of Jackson's Grant Village and would provide trail connectivity in that area. The Jackson's Grant Village Planned Unit Development was approved on August 17th, 2020, but did not include the Cunningham Parcel, which is 1.8 acres, currently zoned S-2. The request is to rezone this parcel from S-2 into JGV PUD. This would provide additional land, additional townhomes, drive and path connectivity, a new commercial building for a daycare, and additional parking. According to the existing PUD, commercial buildings are capped at 7,500 square feet, so a daycare would not be possible without this amendment, allowing a larger commercial building.

Councilor Locke asked for clarification on the square footage that would be added to the existing 20,000 approved for commercial use. Del DeMao of Air Alchemist responded that the ask is for 10,000 square feet of additional commercial space. Councilor Aasen stated that he was on the Council when the original PUD was approved, and he voted yes based on the restrictions that were put in place, such as the limiting of individual businesses to no more than 7,500 square feet each. For this reason, Councilor Aasen felt that he could not vote yes on this amendment, as it would be breaking a promise he had made to the neighbors of this development. He also asked if there is a "Plan B" for this parcel, if this plan is not approved. Councilor Joshi stated that perhaps a compromise can be made that will satisfy both older families that would like to see their neighborhood preserved, and younger families who would benefit from a daycare in this location. Mike Hollibaugh, Director of Community Services, stated that this proposal came to the Plan Commission as a stand-alone daycare to be built on the Cunningham parcel, and it made sense to integrate that parcel into the existing PUD. Councilor Snyder stated that there actually isn't a need for another daycare in Carmel, as none of the current daycares are operating at capacity. He also asked if there is a Plan B. Mr. DeMao stated that they are ready to work on a Plan B, as they feel there is a need for this service, specifically for the area of Carmel that is west of US 31, where the population continues to grow. But as of today, there have been no plans engineered for an alternative option. Councilor Worrell stated that he could not vote for this plan, or for any alternative plan that might be presented, as it would violate the promise he made to the neighbors of Jackson's Grant Village when he approved the PUD back in 2020. Councilor Minnaar stated that the work done on this item in Plan Commission was very thorough, but they could not come to a resolution that the entire commission could agree upon. The addition of more total commercial space, plus the request for a larger building than was originally approved would break the promise made to the homeowners. Councilor Taylor stated that he also agrees with the sentiments expressed by Councilors Worrell and Minnaar, and if this item does not get sent to committee, he will vote no on it tonight.

Council President Green then started the public hearing at 8:54 p.m. Nancy Barnes, resident of Jackson's Grant since 2016, spoke to the Council in opposition to this ordinance. Nancy stated that as a homeowner, she was promised in 2020 that the commercial node would not grow any larger, and that any businesses would remain small. Paul Morrison, President of the Jackson's Grant HOA, also spoke in opposition to this amendment. Mr. Morrison does not believe that the traffic studies support such an expansion, as the studies already misrepresent how difficult it is, if not dangerous, to make a left-hand turn onto 116th Street during peak hours. The access road is too close to the roundabout. He also stated that public safety should not

outweigh the financial interests of developers. Jill Meisenheimer spoke against the amendment as well. She feels that there should not be an expansion of the commercial node over the currently approved 20,000 square feet. She believes this parcel should be used to provide more of the “missing middle” housing, or as amenities for the Jackson’s Grant residents. Dee Fox spoke in opposition to the amendment. Ms. Fox wanted to go on the record to state that it is very important that city and developer assurances and commitments that are made to neighbors be upheld. Courtney Kanzinger stated that she was ready to speak about the daycare being a great thing, but she can see now that this is an argument about residential versus commercial. Ms. Kanzinger is concerned about what is going to happen to the Cunningham parcel if this ordinance does not get passed. She also stated that the voices that are being heard represent a skewed view of people who don’t want a daycare because those are the people who have the time and resources to be here. Gerry Kirk spoke to Council about this area being largely occupied by empty-nesters, so there won’t be a need for daycare right there. Doug Morris stated that there are little children living in his area of Jackson’s Grant, as well as visiting grandchildren. But there are no sidewalks, so the kids ride their bikes in the streets within the neighborhood, and turning that street into a commercial drive will not be safe for the children. Mr. Morris believes this has all been a waste of time and resources, because this violates what was already agreed to. David Francis stated that this is a credibility issue, and that the Council must stand by what it has already agreed to. Mr. Francis sees this amendment as creating a traffic nightmare. He also believes that IU Health will develop nearby land soon, further adding to the traffic load. Seeing no one else who wished to speak, Council President Green closed the public hearing at 9:15 p.m.

Councilor Aasen stated that it would be a rush to come up with a new plan prior to the August 23rd deadline. Councilor Aasen said he would be ready to act tonight. Councilor Taylor echoed his readiness to act tonight. He stated that Republic knew the commitments that had been made when they attempted to do a land swap with Air Alchemist. Councilor Joshi stated that she wants the neighbors to know that her intention was not to not listen to their concerns. Councilor Joshi believes that a service such as a daycare differs greatly from a retail establishment, and that was the intention behind her process of fully evaluating this issue. She stated that it is important to stand by the commitments that have been made to the neighbors, and that she is sorry that Republic put the petitioner and the residents through this process. Councilor Taylor made a motion to suspend the rules and act on this tonight. Councilor Aasen seconded the motion. There was no discussion. Council President Green called for the vote. Motion to suspend the rules approved 9-0. Councilor Aasen made a motion to approve. Councilor Snyder seconded. There was no discussion. Council President Green called for the vote. **Ordinance Z-691-24 failed 9-0.**

AGENDA ADD-ON ITEMS

Councilor Taylor made a motion to add **Ordinance D-2717-24** to the agenda, which amends the 2024 Salary Ordinance. Councilor Snyder seconded. There was no discussion. Council President Green called for the vote. Motion to add **Ordinance D-2717-24** to the agenda approved 9-0. Councilor Taylor made a motion to introduce the item into business. Councilor Joshi seconded. Councilor Ayers introduced the item to Council. Corporation Counsel Samantha Karn explained that this amendment would add the position of Chief Infrastructure Officer, and this role would oversee the Engineering, Street and Utilities Departments. Jeremy Kashman, City Engineer, would be promoted to this position. Ms. Karn also stated that this position would be supported by the current 2024 Engineering Department budget. Councilor Locke asked about the process of filling some of the current open positions within the Engineering Department. Jeremy Kashman stated that those positions have been open, but the right candidates have not yet been found, as those positions are hard to fill in a very competitive market. Councilor Aasen moved to suspend the rules and act on this tonight. Councilor Snyder seconded. There was no discussion. Council President Green called for the vote. Motion to suspend the rules approved 9-0. Councilor Aasen made a motion to approve. Councilor Snyder seconded. Councilor Snyder stated that this new position helps move us from the mid-size community we have been for many years, to the large community we are now. Other cities our size have someone in a Chief Infrastructure Officer role, and Jeremy Kashman is uniquely qualified to fill this role for the City of Carmel, as he is the

best City Engineer in the State of Indiana. Councilor Snyder stated he fully supports this move. Councilor Taylor stated that Mr. Kashman was also the Project Manager for the company that was responsible for the Keystone project. There was no further discussion. Council President Green called for the vote. **Ordinance D-2714-24** approved 9-0.

OTHER BUSINESS

Property Abatements/Compliance with Statement of Benefits

- 1. Midcontinent Independent System Operator, Inc. (MISO)
- 2. Progressive Insurance Company (fka Protective Insurance Company/Baldwin & Lyons)
- 3. Schlage Lock Company, LLC
- 4. ZP Investments, LLC and Zotec Partners, LLC

The Finance, Utilities and Rules Committee found all four of these companies to be in compliance with their agreements with the City.

Petition to Hamilton County Drainage Board for Vernon Asher Drain

This item was held over until the next City Council meeting, July 1, 2024.

ANNOUNCEMENTS

There were none.

ADJOURNMENT

Council President Green adjourned the meeting at 9:31 p.m.

Respectfully Submitted,

DocuSigned by:


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 Jacob Quinn, Clerk

Approved,

DocuSigned by:

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 Anthony Green, Council President

ATTEST:

DocuSigned by:

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 Jacob Quinn, Clerk