

**BOARD OF PUBLIC WORKS AND SAFETY
CITY OF NOBLESVILLE
DECEMBER 3, 2024**

The Board of Public Works and Safety met in regular session on Tuesday, December 3, 2024 in the Council chamber. Jack Martin called the meeting to order at 9:01 a.m. pursuant to public notice with the following members present: John Ditslear, Robert Elmer, Rick Taylor and Laurie Dyer.

Also present were City Clerk Evelyn Lees, Deputy Mayor Matt Light, Community Development Director Sarah Reed, Chief Deputy Clerk Mark Moulton, 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 from citizens.

APPROVAL OF AGENDA

Mr. Taylor moved to amend the agenda to remove Consent Agenda #2 and New Items #1, #11, and #18 and approve the remainder of the agenda as presented, second Mr. Ditslear, five ayes, motion carried.

**CONSENT AGENDA
FOR APPROVAL**

- #1 BOARD TO CONSIDER ACCEPTANCE OF WARRANTY DEED FOR
PROMISE ROAD RIGHT-OF-WAY NEAR 141ST STREET (JIM HELLMANN)

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

- #3 BOARD TO CONSIDER SERVICE AGREEMENT WITH LEE COMPANY,
INC. FOR OFFICE UPDATES AND INSTALLATION (SAVANNAH WINES)
- #4 BOARD TO CONSIDER SERVICE AGREEMENT WITH TOPSHOT AERIAL
PHOTOGRAPHY FOR AERIAL AND GROUND PHOTOGRAPHY OF THE
PARKS, GOLF COURSES, TRAILS, AND BIG EVENTS
(SAVANNAH WINES)

Mr. Taylor moved to approve the Consent Agenda as amended, second Mr. Elmer, five ayes, motion carried.

NEW ITEMS FOR DISCUSSION

- #2 BOARD TO CONSIDER ELECTRIC VEHICLE CHARGING
MONETIZATION AGREEMENT FOR THE FEDERAL HILL AND
LEVINSON PARKING GARAGES (SARAH REED)

Mr. Hughes requested approval of a declaration for the Board's approval while the details of the agreement were finalized. He stated the full agreement would be brought to the Board when it was finished. He stated this authorization would allow the Administration to move forward. Ms. Reed stated electric vehicle charging was currently available for free in both City parking garages. She stated eventually users would be charged for the service, and work was ongoing for the division of costs and revenues between the City and Denison Mobility Group. She stated the declaration authorizes the Mayor's designee and Mr. Hughes to negotiate the rates. She stated the City was paying an average of \$0.012 per kilowatt hour. Shawn Sowers of Denison Mobility Group, a sister company to Denison Parking, addressed the Board. He stated his company installed the chargers and maintained them. Mr. Sowers stated it would take the City approximately 18 to 24 months to recoup expenses and break even with as little as 15 percent usage. Mr. Martin asked what the responsibilities of the consumer were. Mr. Sowers replied it was the responsibility of the user to have the right connectors. He stated all electric vehicles would, by the end of 2025, adopt the Tesla model. He stated adapters were available. Mr. Martin asked what if a user charged their vehicle for a short time but used the space all day. Mr. Sowers replied there was an idle fee if the car was not moved when charging was complete. He stated customers would be notified and have a time limit to move the vehicle before the fee was

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charged. He stated the rates vary and pricing was flexible based on usage and time of day. He stated more charging stations could be added easily. He stated most charging stalls are on the first floor of the garages, near the power source. Mr. Elmer moved to approve the declaration approving the electric vehicle monetization at the Federal Hill and Levinson parking garages, second Ms. Dyer, five ayes, motion carried.

#3 BOARD TO CONSIDER SERVICES AGREEMENT WITH THE NEW GROUP TO REPAIR ROOF LEVEL OF THE FEDERAL HILL PARKING GARAGE (SARAH REED)

Ms. Reed stated this project would replace the traffic membrane on the top floor of the Federal Hill parking garage in the spring. She stated three quotes were received, the New Group and two others, with the New Group submitting the lowest quote. She stated the costs of sandblasting and leveling to prepare the surface would be split between Old Town Construction and their concrete contractor, and the cost of the membrane would be split between the City and Old Town. She stated the membrane protects the surface from salt and wear. There was a discussion about the agreement. Mr. Ditslear moved to approve the services agreement with the New Group to repair roof level of the Federal Hill Parking Garage, second Mr. Taylor, five ayes, motion carried.

Mr. Ditslear congratulated Ms. Reed on behalf of the Board for winning the Ivan H. Brinegar award at the Accelerate Indiana Municipalities (AIM) Ideas Summit.

#4 BOARD TO CONSIDER RESOLUTION RB-52-24, A RESOLUTION APPROVING AN AGREEMENT WITH LEVY PREMIUM FOODSERVICE PARTNERSHIP (JONATHAN HUGHES)

Mr. Light stated Levy Premium Foodservice was the food and beverage provider for many notable organizations, such as Gainbridge Fieldhouse, Assembly Hall at IU in Bloomington, and Soldier Field stadium, among others. He stated they had national experience. He stated a request for proposals was issued with four respondents, and Levy was chosen based on their qualifications and other factors. He stated this resolution would approve the form of an agreement to provide food services for the Arena at Innovation Mile. He stated even without a final agreement, Levy had already worked as a design consultant with Patch Development and REV Entertainment on the arena. Mr. Light stated the agreement had a ten-year term. Mr. Light stated there was a \$75,000.00 annual management fee with 1.4 percent of gross receipts going to Levy. Mr. Hughes stated 1.4 percent of gross receipts equated to 5 percent of net receipts. He stated the City could not offer a percentage of gross receipts due to the tax-exempt bonds that financed the arena. Mr. Light stated Levy is investing \$250,000.00 in a point-of-sale system. He stated there were provisions in the agreement for the City to review if revenues were less than target amounts. He stated the City was working with Levy to provide allergy-friendly food at the arena. Mr. Light stated currently Levy was working to document their insurance coverage according to City policies. Mr. Elmer asked if volunteer groups work concessions to raise money, who lost revenue if attendance was low. Mr. Light replied the City would lose money, rather than Levy. He stated the agreement had provisions regarding waste. Mr. Hughes stated protections for the City were in place in the agreement, but he was very comfortable with Levy as a partner of the City. Mr. Elmer moved to approve Resolution RB-52-24, second Ms. Dyer, five ayes, motion carried.

#5 BOARD TO CONSIDER PARK IMPACT FEE CREDIT AGREEMENT BETWEEN CITY OF NOBLESVILLE, INDIANA AND EPCON HAZEL DELL, LLC (COURTYARDS OF HAZEL DELL) (JONATHAN HUGHES)

Mr. Hughes stated there was no information for the Board at that time. He stated the developer purchased property not only for its project, but also purchased a house on Hazel Dell Road next to the Midland Trace Trail. He stated the City had requested the parcel be maintained as a passive park. He stated as an incentive, the Administration offered Park Impact Fee credits to the developer. He stated he was finalizing the agreement with the developer for a maximum \$400,000.00 Park Impact Fee credit. He stated the Park Impact Fees due are approximately \$465,000.00. He requested postponement to the next meeting. Mr. Elmer moved to postpone the discussion of the Park Impact Fee Credit for the Courtyards of Hazel Dell, Ms. Dyer seconded, five ayes, motion carried.

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**#6 BOARD TO CONSIDER SERVICE AGREEMENT WITH MYERS
CONSTRUCTION FOR THE REPAIR OF FOREST PARK SHELTER 4
(SAVANNAH WINES)**

Parks and Recreation Assistant Director Charlie Elliott spoke on behalf of Savannah Wines. Mr. Elliott stated this agreement is for repairs to a shelter at Forest Park after a storm caused a tree to fall on the shelter. He stated Myers Construction was already on site for another project, and work had begun. The agreement was not to exceed \$11,520.00 and would terminate on December 31, 2024. Mr. Taylor moved to approve service agreement with Myers Construction for the repair of Forest Park Shelter 4, second Ms. Dyer, motion carried.

**#7 BOARD TO CONSIDER SERVICES AGREEMENT WITH GRAPHIC
DESIGNER FOR CREATION OF FESTIVE MAP FOR HOLIDAY EVENTS
(SARAH OAKLEY)**

Parks and Recreation Director Savannah Wines spoke on behalf of Sarah Oakley. Ms. Wines displayed a tote bag designed by a local artist with a map of City holiday events. She stated limited edition pins would be available at the events for patrons to attach to the tote bag. The agreement was not to exceed \$500.00 and terminated on November 30, 2024. Mr. Ditslear moved to approve the services agreement with graphic designer for creation of festive map for the holidays, second Mr. Elmer, five ayes, motion carried.

**#8 BOARD TO CONSIDER SERVICE AGREEMENT WITH BAUMGARTNER
ASPHALT FOR THE PAVING OF HAGUE ROAD NATURE HAVEN
PARKING LOT (CHARLIE ELLIOTT)**

Parks and Recreation Assistant Director Charlie Elliott stated the current parking lot at the Hague Road Nature Haven is gravel and had become pitted with potholes. Mr. Elliott stated he worked with the Engineering Department to set standards for paving the lot. He stated the paving would be according to alley standards, which are slightly less than road standards. He stated striping would be included, and the parking lot would remain the same size as it was. He stated Baumgartner Asphalt was the lowest responsible quoter. He stated the work would take place next year. The agreement was not to exceed \$40,790.00 and would terminate on July 1, 2025. Mr. Elmer moved to approve the agreement with Baumgartner Asphalt for paving the Hague Road Nature Haven, second Ms. Dyer, five ayes, motion carried.

**#9 BOARD TO CONSIDER AWARD OF QUOTE FOR THE FOREST PARK
PARKING LOT RETAINING WALL REPLACEMENT (CHARLIE ELLIOTT)**

Parks and Recreation Assistant Director Charlie Elliott stated the retaining wall faces the baseball fields and pool. He stated the wall was at the end of its life and needed to be replaced. He stated the railing on top of the wall would be reused. The agreement with Noll Landscape Group was not to exceed \$97,651.40 and would terminate on March 31, 2025. Mr. Taylor moved to award the quote for the Forest Park parking lot retaining wall, second Ms. Dyer, five ayes, motion carried.

**#10 BOARD TO CONSIDER AWARD OF QUOTE FOR THE FEDERAL HILL
COMMONS MONUMENT SIGN (CHARLIE ELLIOTT)**

Parks and Recreation Assistant Director Charlie Elliott stated only one responsible quote was received from Sign Works for installation at Logan Street and State Road 19. Mr. Martin asked if the Board of Zoning Appeals had approved the sign. Senior Planner Denise Aschleman stated the Plan Commission would consider a program of signs at Federal Hill. Mr. Hughes stated the design was needed first to submit to the Plan Commission. Mr. Elmer moved to approve the award of quote for the Federal Hill Commons monument sign, second Mr. Taylor, five ayes, motion carried.

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- #12 BOARD TO CONSIDER CHANGE ORDER NO. 1 WITH E&B PAVING INC.
FOR 2024 STREET REHABILITATION CONTRACT I
(ANDREW RODEWALD)

Engineering Project Manager Andrew Rodewald stated this change order was mostly for costs that were under budget and for contingencies that were built in for additional items. He stated quotes were being obtained so that remaining funds could be encumbered and used in spring 2025. The change order was for \$465,584.18 for a new contract total of \$2,793,505.08. Mr. Elmer moved to approve Change Order No. 1 with E&B Paving Inc. for the 2024 Street Rehabilitation Contract, second Mr. Ditslear, five ayes, motion carried.

- #13 BOARD TO CONSIDER CHANGE ORDER NO. 1 WITH CC&T
CONSTRUCTION FOR 2024 STREET REHABILITATION CONTRACT II
(ANDREW RODEWALD)

Engineering Project Manager Andrew Rodewald stated this contract was funded in part by the Community Crossing Matching Grant. He stated INDOT funded 50 percent of the project up to the award amount, and the City was responsible for the rest. He stated there were cost overruns with this project requiring coverage from the City's contingency funds. He stated there were more inlet, curb, and sidewalk repairs than anticipated. The change order was for \$210,000.00 for a new contract total of \$2,333,000.00. He stated the title was incorrect. He stated the vendor was not CC&T Construction; it was Calumet Civil Contractors. Mr. Elmer moved to amend the vendor from CC&T to Calumet Civil Contractors and approve Change Order No. 1 for 2024 Street Rehabilitation Contract II, second Mr. Taylor, five ayes, motion carried.

- #14 BOARD TO CONSIDER CHANGE ORDER NO. 1 WITH INDOT FOR STATE
ROAD 38 AND WHITCOMB RIDGE/OAKMONT ROUNDABOUT
(ANDREW RODEWALD)

Engineering Project Manager Andrew Rodewald stated the original project was signed in 2019 and amended in 2022 as part of a partnership to build several roundabouts. He stated the City was responsible for 50 percent of the total project cost. He stated INDOT paid the design costs upfront. He stated the City is responsible for this change order. The change order was for \$183,643.42 for new contract total of \$1,933,643.42. He stated Duke Energy had installed the light poles, but a few foundations needed to be repaired. Mr. Elmer moved to approve Change Order No. 1 with INDOT for the State Road 38 and Whitcomb Ridge, second Ms. Dyer, five ayes, motion carried.

- #15 BOARD TO CONSIDER SERVICES AGREEMENT WITH CROSSROAD
ENGINEERS FOR DOWNTOWN IMPROVEMENTS PROJECT
(ANDREW RODEWALD)

Engineering Project Manager Andrew Rodewald stated the agreement began over four years ago, but the COVID pandemic caused a delay. He stated instead, the contract was used for the Logan Street Bridge of Flowers project. He stated the Streetscape project would involve wider sidewalks, sewer separation, landscaping, and decorative elements. Mr. Elmer asked how payment of the contract was tracked. Mr. Rodewald replied the project was billed for hours worked, depending on what staff ask for. Mr. Martin asked if the project would pick up where it stopped or would it start over. Mr. Rodewald replied Crossroad Engineers had all the information from the original project to use for this project and would add to it. He stated the project completion goal is 2027, to be completed in phases. The agreement was not to exceed \$594,700.00 and would terminate on December 31, 2026. Mr. Elmer moved to approve the services agreement with Crossroad Engineers for the Downtown Improvements Project, second Mr. Taylor, five ayes, motion carried.

- #16 BOARD TO CONSIDER CHANGE ORDER NO. 1 WITH HOWARD
COMPANIES FOR 2023 STREET REHABILITATION CONTRACT II
(ANDREW RODEWALD)

Engineering Project Manager Andrew Rodewald stated this change order was for the decorative crosswalks installed on 10th Street near Seminary Park. He stated a subcontractor actually did the work for Howard Companies. The change order was for \$79,800.00 for a new contract total of

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\$2,720,677.00. Mr. Elmer moved to approve Change Order No. 1 with Howard Companies for the 2023 Street Rehabilitation Contract II, second Mr. Ditslear, five ayes, motion carried.

#17 **BOARD TO CONSIDER AMENDMENT TO NEXT LEVEL TRAILS
FUNDING AGREEMENT WITH DEPARTMENT OF NATURAL RESOURCES
(ANDREW RODEWALD)**

Engineering Project Manager Andrew Rodewald stated the Indiana Department of Natural Resources (DNR) awarded the City \$3,130,000.00 for the Nickel Plate Trail project. He stated the construction was approximately \$2,400,000.00, significantly lower than the project estimate. He stated the DNR agreed with staff that the remaining grant funding should be used toward building a bridge over 146th Street between Noblesville and Fishers for the trail. He stated the DNR funded the Nickel Plate Trail in Noblesville, Fishers and Indianapolis. He stated this amendment extended the grant period for another year to allow the City to use the remaining funds. Mr. Taylor moved to approve the Amendment to Next Level Trails Funding Agreement with Department of Natural Resources, second Mr. Ditslear, five ayes, motion carried.

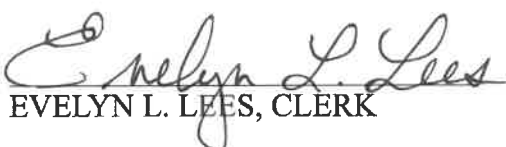
ADJOURNMENT

There being no further business before the Board of Public Works and Safety this 3rd day of December, 2024, Mr. Martin adjourned the meeting.



JACK MARTIN, PRESIDENT

ATTEST:



EVELYN L. LEES, CLERK