



City of Carmel

CARMEL COMMON COUNCIL MEETING AGENDA

MONDAY, JANUARY 6, 2024 – 6:00 P.M.
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

1. **CALL TO ORDER**
2. **AGENDA APPROVAL**
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE**
5. **RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS**
6. **RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL**
7. **COUNCIL AND MAYORAL COMMENTS/OBSERVATIONS**
8. **CONSENT AGENDA**
 - a. **Approval of Minutes**
 1. December 16, 2024 Regular Meeting
 2. December 30, 2024 Special Meeting
 - b. **Claims**
 1. Payroll
 2. General Claims
 3. Retirement
 4. Wire Transfers
9. **ACTION ON MAYORAL VETOES**
10. **COMMITTEE REPORTS**
 - a. Finance, Utilities and Rules Committee
 - b. Land Use and Special Studies Committee
 - c. All reports designated by the Chair to qualify for placement under this category.

11. **OTHER REPORTS – (at the first meeting of the month specified below):**

- a. **Carmel Redevelopment Commission (Monthly)**
- b. **Carmel Historic Preservation Commission (Quarterly – January, April, July, October)**
- c. Audit Committee (Bi-annual – May, October)
- d. Redevelopment Authority (Bi-annual – April, October)
- e. Economic Development Commission (Bi-annual – February, August)
- f. Library Board (Annual – February)
- g. Ethics Board (Annual – February)
- h. Parks Department (Quarterly – February, May, August, November)
- i. Climate Action Advisory Committee (Quarterly – March, June, September, December)
- j. **Housing Task Force**
- k. All reports designated by the Chair to qualify for placement under this category.

12. **OLD BUSINESS**

- a. **Sixth Reading of Ordinance D-2740-24**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 2, Article 1, Sections 2-1, 2-3, 2-6, 2-10, 2-12, 2-13 and 2-14 of the Carmel City Code; Sponsor(s): Councilor(s) Green and Aasen. **Sent to the Finance, Utilities and Rules Committee.**

Synopsis:

Ordinance clarifying purpose and duties of components of government.

- b. **Sixth Reading of Ordinance D-2741-24**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 2, Article 6, Sections 2-301, 2-302 and 2-303, of the Carmel City Code; Sponsor(s): Councilor(s) Green and Aasen. **Sent to the Finance, Utilities and Rules Committee.**

Synopsis:

Ordinance amending budget procedures of the City of Carmel.

- c. **Second Reading of Ordinance Z-694-24**; An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing The Towne 146 Planned Unit Development District; Sponsor: Councilor Minnaar. **Sent to the Land Use and Special Studies Committee.**

Synopsis:

Ordinance establishes the Towne 146 Planned Unit Development District Ordinance (the “Towne 146 PUD”). The Ordinance would rezone the real estate from S-1 Residential to a Planned Unit Development district allowing the development of a mixed-residential neighborhood laid out in the style and character as depicted on the Concept Plan (attached as Exhibit B) which includes single-family homes and townhomes.

- d. **Second Reading of Ordinance D-2753-24**; An Ordinance of the Common Council of Carmel, Indiana, Amending Chapter 2, Article 3, Sections 2-51, 2-52, 2-54 and 2-55 of the Carmel City Code; Sponsor(s): Councilor(s) Green and Taylor. **Sent to the Finance, Utilities and Rules Committee.**

Synopsis:

Ordinance amending the PTO and leave policy.

13. PUBLIC HEARINGS

14. NEW BUSINESS

- a. **First Reading of Ordinance D-2754-25**; An Ordinance of the Common Council of the City of Carmel, Indiana, Approving and Adopting an Interlocal Agreement; Sponsor: Councilor Aasen.

Synopsis:

Ordinance approving and adopting an interlocal agreement with Hamilton County, Indiana, concerning the U.S. 31 Ramps Economic Development Area.

- b. **First Reading of Ordinance D-2755-25**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 3, Article 1, Division II, Section 3-30 of the Carmel City Code; Sponsor(s): Councilors Aasen and Taylor.

Synopsis:

Ordinance amends the order of business for the Carmel Common Council agenda by adding Finance Department's budget quarterly reports.

- c. **Resolution CC-01-06-25-01**; A Resolution of the Common Council of the City of Carmel, Indiana, Approving Certain Matters in Connection with the Old Town Economic Development Area (Main and 4th Avenue Allocation Area); Sponsor(s): Councilors Aasen and Minnaar.

Synopsis:

Resolution approves (1) a resolution of the City of Carmel Redevelopment Commission creating a new Main and 4th Avenue Allocation Area within the Old Town Economic Development Area, including an economic development plan supplement, and (2) a related City of Carmel Plan Commission resolution.

- d. **Resolution CC-01-06-25-02**; A Resolution of the Common Council of the City of Carmel, Indiana, Approving Certain Matters in Connection with the North Illinois Street Economic Development Area (Frontage Road Hotel Allocation Area); Sponsor(s): Councilors Aasen and Minnaar.

Synopsis:

Resolution approves (1) a resolution of the City of Carmel Redevelopment Commission creating a new Frontage Road Hotel Allocation Area within the North Illinois Street Economic Development Area, including an economic development plan supplement, and (2) a related City of Carmel Plan Commission resolution.

- e. **Resolution CC-01-06-25-03**; A Resolution of the Common Council of the City of Carmel, Indiana, Approving Certain Matters in Connection with the North Illinois Street Economic Development Area (Meridian Hotel Allocation Area); Sponsor(s): Councilors Aasen and Minnaar.

Synopsis:

Resolution approves (1) a resolution of the City of Carmel Redevelopment Commission creating a new Meridian Hotel Allocation Area within the North Illinois Street Economic Development Area, including an economic development plan supplement, and (2) a related City of Carmel Plan Commission resolution.

15. AGENDA ADD-ON ITEMS

16. OTHER BUSINESS

a. City Council Appointments

1. Carmel Advisory Committee on Disability (Terms expire 12/31/2026, two-year terms); Two appointments.

17. ANNOUNCEMENTS

18. ADJOURNMENT



City of Carmel

CARMEL COMMON COUNCIL MEETING MINUTES MONDAY, DECEMBER 16, 2024 – 6:00 P.M. COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

MEETING CALLED TO ORDER

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

Council President Green called the meeting to order at 6:08 p.m.

AGENDA APPROVAL

The agenda was approved unanimously.

INVOCATION

Rev. George Davis delivered the invocation.

RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS

Councilor Minnaar recognized Sky Simpson, a Carmel resident who recently competed at the International Powerlifting Federation World Open Equipped Championship in Iceland. She also recognized Sky's trainer, Carmel resident Kyle Moran, who owns Moran Academy for Strength and Speed. Sky earned two gold medals and one silver in his lifts and took home gold overall in his division. Sky was described during the competition as the most electrifying athlete representing the United States. Under the Mayor's direction, the city of Carmel will temporarily name a street after Sky.

RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL

Stacie Shapiro shared her story of why she sold her house and ultimately moved out of Carmel. She stated that her neighbors installed a pool and other outdoor structures which differed in size and location from the plans that they had submitted when they applied for a variance. Ms. Shapiro stated that for two years she tried to get the city to help her with this situation. She asked for variance hearings that did not happen, she stated that code enforcement did nothing about the numerous violations her neighbors had committed. She had to sell her property, which was not easy because it was hard to find a buyer who wanted to live next to those structures. Another neighbor had difficulty selling as well. Mr. Shapiro stated she was sharing her story so that this wouldn't happen to another resident.

47 **COUNCIL AND MAYORAL COMMENTS/OBSERVATIONS**

48
49 Councilor Aasen recognized Councilor Green for all the work he has done this year as Council President,
50 and thanked him for his service. President Green was honored with a commemorative gavel.

51
52 Mary-Margaret McKechnie, a fifth grade student at Carmel Elementary, gave the Mayor's Report to Council.
53 The Mayor expressed her gratitude to the City Council, the city team and the citizens of Carmel for this past
54 year. This has been a year of listening, learning and building upon the foundations that make Carmel a city of
55 excellence. We have tackled challenges head-on, always with a focus on collaboration and forward progress.
56 Mayor Finkam is proud of the progress we have made this past year, but is even more excited about the road
57 ahead.

58
59 **CONSENT AGENDA**

60
61 Councilor Snyder moved to approve the consent agenda. Councilor Minnaar seconded. There was no
62 discussion. Council President Green called for the vote. The consent agenda was approved 9-0.

63
64 **a. Approval of Minutes**

- 65
66 1. December 2, 2024 Regular Meeting

67
68 **b. Claims**

- 69
70 1. Payroll - \$3,828,530.14
71 2. General Claims – \$3,292,829.46

72
73 **ACTION ON MAYORAL VETOES**

74
75 There were none.

76
77 **COMMITTEE REPORTS**

78
79 Councilor Worrell reported that the Finance, Utilities and Rules Committee has not met since the last
80 Council meeting. There are three items on the agenda that will be picked up next year.

81
82 Councilor Snyder reported that the Land Use and Special Studies Committee met on December 4th to go over
83 the UDO review that has been performed in 2024. The Land Use Committee is also sending the Alley
84 Vacation out of committee with no action.

85
86 **OTHER REPORTS – (at the first meeting of the month specified below):**

87
88 There were none.

89
90 **OLD BUSINESS**

91
92 Council President Green announced the fifth reading of **Ordinance D-2740-24**; An Ordinance of the
93 Common Council of the City of Carmel, Indiana, Amending Chapter 2, Article 1, Sections 2-1, 2-3, 2-6, 2-
94 10, 2-12, 2-13 and 2-14 of the Carmel City Code; Sponsor(s): Councilor(s) Green and Aasen. This item
95 remains in the Finance, Utilities and Rules Committee.

96
97 Council President Green announced the fifth reading of **Ordinance D-2741-24**; An Ordinance of the
98 Common Council of the City of Carmel, Indiana, Amending Chapter 2, Article 6, Sections 2-301, 2-302 and

2-303, of the Carmel City Code; Sponsor(s): Councilor(s) Green and Aasen. This item remains in the Finance, Utilities and Rules Committee.

Council President Green announced that **Petition for Alley/Street Vacation or Order to Remove Obstructions**; 40 East Main Street, Carmel, IN 46032; Carmel Library Associates, LLC, Property Owner, will be removed from the agenda.

Council President Green announced the second reading of **Ordinance D-2746-24**; An Ordinance of the Common Council of the City of Carmel, Indiana, Authorizing and Approving an Appropriation of Funds from the Marketing and Community Relations Budget (#1203) to Line Item 4359000 - Special Projects; Sponsor(s): Councilor(s) Green and Taylor. Zac Jackson, City of Carmel CFO/Controller, explained that this ordinance, along with the corresponding resolution, transfers \$200,000.00 of available funding from the Full-Time Employee line item in the Police Department Budget into the Special Projects line item in the Marketing and Community Relations Budget. From there, the corresponding resolution will grant \$100,000.00 to Prime Life Enrichment and \$100,000.00 to the Carmel Clay Historical Society. Mr. Jackson also reminded Council that the 2025 Budget they approved includes \$50,000.00 to each of these organizations next year, as well. Councilor Worrell asked if these organizations are going to ask for additional funds in the year to come, and Mr. Jackson stated that both organizations have been told that this is the extent of our commitment. Councilor Minnaar made a motion to approve the ordinance. Councilor Aasen seconded. There was no discussion. Council President Green called for the vote. **Ordinance D-2746-24** approved 9-0.

Council President Green then announced the corresponding resolution, **Resolution CC-12-02-24-01**; A Resolution of the Common Council of the City of Carmel, Indiana, Approving a Transfer of Funds from the Carmel Police Department Budget (Fund 1100) into the Marketing and Communications Department Budget (Fund 1203); Sponsor(s): Councilor(s) Green and Taylor. Councilor Snyder moved to approve the resolution. Councilor Joshi seconded. There was no discussion. Council President Green called for the vote. **Resolution CC-12-02-24-01** approved, 9-0.

Council President Green announced **Resolution CC-12-02-24-04**; A Resolution of the Common Council of the City of Carmel, Indiana, Approving a Transfer of Funds within the Mayor's Office Budget (#1160); Sponsor(s): Councilor(s) Green and Aasen. This item was held over from the December 2nd Council Meeting. Zac Jackson explained that this is a reallocation of funds within the Mayor's Office budget to help cover the cost of the Chief of Staff position, which was created this year. Additionally, \$10,000.00 is to be transferred to the furniture and fixtures line item. Councilor Aasen moved to approve the ordinance. Councilor Joshi seconded. There was no discussion. Council President Green called for the vote. **Resolution CC-12-02-24-04** approved, 9-0.

Council President Green announced **Resolution CC-12-02-24-05**; A Resolution of the Common Council of the City of Carmel, Indiana, Approving a Transfer of Funds within the Marketing and Community Relations Department Budget (#1203); Sponsor(s): Green and Aasen. This item was held over from the December 2nd Council Meeting. Zac Jackson explained that the original request for \$50,000.00 in furniture has been reduced to \$5,000.00. Councilor Worrell asked if we are now doing all video production in-house. Kelly Douglas, Director of Marketing, confirmed that we are doing about 95% in-house right now, with 100% being the goal. Councilor Snyder commended Ms. Douglas on her department's fiscal responsibility. Councilor Locke echoed this sentiment and commented that the recent information provided to explain these transfers has been wonderful. Councilor Joshi also appreciated the information provided. Councilor Aasen made a motion to approve the resolution. Councilor Joshi seconded. **Resolution CC-12-02-24-05** approved, 9-0.

PUBLIC HEARINGS

Council President Green announced the first reading of **Ordinance Z-694-24**; An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing The Towne 146 Planned Unit Development District; Sponsor: Councilor Minnaar. Councilor Joshi moved to introduce the item into business. Councilor Minnaar seconded. Council Minnaar presented the item to Council. Jon Dobosiewicz, Land Use Professional with Nelson & Frankenberger, LLC, explained the ordinance to Council. This comes to the Council with a positive recommendation from the Plan Commission. The following modifications have been made to the proposal: removal of the neighborhood commercial node, reduction in the number of homes, landscaping and open space enhancements including preservation of wetlands, pedestrian connectivity enhancements, and the addition of rental restrictions by commitment. The concept plan now includes a total of 87 lots, consisting of 17 ranch homes, with main floor master bedrooms as an option in the two-story homes. Councilor Taylor asked if there will be a payment of park impact fees for every unit developed on this property, and if the trail through the wetlands will be ADA accessible. Mr. Dobosiewicz answered yes. Councilor Taylor stated that he would like to see first floor masters as a requirement instead of an option. Councilor Minnaar stated she would like to see current Carmel residents have first rights to purchasing these homes with first floor masters.

Council President Green started the public hearing at 6:58 p.m. The first person to speak was Audra Moor of Saddle Creek neighborhood, which is directly south of the proposed development. Ms. Moor stated that in order to maintain the quality of life that Carmel offers, we need to pursue quality of development rather than maximum density. This development has a density that is higher than any of the surrounding Carmel developments, at 5.5 units per acre. This comes at the sacrifice of green space. The next person to speak was Chris Potts, Saddle Creek HOA board member. Mr. Potts spoke in opposition to the “super pond” that the proposed development will create, which requires the removal of 30-40 mature trees, in order to increase density. The Saddle Creek residents would like to see an independent pond for this development, which will help with water staging and runoff. The third person to speak was Cindi Johnson. Ms. Johnson spoke about the growing density in Carmel over the last several years. Higher density means a higher influx of residents, more strain on our infrastructure and possible overcrowding at our schools. Ms. Johnson asked the Council to consider the implications for the whole of Carmel, not just for the immediate Towne/146th area. The last person to speak was Dee Fox. Ms. Fox stated that although some good changes have been made to the original proposal, more needs to be done to lower the density. She also believes that there are too many townhomes in the development, making up 2/3 of the total dwellings. She believes there should be more ranch-style homes, and that first floor master bedrooms should be required, as this will support aging in place. Council President Green closed the public hearing at 7:12 p.m. **Ordinance Z-694-24** was sent to the Land Use and Special Studies Committee.

Council President Green announced the first reading of **Ordinance Z-695-24**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending the Gramercy Planned Unit Development District (Z-493-06); Sponsor: Councilor Minnaar. Councilor Minnaar made a motion to introduce the item into business. Councilor Snyder seconded. Councilor Minnaar presented the item to Council. Jon Dobosiewicz explained that this ordinance amends the Gramercy PUD with a plan designed for an urban residential development on a portion of the overall property, which would encompass about 33 acres. This proposal includes multi-family townhomes as well as commercial development. Any vertical construction on the real estate will require approval through the redevelopment commission and approval through the Plan Commission. Council President Green opened up the public hearing at 7:18 p.m. Seeing no one who wished to speak, President Green closed the public hearing at 7:19 p.m. 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 moved to approve the ordinance. Councilor Snyder seconded. There was no discussion. Council President Green called for the vote. **Ordinance Z-695-24** approved, 8-1. (Councilor Worrell opposed.)

Council President Green announced the first reading of **Ordinance D-2748-24**; An Ordinance of the Common Council of the City of Carmel, Indiana, Authorizing and Approving an Additional Appropriation of Funds from the Human Resources Department #1201 to Line Items 4110000 – Full Time Regular and 4340400 – Consulting Fees; Sponsor: Councilor Green. Councilor Minnaar moved to introduce the item into business. Councilor Aasen seconded. Council President Green presented the item to Council. Zac Jackson explained that this ordinance appropriates funds needed in the Human Resources department as a result of the payroll function being moved there from the Finance Department. Council President Green opened up the public hearing at 7:21 p.m. Seeing no one who wished to address the Council, President Green closed the public hearing at 7:22 p.m. Councilor Aasen moved to suspend the rules and act on this tonight. Councilor Minnaar 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 the ordinance. Councilor Minnaar seconded. There was no discussion. Council President Green called for the vote. **Ordinance D-2748-24** approved, 9-0.

Council President Green announced the first reading of **Ordinance D-2750-24**; An Ordinance of the Common Council of the City of Carmel, Indiana, Authorizing and Approving an Additional Appropriation of Funds from the Health Insurance Medical Escrow Fund (Fund #301) to Line Item 5023990 – Other Expenses; Sponsor: Councilor Green. Councilor Minnaar moved to introduce the item into business. Councilor Ayers seconded. Council President Green presented the item to Council. Zac Jackson explained that this ordinance will move excess funds from the Police Department to the Medical Escrow Fund, which was underfunded due to our previous broker's recommendation of a larger premium increase than what was built into the budget. Council President Green opened up the public hearing at 7:27 p.m. Seeing no one who wished to address Council, President Green closed the public hearing at 7:27 p.m. Councilor Minnaar made a motion to suspend the rules and act on this tonight. Councilor Joshi seconded. There was no discussion. Council President Green called for the vote. Motion to Suspend the Rules approved, 9-0. Councilor Aasen moved to approve the ordinance. Councilor Joshi seconded. There was no discussion. Council President Green called for the vote. **Ordinance D-2750-24** approved, 9-0.

NEW BUSINESS

Council President Green announced the first reading of **Ordinance D-2752-24**; An Ordinance of the Common Council of Carmel, Indiana, Fixing Salaries of Appointed Officers and Employees of the City of Carmel, Indiana, for the Year 2025; Sponsor: Councilor Snyder. Councilor Snyder moved to introduce the item into business. Councilor Aasen seconded. Councilor Snyder presented the item to Council. Zac Jackson listed two changes to be made to this ordinance. The first is the language surrounding on-call pay for the Department of Community Services. The second is a change to the language defining who is eligible for technical pay. Councilors asked questions about scheduling on holidays and how that is decided. Different departments have different policies on how those days are staffed, in terms of how many people can request off on the same day, seniority, and other factors. Councilor Snyder asked if we could tighten up the definition of an exempt position versus a non-exempt position. There was a discussion over the salary study that will be performed. It was decided to not remove the premium pay language right now, so that no change is effected before the holidays. Councilor Aasen moved to amend the ordinance to keep the language from lines 311-314, and not strike them as previously proposed. Councilor Snyder seconded. There was no discussion. Council President Green called for the vote. Motion to Amend approved, 9-0. Councilor Aasen moved to suspend the rules and act on this tonight. Councilor Ayers seconded. There was no discussion. Council President Green called for the vote. Motion to Suspend the Rules approved, 9-0. Councilor Aasen moved to approve the amended ordinance. Councilor Joshi seconded. There was no discussion. Council President Green called for the vote. **Ordinance D-2752-24** approved as amended, 9-0.

Council President Green announced the first reading of **Ordinance D-2753-24**; An Ordinance of the Common Council of Carmel, Indiana, Amending Chapter 2, Article 3, Sections 2-51, 2-52, 2-54 and 2-55 of the Carmel City Code; Sponsor(s): Councilor(s) Green and Taylor. Councilor Minnaar moved to introduce the item into business. Councilor Taylor seconded. Councilor Taylor presented the item to Council. This item was sent to the Finance, Utilities and Rules Committee.

Council President Green announced **Resolution CC-12-16-24-01**; A Resolution of the Common Council of the City of Carmel, Indiana, Approving a Transfer of Funds Between the 2024 Finance Department Budget (Department #1701) and the 2024 Human Resources Department #1201; Sponsor: Councilor Green. Councilor Joshi moved to introduce the item into business. Councilor Minnaar seconded. Council President Green presented the item to Council. This is the resolution that accompanies Ordinance D-2748-24, and transfers \$100,000.00 from the Finance budget to the Human Resources budget to cover the payroll function. Councilor Aasen moved to approve the resolution. Councilor Minnaar seconded. There was no discussion. Council President Green called for the vote. **Resolution CC-12-16-24-01** approved, 9-0.

Council President Green announced **Resolution CC-12-16-24-02**; A Resolution of the Common Council of the City of Carmel, Indiana, Approving a Transfer of Funds Between the 2024 Carmel Police Department Budget (Department #1110) and the 2024 Health Insurance Medical Escrow Fund (Fund #301); Sponsor: Councilor Green. Councilor Minnaar moved to introduce the item into business. Councilor Joshi seconded. Council President Green presented the item to Council. This is the accompanying resolution to Ordinance D-2750-24, which transfers \$1,000,000.00 from the Police Department budget into the Health Insurance Medical Escrow Fund. Councilor Snyder moved to approve the resolution. Councilor Aasen seconded. There was no discussion. Council President Green called for the vote. **Resolution CC-12-16-24-02** approved, 9-0.

Council President Green announced **Resolution CC-12-16-24-03**; A Resolution of the Common Council of the City of Carmel, Indiana, Approving a Transfer of Funds Within the 2024 General Administration Budget (#1205); Sponsor: Councilor Green. Councilor Joshi moved to introduce the item into business. Councilor Aasen seconded. Council President Green presented the item to Council. Zac Jackson explained that the General Administration budget has become the Facilities Management budget. The department is on track to underspend its appropriations by around \$400,000.00. The request is to transfer \$299,000.00 within the General Administration budget to cover shortfalls in the Other Structural Improvements and Furniture and Fixtures line items. Councilor Aasen moved to approve the resolution. Councilor Joshi seconded. There was no discussion. Council President Green called for the vote. **Resolution CC-12-16-24-03** approved, 9-0.

Council President Green announced **Resolution CC-12-16-24-04**; A Resolution of the Common Council of the City of Carmel, Indiana, Approving a Transfer of Funds Between the General Fund (#101) and the Fire Pension Fund (#802); Sponsor: Councilor Green. Councilor Minnaar moved to introduce the item into business. Councilor Aasen seconded. Council President Green presented the item to Council. Zac Jackson explained that this transfer of \$25,000.00 from the General Fund to the Fire Pension Fund is necessary because the Fire Pension fund has not been accurately reimbursed by INPRS, which the Human Resources Department is currently working to correct. Councilor Aasen moved to approve the resolution. Councilor Minnaar seconded. There was no discussion. Council President Green called for the vote. **Resolution CC-12-16-24-04** approved, 9-0.

AGENDA ADD-ON ITEMS

There were none.

OTHER BUSINESS

Dora Signage and Logo Approval

Councilor Worrell, Chair of the DORA Committee, spoke to Council, seeking the approval of the proposed logo and signage for Carmel's new DORA district. Councilor Snyder moved to approve the DORA Committee's recommendations. Councilor Aasen seconded the motion. There was no discussion. Council President Green called for the vote. **DORA Signage and Logo** approved, 9-0.

Election of Council Positions

Council President Green opened up nominations for the election of 2025 Council positions. Councilor Taylor moved to nominate Councilor Adam Aasen for Council President. Councilor Snyder seconded the nomination. Councilor Taylor moved to close the nominations. Councilor Snyder seconded. There was no discussion. Council President Green called for the vote. **Councilor Adam Aasen approved as 2025 Council President**, 8-0. (Councilor Aasen abstained.)

Council President Green opened up the nominations for the election of 2025 Council Vice President. Councilor Taylor moved to nominate Councilor Matthew Snyder for Council Vice President. Councilor Minnaar seconded. Councilor Taylor moved to close the nominations. Councilor Joshi seconded. There was no discussion. Council President Green called for the vote. **Councilor Matthew Snyder approved as 2025 Council Vice President**, 8-0. (Councilor Snyder abstained.)

City Council Appointments

Carmel Advisory Committee on Disability (Terms expire 12/31/2026, two-year terms); Two appointments. No appointments were made.

Carmel Audit Committee (Term expires 12/31/26, two-year term); One appointment. (Term expires 12/31/25, one-year term); One Councilor appointment. Councilor Aasen moved to nominate Kelly Mitchell and Ryan Locke. Councilor Taylor seconded. Councilor Aasen moved to close the nominations. Councilor Taylor seconded. There was no discussion. Council President Green called for the vote. Appointments approved, 8-0. (Councilor Locke abstained.)

Carmel City Center Community Development Corporation (Term expires 12/31/2025, one-year term); One appointment. Councilor Locke moved to nominate Cheryl Wessell. Councilor Aasen seconded. Councilor Locke moved to close the nominations. Councilor Aasen seconded. There was no discussion. Council President Green called for the vote. Appointment approved, 8-0. (Councilor Snyder abstained.)

Carmel Redevelopment Commission (Terms expire 12/31/2024, one-year terms); Two appointments, One of those to be a Councilor. Councilor Aasen moved to nominate David Bowers. Councilor Taylor moved to nominate Councilor Aasen as the Council appointment. Councilor Worrell seconded those nominations. Councilor Aasen moved to close the nominations. Councilor Taylor seconded. There was no discussion. Council President Green called for the vote. Appointments approved, 8-0. (Councilor Aasen abstained.)

Fire Department Merit Board (Term expires 12/31/26, two-year term); One appointment. Councilor Worrell moved to nominate Gary Dufek. Councilor Aasen seconded. Councilor Worrell moved to close the nominations. Councilor Taylor seconded. There was no discussion. Council President Green called for the vote. Appointment approved, 9-0.

Mayor's Advisory Commission on Arts (Terms expires 12/31/2026, two-year terms); Two appointments. Councilor Ayers moved to nominate Beth Glynn for reappointment. Councilor Joshi moved to nominate Chandrika Patel for reappointment. Councilor Taylor seconded those nominations. Councilor Aasen moved to close the nominations. Councilor Taylor seconded. There was no discussion. Council President Green called for the vote. Appointments approved, 9-0.

Police Department Merit Board (Term expires 12/31/26, two-year term); One appointment. Councilor Aasen moved to nominate Peter Beering. Councilor Taylor seconded. Councilor Taylor moved to close the nominations. Councilor Ayers seconded. There was no discussion. Council President Green called for the vote. Appointment approved, 9-0.

ANNOUNCEMENTS

There were none.

ADJOURNMENT

Council President Green adjourned the meeting at 8:08 p.m.

Respectfully Submitted,

Jacob Quinn, Clerk

Approved,

ATTEST:

Adam Aasen, Council President

Jacob Quinn, Clerk



City of Carmel

CARMEL COMMON COUNCIL SPECIAL MEETING MINUTES MONDAY, DECEMBER 30, 2024 – 8:00 A.M. COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

Council President Tony Green, Councilors Adam Aasen, Ryan Locke, Rich Taylor, Teresa Ayers, Anita Joshi and Deputy Clerk Jessica Komp were present.

Councilors Jeff Worrell, Matthew Snyder and Shannon Minnaar were not present.

Council President Green called the meeting to order at 8:00 a.m.

CLAIMS

Councilor Aasen moved to approve claims. Councilor Joshi seconded. There was no Council discussion. Council President Green called for the vote. Claims were approved 6-0.

1. Payroll - \$3,738,876.43
2. General Claims - \$3,789,495.46 and \$44,944.61(Purchase Card)
3. Retirement - \$110,705.10

ADJOURNMENT

Council President Green adjourned the meeting at 8:01 a.m.

Respectfully submitted,

Jacob Quinn, Clerk

Approved,

Adam Aasen, Council President

ATTEST:

Jacob Quinn, Clerk

CITY COUNCIL JANUARY 2025 REPORT

REPORTING ON NOVEMBER 2024 FINANCES

DECEMBER 2024 ACTIVITIES



STRATEGIC HIGHLIGHTS

- Construction progressing on the following projects:
 - First on Main
 - Magnolia
 - The Wren
 - The Windsor
 - Republic Airways (Hamilton Crossing)
 - Proscenium II
 - North End
 - The LOR/1933 Lounge Project
 - Lexington & Main Roundabout Art
 - AT&T Site

FINANCIAL SNAPSHOT

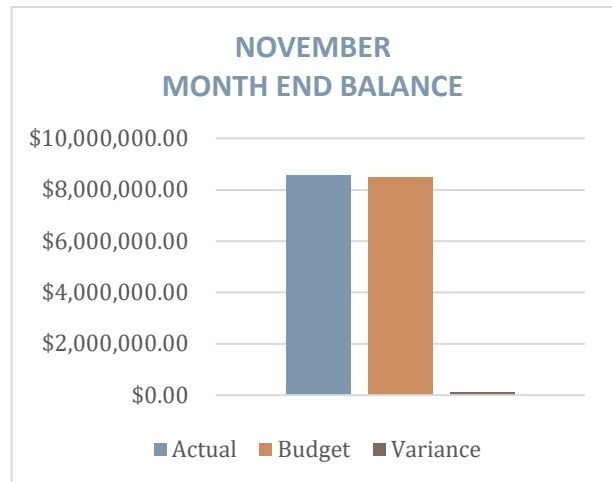
November Beginning Balance	\$ 8,637,552.04
November Revenues	\$ 248,178.40
November Transfers	\$ (8,916.00)
November Expenditures	\$ 297,057.30
November ending Balance Without Reserve Funds	\$ 8,579,757.14
Supplemental Reserve Fund	\$ 4,951,733
City Center Bond Reserve	\$ 444,551
Midtown Bond Reserve	\$ 923,652
Midtown West Bond Reserve	\$ 704,886
Urban Parks Fund	\$ 1,894,977
November Balance With Reserve Funds	\$ 17,499,556

FINANCIAL STATEMENT

Financial Statement

NOVEMBER MONTH-END FINANCIAL BALANCE

Ending Balance without Restricted Funds	\$ 8,579,757.14
Ending Balance with Restricted Funds	\$ 17,499,556



SUMMARY OF CASH

For the Month Ending November 2024

DESCRIPTION	ACTUAL	MONTHLY PROJECTION	VARIANCE
Cash Balance 11/1/24			
1101 Cash	\$ 5,663,167.47	\$ 5,663,167.47	-
1110 TIF	\$ 2,974,384.57	\$ 2,974,384.57	-
Total Cash	\$ 8,637,552.04	\$ 8,637,552.04	-
Receipts			
1101 Cash	\$ 248,178.40	\$ 130,624.88	\$ 117,553.52
1110 TIF	\$ -	\$ -	\$ -
Developer Payments	\$ -	\$ -	\$ -
Transfers to Reserves (TIF)	\$ -	\$ -	\$ -
Transfers to Reserves (non-TIF)	\$ (8,916.00)	\$ -	\$ (8,916.00)
Transfer to SRF	\$ -	\$ -	\$ -
Total Receipts	\$ 239,262.40	\$ 130,624.88	\$ 108,637.52
Disbursements			
1101 Cash	\$ 297,057.30	\$ 294,520.23	\$ (2,537.07)
1110 TIF	\$ -	\$ -	\$ -
Total Disbursements	\$ 297,057.30	\$ 294,520.23	\$ (2,537.07)
1101 Cash	\$ 5,605,372.57	\$ 5,499,272.12	\$ 106,100.45
1110 TIF	\$ 2,974,384.57	\$ 2,974,384.57	\$ -
Cash Balance 11/30/24	\$ 8,579,757.14	\$ 8,473,656.69	\$ 106,100.45
Total Usable Funds	\$ 8,579,757.14	\$ 8,473,656.69	\$ 106,100.45

FINANCIAL STATEMENT

FUND BALANCES AND OUTSTANDING RECEIVABLES

As of month-end November 2024

RESTRICTED FUNDS

Supplemental Reserve Fund	\$ 4,951,733
City Center Bond Reserve	\$ 444,551
Midtown Bond Reserve	\$ 923,652
Midtown West Bond Reserve	\$ 704,886
Urban Parks Fund	\$ 1,894,977
Sub-total:	\$ 8,919,799

UNRESTRICTED FUNDS

TIF	\$ 2,974,385
Non TIF	\$ 5,605,373
Sub-total:	\$ 8,579,757
Total Funds	\$ 17,499,556

OUTSTANDING RECEIVABLES

N/A	\$ -
<u>TOTAL OUTSTANDING RECEIVABLES</u>	<u>\$ -</u>

STATEMENT OF CHANGES IN EQUITY

MONTH END: NOVEMBER 2024

DESCRIPTION	REVENUE	EXPENSES
Total Receipts (TIF)	\$ -	
Total Receipts (Non-TIF)	\$ 239,262	
Expenditures (TIF)		\$ -
Expenditures (Non-TIF)		\$ 297,057

FINANCIAL UPDATE

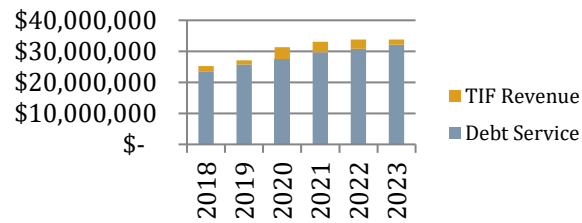
Financial Update

TIF REVENUE AND DEBT

Estimated 2024 TIF revenue and PIATT payments available for CRC use is \$33,636,213.

DEBT PAYMENTS

Month	Payment
June 2024	\$16,550,975
December 2024	\$16,549,798



PROJECT UPDATES

Project Updates

CITY CENTER

Developer Partner: Pedcor Companies

Allocation Area: City Center

Use: Mixed-Use

Project Summary: Mixed Use development, multiple buildings

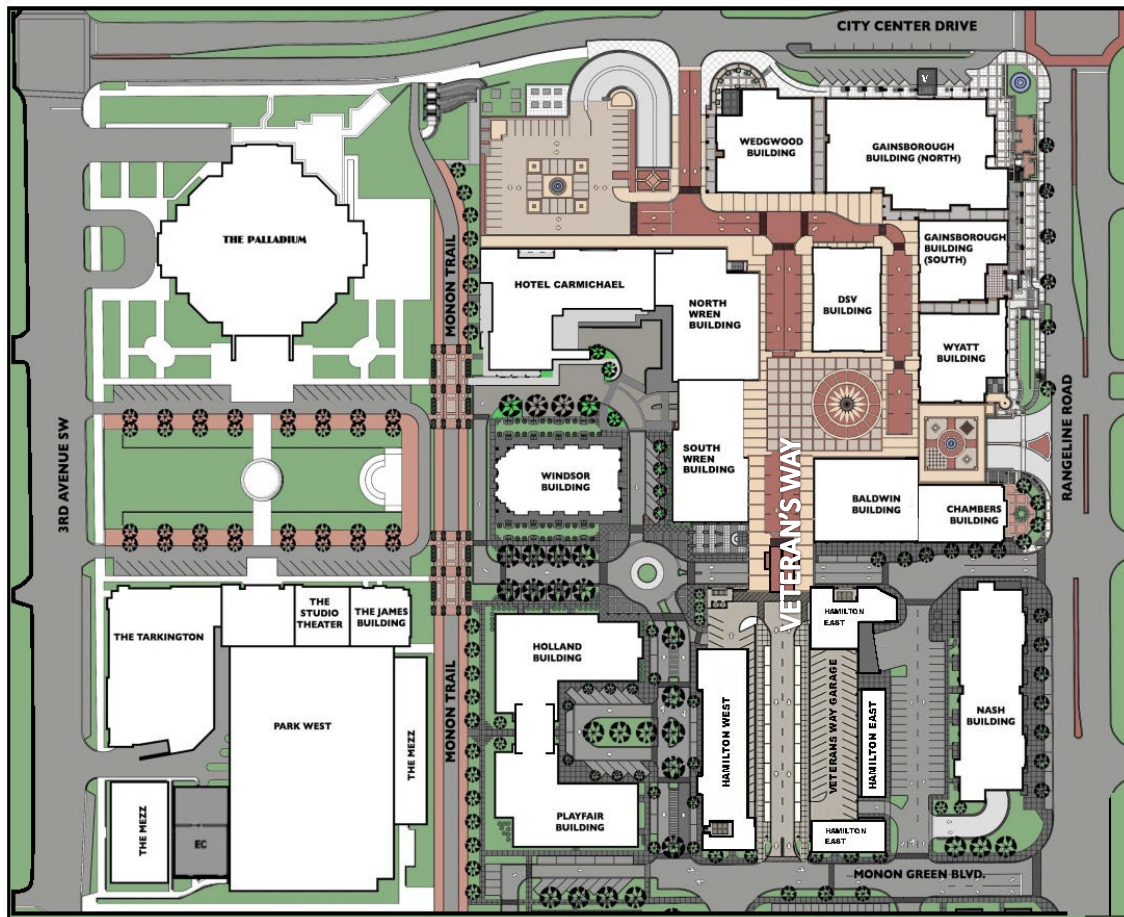


Figure 1 City Center Master Plan, provided by Pedcor City Center Development Company

PROJECT UPDATES

1) Project Status – (changes noted below.)

CRC Contract Amounts:

City Center Bond: \$ 16,214,875.00

2016 TIF Bond: \$ 2,598,314.00 (5th Floor of Park East garage)

Site Construction Contract Amounts: \$1,442,962 – Smock Fansler, contractor - Complete

Veterans Way Extension Project Amounts: \$3,403,000 – Hagerman, contractor – Complete

Parcel 73 Site work: \$149,600 – Smock Fansler, contractor

PROJECT	USE	PROJECT DATES	DESIGN RENDERINGS PROVIDED BY PEDCOR
Veterans Way Garage	<p>A five-story parking structure with 735 parking spaces</p> <p>Open to the public on 9/22/17</p>	<p>Completed in May 2017</p> <p>Contract Amt. \$13,954,683</p>	
Baldwin/Chambers	<p>A four-story building, of approximately 64,000 square feet, which will include luxury apartments and commercial retail/office space.</p> <p>Approx. 26 Apartments</p> <p>Hagerman is the contractor.</p>	<p>Completed in June 2018</p>	
Pedcor Office 5	<p>A two-story building, of approximately 20,000 square feet, which will include office space.</p>	<p>Start: Fall 2015</p> <p>Completed Q4 2017</p>	<p>Tenants have moved into the new building</p>

PROJECT UPDATES

Kent	<p>A three-story building, of approximately 111,000 square feet of luxury apartments.</p> <p>Site drawings were approved by the CRC Architectural Committee.</p>	<p>Start: Summer 2018</p> <p>Complete: June 2021</p>	<p>Site Construction – Start: Spring 2018 Site Work Awarded – Spring 2018 Building Construction – Start: Summer 2018 Building Complete June 2021 - Pool and Site work is still under construction</p> 
Hamilton (Park East commercial/residential buildings)	<p>Hamilton East: 5 ground floor residential two-story townhomes; 7,954 SF of ground floor commercial space Hamilton West: 13,992 SF of ground floor commercial space</p>	<p>Start: Summer 2018</p>	<p>Hamilton East - Construction commenced: Summer 2018, completed Summer 2019 Hamilton West – Construction commenced: Summer 2020, currently under construction</p>
Playfair and Holland	<p>A five-story building, of approximately 178,000 square feet, which will include 112 luxury apartments and commercial retail/office space.</p>	<p>Start: September 2019</p> <p>Complete: Spring 2022</p> <p>Approx. 112 Apartments</p>	
Windsor	<p>A four-story building, of approximately 64,000 square feet.</p>	<p>Start: Summer 2022</p> <p>Complete: May/June 2024</p>	<p>December 2024</p> 

PROJECT UPDATES

Wren

A six-story building of approximately 157,000 square feet, which will include luxury apartments and commercial office/retail space.

Start:
Summer
2020

Complete:
June 2024

December 2024



Currently under construction

Note: All completion dates indicated above are per the Completion Guaranties executed between the CRC and Pedcor. Should Pedcor miss these dates they are obligated to cover the debt obligations.

2) Council and/or CRC Action Items

ACTION ITEM

CITY COUNCIL

CRC

3) CRC Commitments

An overview of commitments has been uploaded to the CRC website.

Most significantly, the CRC committed to publicly bid a four-story parking garage with not less than 620 parking spaces which has been completed and is available for public use. The CRC also commits to coordinate any significant site plan changes requested by Pedcor with City Council.

PROJECT UPDATES



PROSCENIUM

- 1) Developer Partner(s): Novo Development Group
- 2) Economic Development Area: 126th Street
- 3) Project Summary: Mixed-use development, multiple buildings.
 - 1) 197 Apartments; 22 for-sale condos
 - 2) Approx. 140,000 SF of office and retail space
 - 3) Approx. 450 parking spaces (public and private)

Total project budget: \$60,000,000

- 4) Anticipated Project Schedule

Design Start	2016
Construction Start	2018
Construction Complete	2022
Tavern Construction Start	Estimated Fall 2023
Tavern Construction Complete	Estimated

- 5) Construction Milestones: Construction is complete. Construction of the Tavern estimated to begin fall 2023.
- 6) Council and/or CRC Action Items

ACTION ITEM	CITY COUNCIL	CRC
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- 7) CRC Commitments

No commitments by the CRC have been made.

The City will be relocating and burying Duke Energy's transmission line and completing road improvements adjacent to the development.

PROJECT UPDATES

Rendering



September 2022



CIVIC SQUARE GARAGE

1) CRC Design-Build Project

2) Economic Development Area: Carmel City Center/Carmel City Center Amendment

3) Project Summary:

- 303-space parking garage
- 255 spaces will be open to the public
- 48 spaces are reserved for owner-occupied condos that will line the west and north sides of the garage (to be developed as part of a future CRC project)

4) Total project budget: \$9,700,000

5) Anticipated Project Schedule

Construction Start	January 2022
Construction End	Opened Summer 2022

6) Construction Milestones: Garage is now open for public use.

7) CRC Commitments

The CRC will be involved with development and construction of the parking garage

8) Council and/or CRC Action Items



March 2023

ACTION ITEM

CITY COUNCIL

CRC

PROJECT UPDATES

Rendering



FIRST ON MAIN

1)Developer Partner(s): Lauth Group, Inc.

2)Economic Development Area: Lot One

3)Project Summary:

- 310-space public parking garage
- Four-story, 73,000 SF Class-A office building with first floor restaurant space and a private rooftop terrace
- 8 condominiums
- 35 apartments
- Community gathering plaza featuring the City's Rotary Clock

4)Total project budget: \$35,000,000

5)Anticipated Project Schedule

Construction Start	Fall 2021
Construction End	Estimated November 2023

6)Construction Milestones: Construction is underway.

7)CRC Commitments

CRC contributed the land for this development. Future commercial taxes from the project (TIF) are being used to fund infrastructure improvements that may include the garage, utility relocations, and roadway improvements.

8)Council and/or CRC Action Items

ACTION ITEM

CITY COUNCIL

CRC

PROJECT UPDATES



Rendering



December 2024

MAGNOLIA

- 1)Developer Partner(s): Old Town Companies
- 2)Economic Development Area: Magnolia
- 3)Project Summary: Multi-phase development that will include six condominium buildings with five units per building, for a total of 30 for-sale condos, and future multi-family residential on the corner of City Center Drive and Rangeline Road.
- 4)Total project budget:
- 5)Anticipated Project Schedule

Construction Start	April 2022 (Building 1)
Construction End	Estimated 2025 (Buildings 4-6)

- 6)Construction Milestones: Construction is underway.
- 7)CRC Commitments: CRC contributed the land for the development of this project.
- 8)Council and/or CRC Action Items

ACTION ITEM

CITY COUNCIL

CRC

PROJECT UPDATES



December 2024



HAMILTON CROSSING

- 1)Developer Partner(s): Kite Reality Group and Pure Development, Inc.
- 2)Economic Development Area: Amended 126th Street
- 3)Project Summary: New home of Republic Airways. 105,000 square-foot training facility with 20 classrooms, 94 workstations, two cabin trainers, and eight flight simulators. The hotel adjacent to the training center will be expanded to 274 rooms. 600 jobs brought/created with Republic alone.
- 4)Total project budget: \$200,000,000 investment for Phase 1 and II
- 5)Anticipated Project Schedule

Construction Start	HQ/Corporate Housing: Winter 2021 (Complete) Garage: Winter 2022
Construction End	HQ/Corporate Housing: Completed Garage: Estimated April 2024

- 6)Construction Milestones: Construction is underway. Training Center is open.
- 7)CRC Commitments
Future commercial taxes from the project (TIF) are being used to fund infrastructure improvements that may include the garage, utility relocations, and roadway improvements.
- 8)Council and/or CRC Action Items

PROJECT UPDATES

Rendering



December 2024



PROSCENIUM II

- 1) Developer Partner(s): Novo Development Group
- 2) Economic Development Area: Amended 126th Street
- 3) Project Summary: Mixed-use development
 - i. 120 parking spaces
 - ii. 48 Apartments; 7 for-sale condos
 - iii. Approx. 15,000 SF of office and retail space
 - iv. Approx. Total project budget: \$18,000,000
- 4) Anticipated Project Schedule

Design Start	2021
Construction Start	2022
Construction Complete	Estimated August 2024

- 5) Construction Milestones: Construction is underway.
- 6) Council and/or CRC Action Items

ACTION ITEM	CITY COUNCIL	CRC
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- 7) CRC Commitments
No commitments by the CRC have been made.

PROJECT UPDATES

Rendering



AT&T SITE

- 1) Developer Partner(s): Buckingham Companies, Third Street Ventures, Pure Development, and Merchants Banks
- 2) Economic Development Area: 3rd Ave ATT
- 3) Project Summary: Mixed-use development
 - i. 443 parking spaces
 - ii. 244-unit multi-family building; 2 single family homes
 - iii. Approx. 80,000 SF of corporate headquarters; 37,000 SF boutique headquarters
 - iv. Approx. Total project budget: \$133,000,000

4) Anticipated Project Schedule

Design Start	2022
Construction Start	2024
Construction Complete	December 2025

- 5) Construction Milestones: Construction is underway.

6) Council and/or CRC Action Items

ACTION ITEM	CITY COUNCIL	CRC
-------------	--------------	-----

7) CRC Commitments

No commitments by the CRC have been made.

PROJECT UPDATES

Respectfully submitted,



Henry Mestetsky

Executive Director

Carmel Redevelopment Commission/Department

December 27, 2024

Prepared for City Council and the Redevelopment Commission

-End Report-

CARMEL HISTORIC PRESERVATION COMMISSION

QUARTERLY REPORT TO CARMEL CITY COUNCIL

JANUARY 2025

October 2024 to December 2024

- Staff had discussions about relocating the house at 10750 Hazel Dell Parkway, in hopes of avoiding demolition.
- Staff and commissioners pursued options for relocating the house at 331 W. Main St.
- Letter sent to owners of designated properties reminding them of the need to submit Certificates of Appropriateness for any exterior changes.
- Staff submitted draft of 14420 Cherry Tree Rd. Preservation Plan to Commission.
- Commission's contract with Indiana Landmarks renewed.
- Rosemary Dunkle announced her resignation from the Commission.
- Throughout the previous quarter, CHPC staff continued to participate in the review of improved location permit applications for historic properties, per the stipulations of the 60-day demolition.

Respectfully submitted,



Mark Dollase

Carmel Historic Preservation Commission Administrator



Carmel Mayor's Housing Task Force

FINDINGS AND RECOMMENDATIONS REPORT

Last Revised: 09-10-2024

Acknowledgements

Mayor Sue Finkam

Speakers and Panelists

Marchelle Berry, VP of Affordable Housing Development, Volunteers of America, Ohio & Indiana
Andrea Davis, Executive Director, HAND Inc.
Mark Juleen, Chief Operating Officer, J.C. Hart
Kelli Lawrence, CEO, Onyx+East
Andrea Miller, Indianapolis MPO
Clint Mitchell, Owner & CEO, Estridge Homes
Justin Moffett, CEO, Old Town Companies
Chris Pryor, MIBOR Realtor Association
Kryn Sausedo, ECONorthwest
Mike Thibideau, President & CEO, Invest Hamilton County
Jim Thomas, Co-Founder and Principal, Cityscape Residential
George Tikijian, Vice President, CBRE

Task Force Members

Adam Aasen, Carmel City Council
Dave Bowers, Carmel Redevelopment Commission
Barbara Eden, Carmel resident
Todd Fenoglio, Carmel Clay Schools
Matt Kaercher, Merchants Capital
Chris Pryor, MIBOR, Task Force Vice Chair
Jack Russell, OneZone Chamber of Commerce
Aletta Sanders, HAND, Incorporated
Christine Zoccola, Carmel Plan Commission, Task Force Chair

City of Carmel

Bric Butler, Meeting Coordinator, Department of Community Services
Mike Hollibaugh, Director, Department of Community Services
Jeremy Kashman, Chief Infrastructure Officer
Adrienne Keeling, Planner, Department of Community Services
Henry Mestetsky, Executive Director, Carmel Redevelopment Commission

Members of the community who have been participating in this process, including 29 speakers during meetings and those who have contributed more than 50 letters to the task force.



TASK FORCE PROCESS SUMMARY



Mayor Sue Finkam’s Housing Task Force was established to act on one of the key building blocks of her Elevate Carmel Vision Plan, specifically in the Smart Development and Strong Neighborhoods platform to *complete a comprehensive review of housing inventory and needs in our community*. This Task Force views their role in this initial effort as a launching pad to gather and measure meaningful information and provide guidance to future task forces, commissions, and boards for further consideration and study.

A team of local leaders and Carmel citizens was appointed by the Mayor to study the state of housing in the city and to ensure the housing needs of all Carmel residents and support workforce needs of the business community. The nine-member Task Force was launched at a public meeting in February 2024 and has since met monthly to discuss, listen, and learn about issues, trends and sentiments related to housing, current conditions for housing, and potential future growth in Carmel. The meeting topics were sequential in a way to help the Task Force and public build a shared understanding of our community’s housing situation, through connected layers of information provided by subject matter experts in housing, multi-family housing, economics, city planning. An important part of each task force meeting from February through July was open input from residents of Carmel.

February	Carmel’s economy and position in the Indianapolis Region
March	Central Indiana housing study, Consumer Housing Preferences
April	Single Family residential market and construction trends
May	Multi-family residential market and construction trends
June	Carmel economic and labor market forecast; affordable housing
July	Carmel resident hearing on housing issues and sentiments
August 8	Task Force working session discussion on housing challenges and problems
August 29	Task Force working session discussion on findings and recommendations
September 12	Presentation of the report to the Task Force and Mayor Finkam

All meetings to the Task Force were publicly noticed, live streamed and recorded. The Task Force meetings can be reviewed and all documentation related to information gathering, expert testimony and public input can be found on the Housing Task Force page on the city’s website:

<https://www.carmel.in.gov/government/departments-services/community-services/housing-task-force>



TASK FORCE MEETINGS OVERVIEW & KEY FINDINGS



The Mayor's Housing Task Force held a series of meetings from February through September 2024. The meeting topics were sequential in a way to help the Task Force and public build a shared understanding of our community's housing situation, through connected layers of information provided by subject matter experts in housing, multi-family housing, affordable housing, economics, city planning. An important part of each task force meeting from February through July was open input from residents of Carmel. The series of meetings concluded with working sessions to allow the task force to identify and refine the challenges and to discuss recommendations.

Meeting 1: Carmel's economy and position in the Indianapolis Region

February 23, 2024

Speakers:

Mayor Sue Finkam
Kryn Sausedo, ECONorthwest

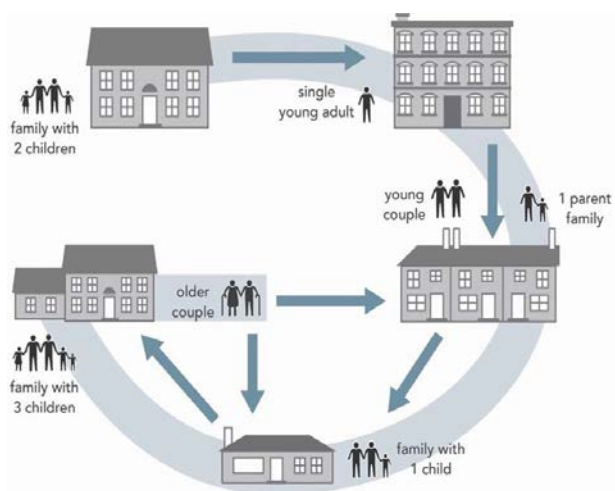
Introduction and Overview

Mayor Sue Finkam kicked off the first meeting of the Carmel Housing Task Force explaining that the task force was formed to address questions and concerns raised during her campaign about the city's growth, density, and housing needs. The mayor emphasized the challenges the city is facing, including the increasing mobility of the workforce, housing availability, accessibility, and affordability. She also noted the higher demand for rentals from both our younger demographic who are just starting out to those 55 and older who don't want the requirements of mowing or keeping up a two-story home. The mayor thanked the task force members for their time and expertise and looks forward to the discussion.

Presentation:

Kryn Sausedo from ECONorthwest presents data on Carmel's demographics, housing stock, and housing costs which were included in a recent City of Carmel Positioning Strategy Report conducted in 2023. The presentation covers Carmel's population growth, the age distribution compared to the larger metropolitan area, the predominance of single-family detached homes, and the higher housing costs in Carmel compared to surrounding cities. The presentation also looks at rental prices and affordability, as well as the recent construction of new housing units in Carmel.

Sausedo concludes with two recommendations to keep Carmel accessible for workers to live. First that the city should explore and support office-to-residential conversion, where feasible. Also that Carmel should explore and allow for smaller homes, also known as missing middle housing. Smaller units may appeal to a variety of households and allow for more movement in the housing market as older households seek to downsize and younger households, single-person and single-parent households seek options.



SOURCE: ECONORTHWEST

"Middle housing" encompasses a range of housing types with multiple units that are more similar in scale to single-detached homes rather than apartment buildings

MISSING Middle Housing



SOURCES: ECONORTHWEST, OPTICOS DESIGN

Task Force Discussion:

The task force members and audience members engage in a discussion, raising questions and providing feedback on the information presented. Topics include the impact of interest rates on the housing market, the need for data on the effects of new housing developments on property values, the challenges of getting missing middle housing approved, and the potential for converting underutilized office spaces into residential units.

Speakers:

Andrea Miller, Indianapolis MPO
Chris Pryor, MIBOR Realtor Association

Central Indiana Housing Study Presentation

Andrea Miller from the Indianapolis Metropolitan Planning Organization (MPO) presented findings from the Central Indiana Housing Study. Key points included rising housing costs outpacing wage growth, a shortage of smaller ownership units, an oversupply of larger single-family homes, and contributing factors like market forces, zoning restrictions, and public opposition. The MPO provided a toolkit of strategies for communities to address housing affordability.

Carmel Housing Market Insights

Chris Pryor from the MIBOR Realtor Association shared insights on the Carmel housing market from January 2017 to February 2024. He highlighted the latest data from February 2024 with the high median home sale price of \$584,000, low inventory with only 78 listings, and quick sales within 7 median days on the market.

Chris also shared some Hamilton County results from a 2022 central Indiana community preference survey which showed a preference for walkable, mixed-use neighborhoods despite a surplus of large-lot single-family home construction. Affordability was a major concern, with a 45% gap between respondents' rating of importance versus satisfaction.

Public Comments and Discussion

Members of the public raised concerns about the impact of new developments on existing neighborhoods, the role of corporate investors in the housing market, and suggestions for zoning changes to allow more diverse housing types like smaller homes, multi-unit properties, and conversions of underutilized commercial properties to residential use. The task force discussed strategies such as home repair programs, tax abatements, and zoning updates to address housing affordability and availability issues.

KEY TAKEAWAYS

Regional Housing Market:

Housing costs rose faster than purchasing power between 2020 and 2022. The median sales prices of single-family homes increased by an average of 31.6% and rents increased by 21.2%, while wages rose by 8.8% on average.

There are **mismatches in the housing market** when comparing the current inventory to consumer preferences.

Most notably:

- Not enough smaller ownership units (up to 2 bedrooms)
- Too few affordable rental or ownership units for those with lower incomes
- Surplus of mid-and higher-cost 3 and 4+ bedroom houses

Source: Central Indiana Housing Study, Indianapolis MPO, 2024

Carmel Housing Market:

\$584,250

Median Sale Price, single-family

78

Active Inventory, single-family

7

Median Days on Market, single-family

Source: MIBOR, February 2024



Panelists:

Kelli Lawrence, CEO, Onyx+East

Clint Mitchell, Owner & CEO, Estridge Homes

Justin Moffett, CEO, Old Town Companies

National and Local Housing Challenges

The panelists outlined various national and local housing challenges, including supply-demand imbalances since 2008, rising costs of land/materials/labor, changing customer needs across generations, affordability pressures, interest rate impacts, and delays in entitlements/approvals processes. Specific challenges in Carmel included land scarcity, the need for redevelopment, and residents being 'locked in' to homes due to low interest rates.

Diverse Housing Needs and Solutions

Discussion covered the diverse housing needs of different demographics like millennials, families, and empty nesters/seniors. Potential solutions mentioned included higher-density development, missing middle housing types (duplexes, townhomes, condos), vertical/urban living, public-private partnerships, and zoning changes to allow more flexible development. Challenges included costs, approval processes, and community acceptance of density/change.

Affordability Challenges and Strategies

The high costs of land, construction, and development in Carmel make affordability very difficult for new construction, with estimates of \$500,000+ for entry-level homes/condos. Strategies discussed included adding accessory dwelling units (ADUs) in existing neighborhoods, redeveloping older areas with missing middle housing, public-private partnerships, and zoning overlays to preserve affordable areas. However, community resistance and homeowner association rules were noted as potential barriers.

Role of Local Government and Regulations

The role of local government in addressing housing issues was examined. Speakers praised Carmel's professionalism but noted approval delays and high standards as cost factors. Objective zoning allowing more housing diversity by-right, development fee reductions, and infrastructure support from the city were suggested. However, the need to balance housing goals with preserving community character was also highlighted.

Public Comments and Discussion

During the public comment period, residents raised concerns about preserving affordable existing neighborhoods from redevelopment and 'mini-mansions', as well as the importance of sustainability in new construction. Other comments highlighted the regional nature of housing affordability challenges. The task force discussed the need for actionable recommendations beyond information-gathering.

Panelists:

George Tikijian, Vice President, CBRE

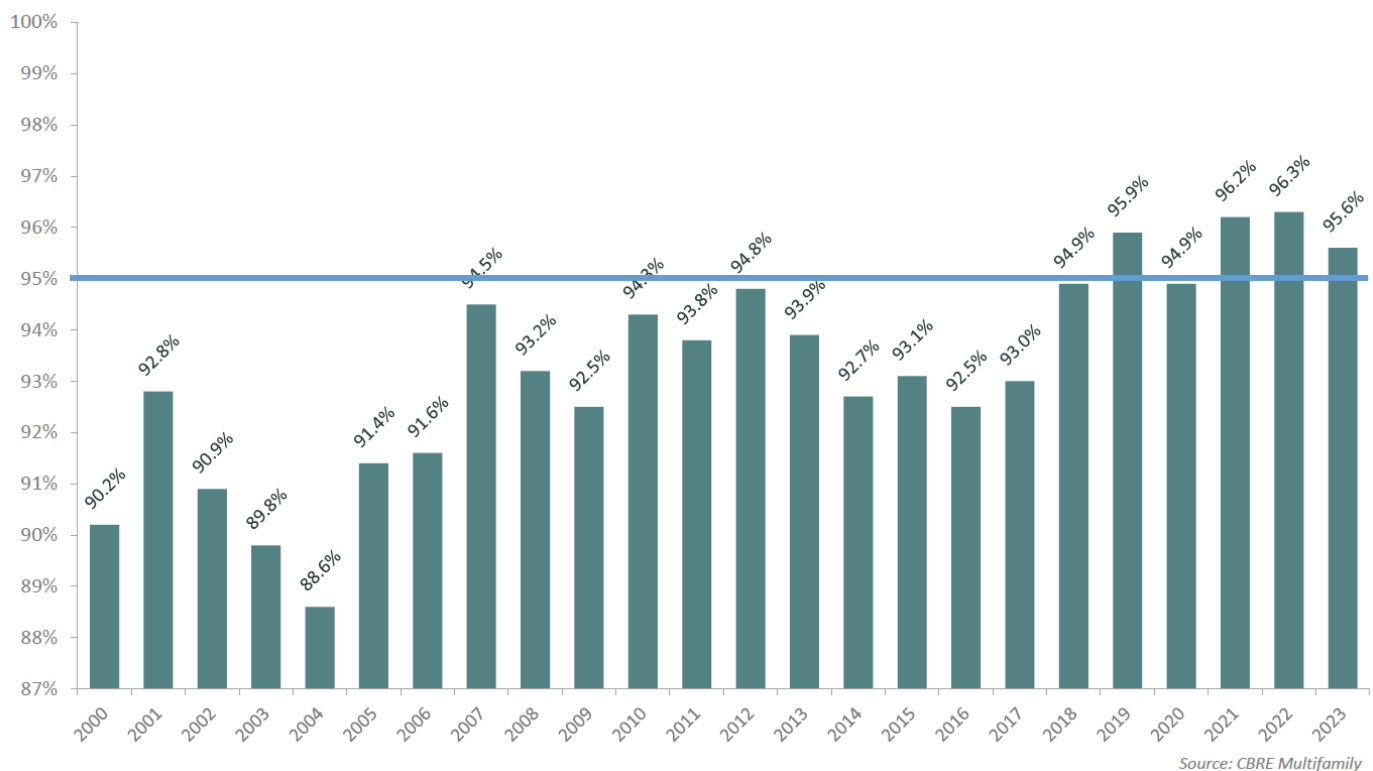
Mark Juleen, Chief Operating Officer, J.C. Hart

Jim Thomas, Co-Founder and Principal, Cityscape Residential

Market Overview and Trends

George Tikijian presented an overview of the Carmel apartment market, including historical data on building permits, deliveries, absorption rates, occupancy rates, rent growth, and comparisons between single-family and multi-family housing. The data showed steady growth in the apartment market, with occupancy rates around 95% and consistent absorption of new units. Rent growth has accelerated in recent years, with newer properties commanding higher rents.

Carmel Historical Average Occupancy Rate



— 95% = Full Occupancy



Demographics and Lifestyle Choices

The panel discussed the demographics of renters in Carmel, which span various age groups, including young professionals, couples, families, and empty nesters. Mark Juleen shared data from JC Hart's Carmel properties, with 51% of residents aged 18-35, with around 23% in the 36-55 age group. The discussion highlighted that renting is often a lifestyle choice driven by factors such as amenities, walkability, and financial considerations, rather than just a temporary solution before homeownership.

Living Arrangement



Source: NMHC tabulations of 2022 American Community Survey microdata, US Census Bureau. Updated 11/2023.

Amenities and Community Integration

The importance of amenities in multi-family housing developments was discussed, with panelists noting trends like co-working spaces, dog parks, and fitness centers. However, the panelists also emphasized the role of shared community amenities, such as the Monon Trail and walkable neighborhoods, in attracting renters. The integration of renters into the community was also addressed, with panelists arguing that renters are often invested in the community and contribute to its vibrancy.

Traffic Impact and Development Process

The panel addressed concerns about the impact of multi-family housing developments on traffic. Developers typically conduct traffic studies and work closely with the city's engineering department to assess and mitigate potential issues. The development process, including zoning, permitting, and infrastructure improvements, was also discussed, with panelists highlighting the involvement of various stakeholders and the importance of adhering to technical standards and regulations.

Affordability and Workforce Housing

The challenge of providing affordable and workforce housing in Carmel was a topic of discussion. Panelists acknowledged the difficulty of delivering units at lower price points due to rising construction costs and land availability. Subsidies, incentives, and creative financing solutions were mentioned as potential avenues to address affordability, but the panelists emphasized the complexity of the issue and the need for a balanced approach.

Housing Mix and Future Development

The panel discussed the importance of finding the right mix of housing types in Carmel, balancing the preservation of traditional single-family neighborhoods with the need for growth and density in the urban core. The challenges of accommodating future growth while maintaining the character of the city were addressed, with panelists suggesting a focus on infill development, redevelopment, and higher-density projects in appropriate locations.

Panelists:

Marchelle Berry, VP of Affordable Housing Development,
Volunteers of America, Ohio & Indiana
Andrea Davis, Executive Director, HAND Inc.
Mike Thibideau, President & CEO, Invest Hamilton County

Affordable Housing Development Strategies

Marchelle Berry, Vice President of Affordable Housing Development at Volunteers of America, shared insights into the Low-Income Housing Tax Credit program (LIHTC), which incentivizes private investment in affordable rental housing. She showcased examples of high-quality, attractive affordable housing projects across Indiana, dispelling misconceptions about their appearance and impact on communities. Berry explained the program's financing structure, involving tax credit equity, soft loans, and city support, and highlighted the importance of intentionality and collaboration with communities to meet their specific housing needs.

Housing Attainability and the Hamilton County Housing Collaborative

Andrea Davis, Executive Director of HAND Inc., a non-profit housing developer, emphasized the need for diverse housing options to accommodate various income levels and life stages in Hamilton County and Carmel. She presented data from the Indiana United Way's ALICE report, which showed that around 7,500 households in Clay Township (20%) cannot afford the basic cost of living. Davis introduced the Hamilton County Housing Collaborative, a group working to address housing affordability issues and promote a continuum of housing options, from emergency shelters to homeownership. The collaborative's efforts include a community awareness campaign and exploring concepts like community land trusts to preserve long-term affordability.

Labor Market Forecasts and Housing Implications

Mike Thibideau presented findings from the Hamilton County Talent Insight 2030 report, a comprehensive labor market forecast. The report projects continued job growth in Carmel, outpacing population growth and creating a need for more workers to commute into the city. Thibideau highlighted the mismatch between Carmel's highly educated workforce and the educational requirements for many open positions, particularly in sectors like food service, sales, and healthcare. He emphasized the need for

KEY TAKEAWAYS

2024 Housing Sentiment Survey

86% think having diverse housing options is important, very important or extremely important

72% have struggled with or know someone who has struggled to afford housing in Hamilton County

88% do NOT think there is enough affordable housing for older adults

89% do NOT think there is enough affordable housing for young adults and recent graduates

Source: Hamilton County Housing Collaborative

2030 Labor Market Forecast

Carmel has more jobs than employed residents, and the gap will only continue to increase as Carmel's jobs sector is projected to grow +10% by 2030, faster than central Indiana, the Midwest and the US.

Hamilton County will have **15,700 more jobs than employed residents** in occupations related to **food preparation and serving, sales, personal care services, building maintenance, office administration, and education.**

Source: Talent InSight 2030, Invest Hamilton County 2023



housing options to attract and retain workers across various occupations, including those in high-demand fields like childcare and home health aides. Thibideau also discussed the potential for public-private partnerships between employers and housing developers to create targeted housing solutions for specific industries or occupations.

Preserving Existing Housing Stock and Neighborhood Vibrancy

The discussion touched on strategies for preserving existing reasonably-priced housing stock and maintaining neighborhood vibrancy. Suggestions included rehabilitation programs, facade improvement grants, and exploring concepts like community land trusts to maintain long-term affordability for homeowners. The importance of intentional planning and collaboration with communities was emphasized to avoid repeating historical challenges faced by other cities.

Meeting 6: Carmel resident input meeting on housing issues and sentiments

July 25, 2024

Resident Concerns and Comments

Numerous residents took the opportunity to voice their concerns and opinions on various housing-related topics. Some expressed concerns about the recent increase in apartment development, the potential loss of Carmel's suburban character, and the impact on infrastructure and the environment. Others advocated for more diverse and affordable housing options to accommodate different income levels, young professionals, and the growing workforce. Residents also discussed the preservation of existing affordable neighborhoods, the role of incentives and public-private partnerships in housing projects, and the need for a balanced approach to development.

Task Force and City Responses

Task force members and city staff provided insights and clarifications in response to residents' comments and concerns. They discussed the challenges of creating affordable housing, the occupancy rates of existing apartments, the role of redevelopment in specific areas, and the city's efforts to plan for future housing needs. The City also addressed concerns about the impact of development on infrastructure and the environment, and the importance of preserving traditional single-family neighborhoods.

Discussion on Specific Housing Strategies

The meeting included discussions on specific housing strategies, such as accessory dwelling units (ADUs), build-to-rent developments, and the potential for redevelopment along corridors like Meridian Street and U.S. 31. Residents shared their perspectives on these strategies, with some expressing support and others voicing concerns about potential impacts on existing neighborhoods.

Closing Remarks

In the closing remarks, task force members acknowledged the diverse perspectives and priorities among Carmel residents regarding housing development. They emphasized the complexity of the issue and the need to consider various factors, including economic development, affordability, infrastructure, and the character of existing neighborhoods.

Discussion on housing challenges, problem statements, and recommendations

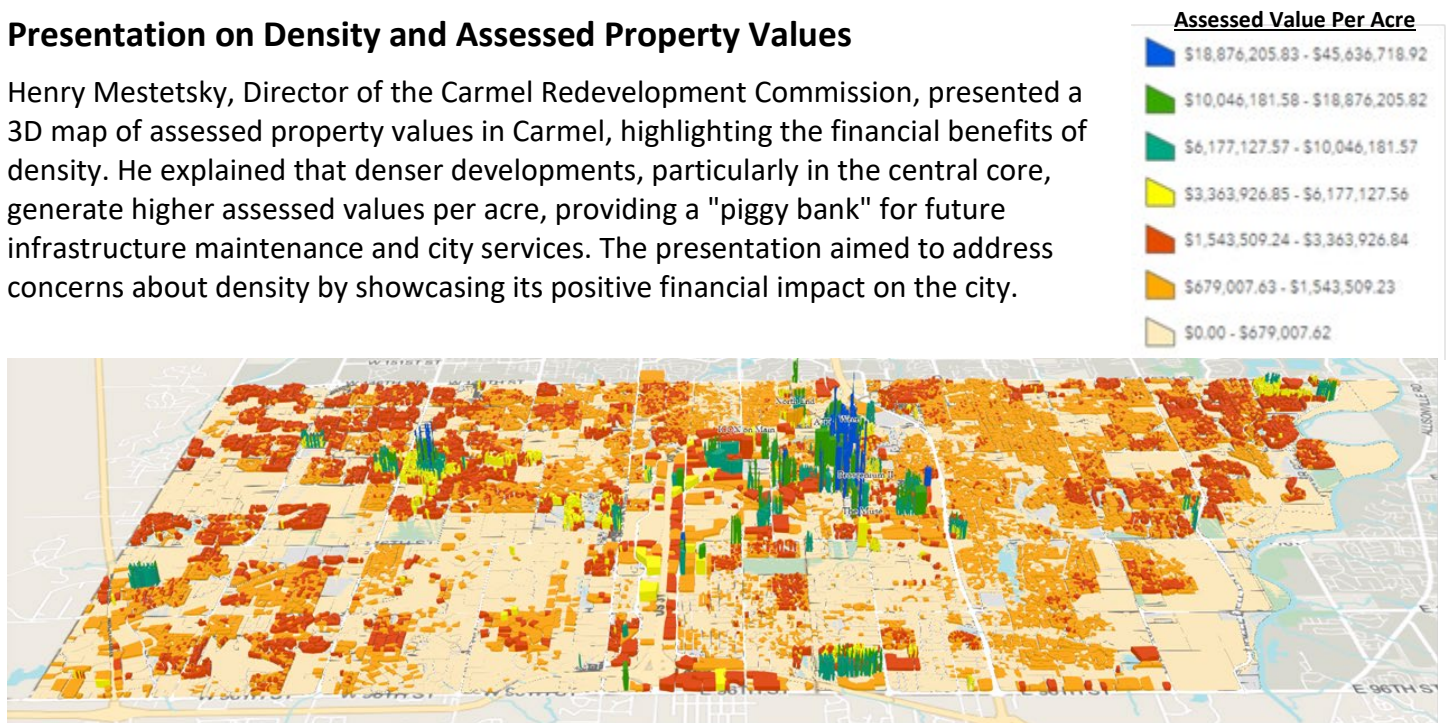
Henry Mestetsky, Executive Director of the Carmel Redevelopment Commission
Jeremy Kashman, Chief Infrastructure Officer

Discussion Overview

The primary focus of these meetings was for the Housing Task Force members to discuss the challenges identified throughout the process and start talking about potential recommendations; however, two speakers have been added to the agenda to address ongoing public comments about dense developments and their effects on traffic. The chair acknowledged that the task force might need an additional meeting to complete the discussions, but the goal was to have a meaningful conversation and make progress towards the final report due in September.

Presentation on Density and Assessed Property Values

Henry Mestetsky, Director of the Carmel Redevelopment Commission, presented a 3D map of assessed property values in Carmel, highlighting the financial benefits of density. He explained that denser developments, particularly in the central core, generate higher assessed values per acre, providing a "piggy bank" for future infrastructure maintenance and city services. The presentation aimed to address concerns about density by showcasing its positive financial impact on the city.



SOURCE: CITY OF CARMEL

Traffic Management Strategies

Jeremy Kashman, the Chief Infrastructure Officer, discussed traffic management strategies in Carmel. He provided historical data on traffic volumes and explained how improvements to road networks, mixed-use developments, and parallel corridors have helped mitigate traffic congestion. Kashman addressed concerns about increased density leading to gridlock, emphasizing that the city works closely with developers to incorporate appropriate road connections and adjustments for each project.



THE CHALLENGES



The Task Force members submitted draft language serving to define the primary problems and challenges to serve as the basis of potential solution recommendations. Member input from analysis and evaluation of the expert testimony, relevant housing article and information, market data and public input were coalesced into six main Challenge /Problems Statement categories, as follows:

1. Lack of Supply
2. Increased and Shifting Demand
3. Density and Growth
4. Affordability
5. Economic Development
6. Other Considerations

The Task Force refined the six Challenge/Problem Statement categories at a public meeting on August 8, 2024, that are intended to create a framework for recommendations moving forward:



Lack of Supply

- We are experiencing a nationwide long-term housing supply shortage.
- We have a scarcity of land available in Carmel for additional housing development.
- We lack a sufficient supply of diverse housing types for all in Carmel to meet the changing needs of current and future residents – there is interest in some missing middle housing.
- There is a desire for Carmel to be accessible for younger “legacy” residents, while also providing options for residents to age and remain in Carmel.
- A low inventory of homes for sale in the market and low vacancy rates in apartments are stifling the ability for residents to move into or to upsize or downsize within the Carmel market.



Increased and Shifting Demand

- There is tremendous demand for housing (both owned and rented) in Carmel due to the high quality of life, schools and job growth.
- We are seeing an increase in the desire to live in walkable urban neighborhoods that offer amenities, as well as suburban neighborhoods with sidewalks and a connected pedestrian and bicycling network.

KEY CARMEL DATA

PEOPLE:

40.3: Median age

24.3% age under 18 years

15.7% age 65 years and over (up from 9.7% in 2010)

HOUSEHOLDS:

2.61 average household size (down from 2.72 in 2010)

35.4% households with one or more people under 18 years (down from 43.9% in 2010)

39.3% households with one or more people 60 years and over (up from 27.7% in 2010)

8.5% 65 years and over living alone (up from 6.2% in 2010)

HOUSING CHARACTERISTICS:

41,456 Total housing units

73.1% Ownership rate

75.6% Single-family detached

50.2 % of housing units contain 4 or more bedrooms

INCOME:

\$130,332 median household income

Source: 2022 ACS 1-year estimates



- Businesses and employees are increasingly seeking locations in walkable areas that offer amenities over traditional office parks.
- There is increasing demand to purchase smaller 1- or 2-bedroom homes or townhomes.
- There is increasing demand to purchase homes with the primary bedroom on the main level or ground floor.
- Multifamily units in Carmel are attracting a wide range of demographics such as retirees and empty nesters, in addition to the traditional single-person or newly formed households who are saving to purchase a home.



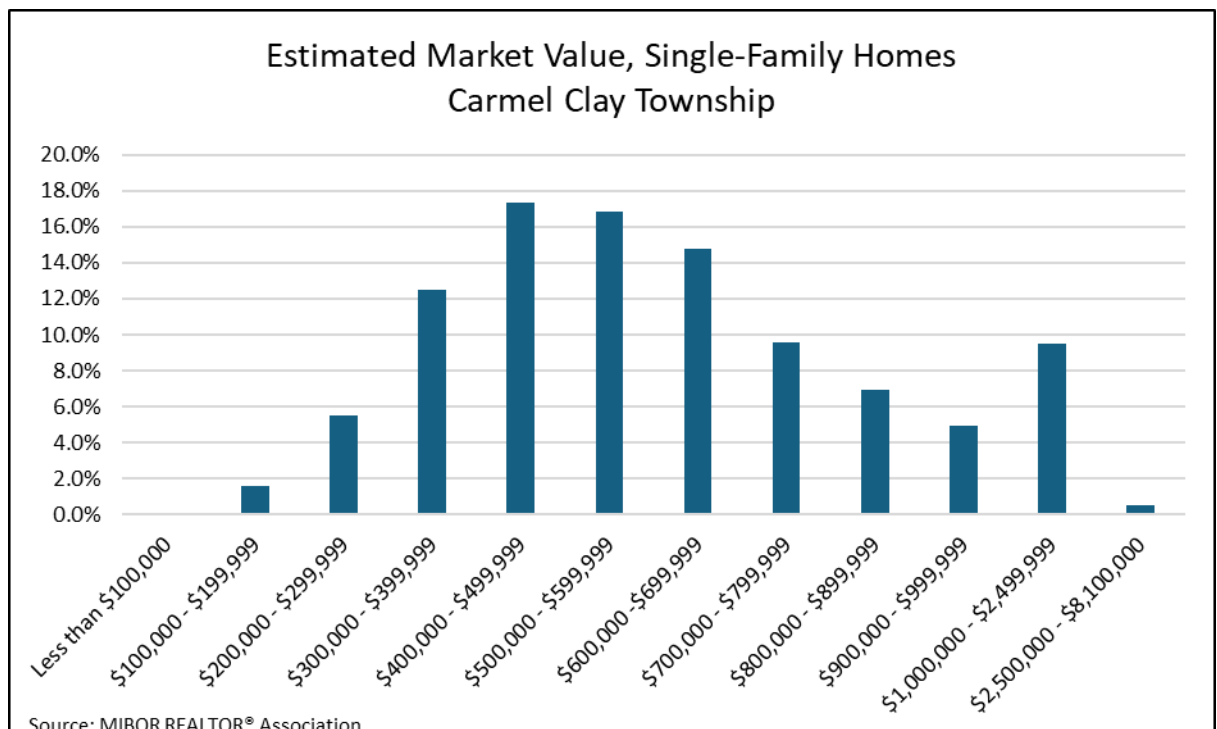
Density and Growth

- Population growth for Hamilton County is expected to continue to outpace central Indiana, the state and U.S. growth rates, with Carmel forecast to exceed 110,000 by 2030.
- Residents are concerned about density and growth, especially large apartments, loss of quality of life, traffic, and loss of natural areas, greenspace, and trees.
- Residents are concerned about protecting the character and vitality of existing neighborhoods.



Affordability

- Housing prices and rents have increased substantially, and affordability is a real concern for households earning less than the median income, but also for households with earnings at or slightly above the median income.
- Diminishing supply and increased demand for land available for development have driven land costs significantly higher.



- There are market forces on existing affordable housing/neighborhoods (e.g. increasing values, interest rates) which are pricing out senior citizens and younger residents, gradually limiting the housing choices to investors or buyers with higher incomes.

- There are market forces (e.g. higher land and construction costs, interest rates) limiting the construction of new affordable housing, particularly to households earning at or below the median income.
- For purposes of this report, affordable is identified as mortgage or rent payments that do not exceed 30 percent of a household's income. This approach addresses affordability across a wide spectrum of income levels.



Economic Development

- Housing is an Economic Development issue. Carmel has more jobs than employed residents, and the gap will only continue to increase as Carmel's jobs sector is projected to grow +10% by 2030, faster than central Indiana, the Midwest and the US. Without new housing options, the competition for existing housing will only get fiercer.
- By 2030 it is forecasted that Hamilton County will have 15,700 more jobs than employed residents in occupations related to food preparation and serving, sales, personal care services, building maintenance, office administration, and education.
- The lack of housing options is one of several challenges for employers and employees in Carmel and across the central Indiana region. A lack of housing near jobs increases commute times and transportation costs, which can be particularly difficult for the retail, service, and portions of the health care industries.

Other Considerations

- The development standards and approval process affects development outcomes.
- Capital market constraints and financing tools have an influence on what is being developed.
- Neighboring communities have or are developing housing supply in the region. However, for this supply to relieve some of Carmel's needs requires existing residents to leave the Carmel community (e.g. senior housing), and employees to rely on individual automobiles for commutes.

Section 4

RECOMMENDATIONS



The Task Force recommendations listed below are the initial result of bringing an informed housing conversation to the forefront in Carmel, including voices from industry leaders, practitioners, and Carmel residents. The Task Force acknowledges that housing is a complicated and multi-faceted issue which will require a variety of solutions and a long-term strategy and vision to keep moving forward.

1. **Continue the Carmel Housing Task Force Effort.** Establish a Carmel Housing Commission as a permanent committee to advise the Mayor, Plan Commission and City Council. The Housing Commission would serve to evaluate specific housing policies, assess the implementation of Housing Task Force recommendations, evaluate housing needs in response to the changing housing market, and other matters related to housing. Some of the initial tasks assigned to the Carmel Housing Commission include researching options regarding incentives and funding strategies for new affordable housing units and developing a plan for the City's naturally occurring affordable housing.

Responsible Party: Mayors' office
Timeline: 3 months

Challenges Addressed:



2. **Develop a Housing Strategy and Vision Plan.** Prepare a Housing Strategy and Vision Plan which builds upon the Task Force problems and recommendations for apartment and owner-occupied housing supply. Plan will further identify lifecycle of housing need (e.g., starter home, growing family, downsizing for seniors). Within this Plan, include housing goals and measurable metrics and policies for the City's Comprehensive Plan. The effort will involve the new Housing Commission and will include community outreach to provide Carmel residents with the opportunity to participate in the development of this Plan. Educational materials related to the strategies of this Plan, or other housing-related topics, should be developed to provide information and training to a variety of audiences, including elected officials, members of appointed commissions and boards, and the general public.

Responsible Party: Department of Community Services
Timeline: initiate in 2025

Challenges Addressed:



3. **Protect Existing Single-Family Neighborhoods.** Protection of existing single-family neighborhoods should be a priority. Develop and adopt residential infill guidelines to guide new construction helping ensure design of new houses and the character of new neighborhoods is compatible with their surroundings.

Responsible Party: Department of Community Services
Timeline: completion by January 2026

Challenges Addressed:



4. **Build upon the Comprehensive Plan.** The Comprehensive Plan has several policies related to housing and protection of existing neighborhoods which should be highlighted, evaluated, and measured. New, housing and neighborhood specific policies based on these recommendations should be drafted, evaluated, and adopted.

Responsible Party: Department of Community Services
Timeline: initiate January 2025



Challenges Addressed:

5. **Facilitate Development of Missing Middle Housing.** Currently, Carmel and the region does not have enough of the smaller ownership units that are desired by both seniors looking to downsize and young, first-time home buyers. The City will encourage the development of these “missing middle” housing options, where appropriate, prioritizing walkability in the central core. This effort will be supported by the assessment of zoning regulations.

Responsible Parties: Department of Community Services and
Redevelopment Commission
Timeline: Immediate



Challenges Addressed:

6. **Adopt a Development Strategy for new Apartment Construction.** To ensure that the right mix of housing is achieved and no one aspect of housing is overbuilt, the City will adopt a clear and mindful approach to evaluate the amount, location and design of future multifamily housing. This development strategy for apartment development will emphasize that new apartment buildings should serve primarily as a complimentary part of mixed-use development projects whenever possible. Further, the City should discourage financial incentives offered for development of single-use apartment projects.

Responsible Party: Carmel Redevelopment Commission
Timeline: Immediate



Challenges Addressed:

7. **Acquisition of Green Space.** A consistent request from residents is the desire for more open gathering space in the central core. The City should identify parcels of land for green space acquisition in the urban core with an additional emphasis on preserving existing trees and planting more trees.

Responsible Party: Mayor and City Council
Timeline: Ongoing



Challenges Addressed:

8. **Assess Current Zoning Regulations.** Perform an assessment of current zoning regulations to determine whether revisions should be recommended to address gaps in the Carmel housing market, as well as to support open space creation and tree preservation efforts.

Challenges Addressed:

Responsible Party: Department of Community Services, Plan Commission and City Council

Timeline: initiate in 2025



9. **Establish a committee to explore approaches related to Accessory Dwelling Units.** Appoint a committee to reevaluate and make recommendations on the approval process and appropriate standards, conditions and locations for ADUs.

Challenges Addressed:

Responsible Party: Plan Commission

Timeline: initiate in 2025



10. **Create and publish a series of maps and data to communicate and quantify existing inventory and desired outcomes.** Some examples include: (1) existing areas of different housing types, (2) areas where new housing types would be appropriate, (3) inventory of vacant or unplatted land, (4) information about cost burdened households.

Challenges Addressed:

Responsible Party: Department of Community Services

Timeline: initiate immediately, completion within 9 mos.



11. **Establish a Housing Repair Program.** Home repair programs can play an important role in ensuring that people can stay in their home safely and comfortably. Therefore, the City should create a program designed to assist constrained homeowners with funding for essential repairs, home and yard maintenance. In creating this program, issues to consider are: (1) funding sources (e.g., grant funds, City contributions, private donations, (2) types of repairs and maintenance covered; (3) application and qualification process; and (4) collaboration with other non-profit or service organizations.

Challenges Addressed:

Responsible Party: Code Enforcement (Department of Law)

Timeline: One year



12. **Prioritize the infill, conversion or redevelopment of underutilized commercial property and parking areas.** Work with property owners, particularly along the US 31 corridor, to explore options for new housing, public spaces, and amenities to complement existing employment and hospitality offerings.

Challenges Addressed:

Responsible Party: Economic Development

Timeline: Ongoing



13. **Actively seek new collaboration opportunities locally, regionally, and statewide.** The City should participate in broad and ongoing dialogue with a variety of committees, commissions, agencies, neighboring communities, etc. These collaborations should strive to share information, create strategies, seek grant or funding opportunities to work together to develop new or maintain existing affordable housing. Collaborations should also be considered for issues indirectly related to housing, such as transportation and mobility, labor market, and basic needs such as hunger assistance.

Types of collaboration could include but are not limited to: Mayor's Advisory Commission on Senior Living, Team Bounceback, Carmel Youth Assistance Program, neighboring communities, Hamilton County Housing Collaborative, HAND, elected officials (local, county, state, federal), Central Indiana Regional Development Authority (CIRDA) and agencies such as the Indiana Housing and Community Development Authority (IHCDA). The City should also work with state legislators and the incoming governor's administration on strategies to reduce the property tax burden on low-income seniors.

Challenges Addressed:

Responsible Parties: Mayor, Department of Community Services, Economic Development, Redevelopment

Timeline: Ongoing



THANK YOU



ORDINANCE NO. D-2740-24**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA,
AMENDING CHAPTER 2, ARTICLE 1, SECTIONS 2-1, 2-3, 2-6, 2-10, 2-12, 2-13 AND 2-14 OF THE
CARMEL CITY CODE.**

Synopsis: Ordinance clarifying purpose and duties of components of government.

WHEREAS, the City of Carmel (“City”), is established as four components of government; and

WHEREAS, it is now necessary for the Carmel City Code to be amended for further clarification of the purpose and duties of these components.

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Carmel, Indiana, as follows:

Section 1. The foregoing Recitals are fully incorporated herein by this reference.

Section 2. The following subsections of Carmel City Code, Chapter, 2, Article 1, Sections 2-1, 2-3, 2-6, 2-10, 2-11, 2-12, 2-13 and 2-14 are hereby amended, and shall read as follows:

§ 2-1 Four **Branches** Components of Government.

(a) The government of the City shall consist of four **branches** components, those being:

- (1) Executive Branch (*I.C.*, 36-4-5)
- (2) Legislative Branch (*I.C.*, 36-4-6)
- (3) **Fiscal Branch** Clerk (*I.C.*, 36-4-10)
- (4) Judicial Branch (*I.C.*, 33-35-1) (Ord. D-362, § I, 3-22-83)

~~(b) Charts depicting the four branches of government appear at the end of this chapter in Appendix I.~~

§ 2-3 Executive Departments.

(a) The Mayor shall be the chief administrator of the City and shall have control of the day-to-day operations of the following executive departments which are established.

- (1) Department of Community Services. (Ord. D-1193, 1-8-96)
 - a) Plan Commission. (*I.C.*, 36-7-4 *et seq.*).
 - b) Board of Zoning Appeals. (*I.C.*, 36-7-4-900 *et seq.*).
- (2) Engineering Department.
- (3) Fire Department.
 - a) Fire Pension Board (*I.C.*, 36-8-7 [1937 Fund]; *I.C.*, 36-8-8 [1977 Fund]).
- (4) Department of Law **to be known as the Office of Corporation Counsel**. (pursuant to *I.C.*, 36-4-9-12—City Attorney and attorney for Plan Commission, Board of Zoning Appeals).
- (5) Police Department.
 - a) Police Pension Board. (*I.C.*, 36-8-6 [1925 Fund]; *I.C.*, 36-8-8 [1977 Fund]).
- (6) Street Department.
- (7) Public Water and Public Wastewater Utilities. (Ord. D-1193, 1-8-96)
- (8) Department of Parks and Recreation. (*I.C.*, 36-10-3-1 *et seq.*) (Ord. D-673, § 1, 10-1-90)
- (9) Department of Redevelopment. (Ord. D-720, § 1, 8-5-91).
- (10) Finance Department.
- (11) Department of Economic Development.

Ordinance D-2740-24

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- (12) Marketing and Community Relations Department.
- (13) Department of Human Resources.
- (14) ~~Information and Communication Systems~~ Technology Department.
- (15) Brookshire Golf Course.

(b) Pursuant to IC 36-4-9-6, The Mayor shall appoint the following who serve at her pleasure:

- 1. The chiefs of the Fire and Police Departments
- 2. ~~and the heads~~ The ~~heads~~ Directors of the Department of Finance who serves as the City Controller, the ~~Community Services (pursuant to I.C., 36-4-9-2)~~, Engineering Department who serves as the City Civil Engineer, the Department of Law who serves as the Corporation Counsel, ~~Office of the Controller, and the Communications Center are appointed by the Mayor and serve at his pleasure.~~ and;
- 3. The Directors of other departments established by City Council per IC 36-4-9-4.

§ 2-6 ~~Reserved for Future Use~~ The Controller

The Controller is the fiscal officer of the City and shall be the director of the Finance Department. He or she shall perform the duties assigned by *I.C.*, 36-4-10-5, and such other duties as the Common Council may, by ordinance, require.

§ 2-6.1 Claim Payments in Advance of Council Allowance.

(a) The fiscal officer may submit claim payments in advance of Council approval for specific types of expenses. The City's legislative body having jurisdiction over the approval shall review and act upon the claim at its next regular or special meeting following the preapproved payment.

(1) Property or services purchased or leased from the United States government, its agencies, or its political subdivisions.

(2) License or permit fees.

(3) Insurance premiums.

(4) Utility payments, utility connection charges, internet and mobile phone charges, and fuel charges for City vehicles.

(5) General grant programs where advance funding is not prohibited and the contracting party posts sufficient security to cover the amount advanced.

(6) Grants of state funds authorized by statute.

(7) Maintenance agreements, service agreements or lease payments.

(8) Bond or coupon payments.

(9) Payroll.

(10) Federal, state or county taxes.

(11) Expenses that must be paid because of emergency circumstances.

(12) A product or service for which the City legislative body had accepted a bid.

(13) Petty Cash Funds as established pursuant to City Code § 2-114.

(14) Legal settlements which have been approved by the Corporation Counsel and are within the Corporation Counsel's settlement authority pursuant to City Code § 2-9.1.

(15) Payments for special land acquisition projects as directed in advance by resolution of the City's legislative body.

(16) Payments made pursuant to City Code § 2-61(b), (c), (d) and other reimbursements permitted by the City Code.

(17) Refunds to City of Carmel customers.

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(18) Wire transfers for land purchases, payroll, health insurance, and debt service, all of which have been budgeted and/or approved by the legislative body.

(b) Each payment of expenses under this section must be supported by a fully itemized claim.

§ 2-6.2 Capital Asset Policy.

(a) Definition of Capital Assets.

(1) Capital Assets are assets that are used in operations and have an initial useful life in excess of one year. The term includes both tangible assets (land, construction in progress, buildings, building improvements, vehicles, machinery, equipment, works of art, historical treasures, infrastructure) and intangible assets (easements, software, water rights). Assets acquired for the purpose of sale or investment do not qualify as capital assets, regardless of their form, because they are not used in operations.

(2) The City has a minimum capitalization threshold of \$5,000. The capitalization threshold is applied to individual items in a group of items, rather than to the group as a whole, unless the effect of doing so would be to eliminate a significant portion of total capital assets. Assets that are not capitalized (items less than \$5,000 and greater than \$1,000) are expensed in the year of acquisition. An inventory is kept of all assets greater than \$1,000.

(b) Major Capital Asset Classes **and**. In order to ensure that governmental entities have an accurate, complete, and current record of capital assets, it is important that asset categories are appropriately determined. This section further clarifies the asset definition by major category.

(1) **Land.** Land is defined as specified land, lots, parcels or acreage including rights of way owned by the City of Carmel, its various departments, boards or commissions, regardless of the method or date of acquisition. Easements are not included, as the City does not own them, but as an interest in land owned by another (i.e. property owner) that entitles its holder to a specified limited use. The City Utility, however, does capitalize easements.

(2) **Buildings.**

a) Buildings are defined as permanent (non-moveable) structures. Any structures designed and erected to house equipment services or functions are included. This includes systems, services, and fixtures within the buildings, as well as attachments such as porches, stairs, fire escapes, canopies, areaways, lighting fixtures, flagpoles, sound equipment, security cameras, lifts and riggings, curtains and staging and all other such units that serve the building.

b) Plumbing systems, lighting systems, sound systems, surveillance systems, passenger and freight elevators, escalators, built-in casework, walk-in coolers and freezers, fixed shelving and other fixed equipment are included as part of the building if it is owned. Communications antennas and/or towers are not included because they are treated as part of the equipment unit.

(3) **Improvements Other Than Buildings.** Improvements other than buildings have a limited useful life. Examples of the Civil City assets in this category are parking areas, drives, fencing, pools, fountains, underground sprinkler systems, decorative street lighting and other similar items. Examples of the City Utilities assets are water supply mains, collection sewers, wells, fences, intake pipes, manholes, and fire hydrants.

(4) **Furnishings and Equipment.** The furnishings and equipment asset class is used to account for moveable items. Included within this category are office equipment, office furniture, appliances, furnishings, machinery items, maintenance equipment, communication equipment, police, fire, laboratory equipment, vehicles, road equipment, aircraft, emergency equipment, earth moving equipment, text equipment, civil defense equipment, law enforcement equipment, and data processing equipment. Supplies are excluded.

(5) **Infrastructure.** Infrastructure assets are long-lived capital assets that normally are stationary in nature and can be preserved for a significantly greater number of years than most capital assets and that are normally stationary in nature. Examples include roads, streetlights, traffic signals, drainage systems, and water lines. Infrastructure assets do not include buildings, drives, parking lots or any other examples given above that are incidental to property or access to the property described above.

(6) **Construction in Progress.** Construction, or development, in progress is a special class of capital assets that are still in the process of construction (tangible) or development (intangible). Depreciation does not begin until the capital assets are substantially ready to be placed in service.

(7) **Other Capital Assets.** This is a separate category for capital assets that do not fit into any of the major asset classes listed above.

(c) **Threshold Levels for Capital Assets.** The following schedule will be used for capitalization and depreciation of the City's capital assets. Amounts are based on governmental entities with revenues exceeding \$100 million.

<i>Capitalize/Depreciate</i>	
<i>Capitalize/Depreciate</i>	
Land	Capitalize only
Land Improvements	\$50,000
Buildings	\$100,000
Building Improvements	\$100,000
Construction in Progress	Capitalize only
Machinery and Equipment	\$5,000
Vehicles	\$5,000
City Utility Assets	\$5,000
Computer Software	\$5,000
Infrastructure	\$3,000,000

(d) Valuation of Capital Assets.

(1) Capital assets should be recorded at historical cost and should include the cost of freight, site preparation, architect and engineering fees and other costs as applicable. If a method other than cash is used to pay for the asset, then the fair-market value of the non-cash payment or consideration determines the asset's cost or acquisition value. When the value of the consideration paid cannot be determined, the asset's fair market value determines its cost.

(2) With a few exceptions, an asset's cost should also include necessary costs incurred to place the asset in service. Costs include the invoice price plus incidental costs (insurance during transit, freight, capitalized interest, duties, title search, registration fees and installation costs). Exceptions to the rule include interest expenses associated with deferred payments and real estate taxes paid, if any, in the acquisition of property.

(e) Depreciation Method and Salvage Value.

(1) Depreciation is the process of allocating the cost of tangible property over a period of time, rather than deducting the cost as an expense in the year of acquisition. Generally, at the end of the asset's life, the sum of the amounts charged for depreciation in each accounting period (accumulated depreciation) will equal original cost less salvage value. The City depreciates its capital assets by using the Straight-Line Method. Under this method, the basis of the asset is written off evenly over the useful life of the asset. The same amount of the depreciation is taken each year. Depreciation is calculated at the end of each fiscal year.

(2) The salvage value of an asset is the value it is expected to have when it is no longer useful for its intended purpose. In other words, the salvage value is the amount for which the asset could be sold at the end of its useful life. The City determines salvage value on an asset-by-asset basis.

(f) Estimated Useful Lives of City Assets. The following assets accounted for under the Capital Asset Policy will be depreciated using the straight-line method of depreciation. A gain or loss on disposal will be reported. The most common useful lives are as follows:

- (1) City Civil.
 - a) Vehicles - 5 years.
 - b) Police Vehicles - 4 years.
 - c) Office Equipment - 5 years.
 - d) Office Furniture - 20 years.
 - e) Heavy Equipment - 10 years.
 - f) Fire Trucks - 15 years.
 - g) Ambulances - 10 years.
 - h) Buildings - 50 years.
 - i) Building Components (HVAC systems, roofing) - 20 years.
 - j) Leasehold Improvements - useful life of asset or lease term (whichever is shorter).
 - k) Land Improvements - structure (parking lots, athletic courts, swimming pools) - 20 years.
 - l) Land Improvements - groundwork (golf course, athletic fields, landscaping, fencing) - 20 years.
 - m) Outdoor Equipment - (playground equipment, radio towers) - 15 years.
 - n) Grounds Equipment - (mowers, tractors, attachments) - 15 years.
 - o) Computer Software - 5 years.
 - p) Security Cameras - 10 years.
 - q) Stage Lighting - 5 years.

- r) Mobile Stage Trailer - 10 years.
- s) Rigging and Lifts - 10 years.
- t) Sound Equipment for Palladium - 10 years.

(2) City Utility - Water.

- a) Buildings and Improvements - 50 years.
- b) Transmission and Distribution Mains - 50 to 75 years.
- c) Meters/Meter Installation - 25 to 30 years.
- d) Pumping Equipment - 50 years.
- e) Water Treatment Equipment - 50 years.
- f) Elevated Storage - 75 years.
- g) Office Equipment - 5 years.
- h) Machinery - 5 to 40 years.
- i) Hydrants - 50 to 75 years.
- j) Well Equipment - 15 to 20 years.
- k) Wells - 50 to 100 years.
- l) Communications Equipment - 10 years.
- m) GPS - 100 years.
- n) Clearwell - 100 years.

(3) City Utility - Sewer.

- a) Buildings and Improvements - 50 years.
- b) Sewer Lines - 50 years.
- c) Lift Station - 50 years.
- d) Treatment Plant Equipment - 10 years.
- e) Office Equipment - 5 years.
- f) Machinery – 6 to 20 years.
- g) Vehicles - 5 years.
- h) HVAC Systems - 25 years.
- i) GPS - 100 years.
- j) Computer Software - 5 years.

(4) Infrastructure. The following is the list of networks and their useful lives:

- a) Roads/Streets Network.
Subsystems: Types of Roads/Streets, Curbs, and Sidewalks - 45 years.
- b) Traffic Components Network.
Subsystems: Traffic Signals - 35 years.
Street lights - 25 years.
- c) Drainage Systems Network - 50 years.

(g) Capital Leases.

(1) Leased equipment should be capitalized if the lease agreement meets any one of the following criteria:

- a) The lease transfers ownership of the property to the lessee by the end of the lease term.
- b) The lease contains a bargain purchase option.
- c) The lease term is equal to 75% of the estimated economic life of the leased property (and the lease is non-cancellable during that time).
- d) The present value of the minimum lease payments at the inception of the lease (excluding executory costs) equals at least 90% of the fair-value of the leased property.

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(2) Leases that do not meet any of the above criteria are considered operating leases.

(h) Assets Not Capitalized.

(1) Assets less than \$5,000 are expensed in the year of acquisition. Assets greater than \$1,000 are recorded in the General Ledger.

(2) Exceptions are:

a) Items costing less than the above limits which are permanently installed as a part of the cost of original construction or installation of a larger building or equipment unit will be included in the cost of the larger unit; and

b) Modular equipment added subsequent to original equipment construction of a larger building or equipment unit which may be put together to form larger units costing more than the prescribed limits will be charged to capital assets even though the cost of individual items is less than such units; and

c) Cabinets, shelving, bookcases, and similar items, added subsequent to original construction, which are custom made for a specific place and adaptable elsewhere, will be capitalized.

(i) Capital Assets Purchased With Grant Funds. When Federal Grant Funds are used to purchase capital assets, compliance with the applicable Subparts of Part 200 - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in the Code of Federal Regulations is required. All grant types typically have requirements specified in the Grant Award Letter with which the City must comply.

(j) Asset Acquisition, Transfer and Disposal. City assets may be acquired or disposed of using various methods, as described in supplemental City documentation and forms. The following procedure must be observed for all acquisitions, transfers and disposals of assets: complete the requisite forms, obtain the signature of the Department Director and forward the completed documentation to the Fiscal Office for recording purposes.

(k) Reporting of Fraud. Any city employee who suspects the misappropriation of capital assets should follow the applicable requirements outlined in Ordinance No. D-2286-16. This Ordinance establishes a policy on materiality and the process for reporting material variances.

§ 2-6.3 Advance Payments for Goods and Services.

(a) Advance payments for goods or services before the goods are delivered or services are completed are hereby authorized.

(b) Advance payments for goods and services may not exceed the lesser of the following:

(1) Fifty percent of the entire cost of the contract.

(2) \$2,000,000.

(c) The City's fiscal officer or the fiscal officer's designee must do all of the following when advance payments are made:

(1) Track prepayments by defining the prepayment on a purchase order.

(2) Create a prepayment invoice that is associated with the purchase order.

(3) Require insurance or a surety bond in the amount of the prepayment if the amount of the prepayment is more than \$150,000.

Division III. ~~Fiscal Branch.~~ Clerk~~§ 2-10 The Controller.~~

~~The Controller is the fiscal officer of the City. He shall perform the duties assigned by I.C., 36-4-10-5, and such other duties as the Common Council may, by ordinance, require.~~

~~§ 2-12 Claim Payments in Advance of Council Allowance.~~

~~(e) The fiscal officer may submit claim payments in advance of Council approval for specific types of expenses. The City's legislative body having jurisdiction over the approval shall review and act upon the claim at its next regular or special meeting following the preapproved payment.~~

~~(1) Property or services purchased or leased from the United States government, its agencies, or its political subdivisions.~~

~~(2) License or permit fees.~~

~~(3) Insurance premiums.~~

~~(4) Utility payments, utility connection charges, internet and mobile phone charges, and fuel charges for City vehicles.~~

~~(5) General grant programs where advance funding is not prohibited and the contracting party posts sufficient security to cover the amount advanced.~~

~~(6) Grants of state funds authorized by statute.~~

~~(7) Maintenance agreements, service agreements or lease payments.~~

~~(8) Bond or coupon payments.~~

~~(9) Payroll.~~

~~(10) Federal, state or county taxes.~~

~~(11) Expenses that must be paid because of emergency circumstances.~~

~~(12) A product or service for which the City legislative body had accepted a bid.~~

~~(13) Petty Cash Funds as established pursuant to City Code § 2-114.~~

~~(14) Legal settlements which have been approved by the City Attorney and are within the City Attorney's settlement authority pursuant to City Code § 2-9.1.~~

~~(15) Payments for special land acquisition projects as directed in advance by resolution of the City legislative body.~~

~~(16) Payments made pursuant to City Code § 2-61(b), (c), (d) and other reimbursements permitted by the City Code.~~

~~(17) Refunds to City of Carmel customers.~~

~~(18) Wire transfers for land purchases, payroll, health insurance, and debt service, all of which have been budgeted and/or approved by the legislative body.~~

~~(d) Each payment of expenses under this section must be supported by a fully itemized claim. (91 Code, § 2-12) (Ord. D-1063, 3-7-94; Ord. D-1183, 10-16-95; Ord. D-1370-98, 6-15-98; Ord. D-1899-08, As Amended, passed 8-4-08; Ord. D-2067-11, 11-7-11)~~

~~§ 2-13 Capital Asset Policy.~~~~(1) Definition of Capital Assets.~~

~~(1) Capital Assets are assets that are used in operations and have an initial useful life in excess of one year. The term includes both tangible assets (land, construction in progress, buildings, building improvements, vehicles, machinery, equipment, works of art, historical treasures, infrastructure) and intangible assets (easements, software, water rights). Assets acquired for the purpose of sale or investment do not qualify as capital assets, regardless of their form, because they are not used in operations.~~

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(2) The City has a minimum capitalization threshold of \$5,000. The capitalization threshold is applied to individual items in a group of items, rather than to the group as a whole, unless the effect of doing so would be to eliminate a significant portion of total capital assets. Assets that are not capitalized (items less than \$5,000 and greater than \$1,000) are expensed in the year of acquisition. An inventory is kept of all assets greater than \$1,000.

(m) Major Capital Asset Classes and. In order to ensure that governmental entities have an accurate, complete, and current record of capital assets, it is important that asset categories are appropriately determined. This section further clarifies the asset definition by major category.

(1) Land. Land is defined as specified land, lots, parcels or acreage including rights of way owned by the City of Carmel, its various departments, boards or commissions, regardless of the method or date of acquisition. Easements are not included, as the City does not own them, but as an interest in land owned by another (i.e. property owner) that entitles its holder to a specified limited use. The City Utility, however, does capitalize easements.

(2) Buildings.

a) Buildings are defined as permanent (non-moveable) structures. Any structures designed and erected to house equipment services or functions are included. This includes systems, services, and fixtures within the buildings, as well as attachments such as porches, stairs, fire escapes, canopies, areaways, lighting fixtures, flagpoles, sound equipment, security cameras, lifts and riggings, curtains and staging and all other such units that serve the building.

b) Plumbing systems, lighting systems, sound systems, surveillance systems, passenger and freight elevators, escalators, built-in casework, walk-in coolers and freezers, fixed shelving and other fixed equipment are included as part of the building if it is owned. Communications antennas and/or towers are not included because they are treated as part of the equipment unit.

(3) Improvements Other Than Buildings. Improvements other than buildings have a limited useful life. Examples of the Civil City assets in this category are parking areas, drives, fencing, pools, fountains, underground sprinkler systems, decorative street lighting and other similar items. Examples of the City Utilities assets are water supply mains, collection sewers, wells, fences, intake pipes, manholes, and fire hydrants.

(4) Furnishings and Equipment. The furnishings and equipment asset class is used to account for moveable items. Included within this category are office equipment, office furniture, appliances, furnishings, machinery items, maintenance equipment, communication equipment, police, fire, laboratory equipment, vehicles, road equipment, aircraft, emergency equipment, earth moving equipment, text equipment, civil defense equipment, law enforcement equipment, and data processing equipment. Supplies are excluded.

(5) Infrastructure. Infrastructure assets are long-lived capital assets that normally are stationary in nature and can be preserved for a significantly greater number of years than most capital assets and that are normally stationary in nature. Examples include roads, streetlights, traffic signals, drainage systems, and water lines. Infrastructure assets do not include buildings, drives, parking lots or any other examples given above that are incidental to property or access to the property described above.

(6) Construction in Progress. Construction, or development, in progress is a special class of capital assets that are still in the process of construction (tangible) or development (intangible). Depreciation does not begin until the capital assets are substantially ready to be placed in service.

(7) Other Capital Assets. This is a separate category for capital assets that do not fit into any of the major asset classes listed above.

(n) Threshold Levels for Capital Assets. The following schedule will be used for capitalization and depreciation of the City's capital assets. Amounts are based on governmental entities with revenues exceeding \$100 million.

Capitalize/Depreciate	
Capitalize/Depreciate	
Land	Capitalize only
Land Improvements	\$50,000
Buildings	\$100,000
Building Improvements	\$100,000
Construction in Progress	Capitalize only
Machinery and Equipment	\$5,000
Vehicles	\$5,000
City Utility Assets	\$5,000
Computer Software	\$5,000
Infrastructure	\$3,000,000

(o) Valuation of Capital Assets.

(1) Capital assets should be recorded at historical cost and should include the cost of freight, site preparation, architect and engineering fees and other costs as applicable. If a method other than cash is used to pay for the asset, then the fair market value of the non-cash payment or consideration determines the asset's cost or acquisition value. When the value of the consideration paid cannot be determined, the asset's fair market value determines its cost.

(2) With a few exceptions, an asset's cost should also include necessary costs incurred to place the asset in service. Costs include the invoice price plus incidental costs (insurance during transit, freight, capitalized interest, duties, title search, registration fees and installation costs). Exceptions to the rule include interest expenses associated with deferred payments and real estate taxes paid, if any, in the acquisition of property.

(p) Depreciation Method and Salvage Value.

(1) Depreciation is the process of allocating the cost of tangible property over a period of time, rather than deducting the cost as an expense in the year of acquisition. Generally, at the end of the asset's life, the sum of the amounts charged for depreciation in each accounting period (accumulated depreciation) will equal original cost less salvage value. The City depreciates its capital assets by using the Straight-line Method. Under this method, the basis of the asset is written off evenly over the useful life of the asset. The same amount of the depreciation is taken each year. Depreciation is calculated at the end of each fiscal year.

(2) The salvage value of an asset is the value it is expected to have when it is no longer useful for its intended purpose. In other words, the salvage value is the amount for which the asset could be sold at the end of its useful life. The City determines salvage value on an asset-by-asset basis.

(q) Estimated Useful Lives of City Assets. The following assets accounted for under the Capital Asset Policy will be depreciated using the straight-line method of depreciation. A gain or loss on disposal will be reported. The most common useful lives are as follows:

(1) City Civil.

- a) Vehicles — 5 years.
- b) Police Vehicles — 4 years.
- c) Office Equipment — 5 years.
- d) Office Furniture — 20 years.
- e) Heavy Equipment — 10 years.
- f) Fire Trucks — 15 years.
- g) Ambulances — 10 years.
- h) Buildings — 50 years.
- i) Building Components (HVAC systems, roofing) — 20 years.
- j) Leasehold Improvements — useful life of asset or lease term (whichever is shorter).
- k) Land Improvements — structure (parking lots, athletic courts, swimming pools) — 20 years.
- l) Land Improvements — groundwork (golf course, athletic fields, landscaping, fencing) — 20 years.
- m) Outdoor Equipment — (playground equipment, radio towers) — 15 years.
- n) Grounds Equipment — (mowers, tractors, attachments) — 15 years.
- o) Computer Software — 5 years.
- p) Security Cameras — 10 years.
- q) Stage Lighting — 5 years.
- r) Mobile Stage Trailer — 10 years.
- s) Rigging and Lifts — 10 years.
- t) Sound Equipment for Palladium — 10 years.

(2) City Utility

Water.

- a) Buildings and Improvements — 50 years.
- b) Transmission and Distribution Mains — 50 to 75 years.
- c) Meters/Meter Installation — 25 to 30 years.
- d) Pumping Equipment — 50 years.
- e) Water Treatment Equipment — 50 years.
- f) Elevated Storage — 75 years.
- g) Office Equipment — 5 years.
- h) Machinery — 5 to 40 years.
- i) Hydrants — 50 to 75 years.
- j) Well Equipment — 15 to 20 years.
- k) Wells — 50 to 100 years.
- l) Communications Equipment — 10 years.

m) GPS — 100 years.

- n) Clearwell — 100 years.

(3) City Utility

Sewer.

- a) Buildings and Improvements — 50 years.
- b) Sewer Lines — 50 years.

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- e) Lift Station—50 years.
- d) Treatment Plant Equipment—10 years.
- e) Office Equipment—5 years.
- f) Machinery—6-20 years.
- g) Vehicles—5 years.
- h) HVAC Systems—25 years.
- i) GPS—100 years.
- j) Computer Software—5 years.

(4) Infrastructure. The following is the list of networks and their useful lives:

- a) Roads/Streets Network.
Subsystems: Types of Roads/Streets, Curbs, and Sidewalks—45 years.
- b) Traffic Components Network.
Subsystems: Traffic Signals—35 years. Street lights—25 years.
- e) Drainage Systems Network—50 years.

(r) Capital Leases.

(1) Leased equipment should be capitalized if the lease agreement meets any one of the following criteria:

- a) The lease transfers ownership of the property to the lessee by the end of the lease term.
- b) The lease contains a bargain purchase option.
- e) The lease term is equal to 75% of the estimated economic life of the leased property (and the lease is non-cancellable during that time).
- d) The present value of the minimum lease payments at the inception of the lease (excluding executory costs) equals at least 90% of the fair value of the leased property.

(2) Leases that do not meet any of the above criteria are considered operating leases.

(s) Assets not Capitalized.

(1) Assets less than \$5,000 are expensed in the year of acquisition. Assets greater than \$1,000 are recorded in the General Ledger.

(2) Exceptions are:

- a) Items costing less than the above limits which are permanently installed as a part of the cost of original construction or installation of a larger building or equipment unit will be included in the cost of the larger unit;
- b) Modular equipment added subsequent to original equipment construction of a larger building or equipment unit which may be put together to form larger units costing more than the prescribed limits will be charged to capital assets even though the cost of individual items is less than such units; and

e) Cabinets, shelving, bookcases, and similar items, added subsequent to original construction, which are custom made for a specific place and adaptable elsewhere, will be capitalized.

(t) Capital Assets Purchased with Grant Funds. When Federal Grant Funds are used to purchase capital assets, compliance with the applicable Subparts of Part 200—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in the Code of Federal Regulations is required. All grant types typically have requirements specified in the Grant Award Letter with which the City must comply.

(u) Asset Acquisition, Transfer and Disposal. City assets may be acquired or disposed of using various methods, as described in supplemental City documentation and forms. The following procedure must be observed for all acquisitions, transfers and disposals of assets: complete the requisite forms, obtain the signature of the Department Director and forward the completed documentation to the Fiscal Office for recording purposes.

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(v) ~~Reporting of Fraud. Any city employee who suspects the misappropriation of capital assets should follow the applicable requirements outlined in Ordinance No. D-2286-16. This Ordinance establishes a policy on materiality and the process for reporting material variances.~~

~~(Ord. D-1680-04, 3-1-04; Ord. D-2067-11, 11-7-11; Ord. 2191-14, As Amended, 11-3-14; Ord. D-2451-18, § 2, 2-4-18)~~

~~§ 2-14 Advance Payments for Goods and Services.~~

~~(d) Advance payments for goods or services before the goods are delivered or services are completed are hereby authorized.~~

~~(e) Advance payments for goods and services may not exceed the lesser of the following:~~

~~(1) Fifty percent of the entire cost of the contract.~~

~~(2) Two million dollars.~~

~~(f) The City's fiscal officer or the fiscal officer's designee must do all of the following when advance payments are made:~~

~~(1) Track prepayments by defining the prepayment on a purchase order.~~

~~(2) Create a prepayment invoice that is associated with the purchase order.~~

~~(3) Require insurance or a surety bond in the amount of the prepayment if the amount of the prepayment is more than \$150,000.~~

Section 3. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed, to the extent of such inconsistency only, as of the effective date of this Ordinance, such repeal to have prospective effect only. However, the repeal or amendment by this Ordinance of any other ordinance does not affect any rights or liabilities accrued, penalties incurred or proceedings begun prior to the effective date of this Ordinance. Those rights, liabilities and proceedings are continued and penalties shall be imposed and enforced under such repealed or amended ordinance as if this Ordinance had not been adopted.

Section 4. If any portion of this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of same can be given the same effect.

Section 5. The remaining portions of Carmel City Code Sections 2-3, 2-6, 2-10, 2-11, 2-12, 2-13 and 2-14 are not affected by this Ordinance upon its passage.

Section 6. This Ordinance shall be in full force and effect from and after the date of its passage and signing by the Mayor and such publication as required by law.

PASSED by the Common Council of the City of Carmel, Indiana, this _____ day of _____, 2025, by a vote of _____ ayes and _____ nays.

COMMON COUNCIL FOR THE CITY OF CARMEL

Adam Aasen, President

Matthew Snyder, Vice-President

Rich Taylor

Anthony Green

Jeff Worrell

Teresa Ayers

Shannon Minnaar

Ryan Locke

Anita Joshi

ATTEST:

Jacob Quinn, Clerk

Presented by me to the Mayor of the City of Carmel, Indiana this _____ day of _____ 2025, at _____ .M.

Jacob Quinn, Clerk

Approved by me, Mayor of the City of Carmel, Indiana, this _____ day of _____ 2025, at _____ .M.

Sue Finkam, Mayor

ATTEST:

Jacob Quinn, Clerk

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ORDINANCE NO. D-2741-24

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA,
AMENDING CHAPTER 2, ARTICLE 6, SECTIONS 2-301, 2-302 AND 2-303,
OF THE CARMEL CITY CODE.**

Synopsis: Ordinance amending budget procedures of the City of Carmel.

WHEREAS, the City of Carmel (“City”), pursuant to Indiana Code § 36-4-7-6, is required to formulate a budget estimate for the ensuing year; and

WHEREAS, the City has previously established budget procedures, such being codified, in part, under Carmel City Code §§ 2-301, 2-302, and 2-303; and

WHEREAS, the Common Council of the City now finds that in the interests of fiscal responsibility this procedure should be amended.

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Carmel, Indiana, as follows:

Section 1. The foregoing Recitals are fully incorporated herein by this reference.

Section 2. The following subsections of Carmel City Code Sections 2-301, 2-302, and 2-303 are hereby amended, and shall read as follows:

“§ 2-301 Transfer of Funds.

(a) *Common Council Approved Transfers.* The Common Council may transfer money from one major budget classification to another within a City department or ~~office of an elected official component of government~~ and may transfer appropriated funds between line items within major budget classifications within a City department of office of an elected official when the transfer between line items would cause the Maximum Approved Transfer Amount (as defined in subsection (b)(1)) to be exceeded and if:

(1) It determines that the transfer is necessary;

(2) The transfer does not require the expenditure of more money than the total amount set out in the budget as finally determined pursuant to *I.C.*, 6-1.1 *et seq.*;

(3) The transfer is made at a regular public meeting and by proper resolution; and

(4) The transfer is certified to the county auditor when the transfer is between major budget classifications.

(b) ~~Department~~ *Controller Approved Transfers.*

(1) ~~The Controller may transfer appropriated funds between line items within a major budget classification for all City departments, the Office of the Mayor, the Clerk, and the City Judge may transfer appropriated funds between line items within major budget classifications without the approval of the Common Council (“Department Controller Approved Transfers”), provided, however, that such transfers may not exceed the Maximum Approved Transfer Amount. The term “Maximum Approved~~

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~~Transfer Amount” shall mean no more than \$25,000 per occurrence and no more than \$50,000 per receiving line item, per calendar year, except that no Maximum Approved Transfer Amount shall apply to personnel costs and expenses.~~

(2) ~~Department~~ Controller Approved Transfers may be made without notice and without the approval of the State Board of Tax Commissioners.

(3) The Controller shall report any single transfer of \$50,000 or more to the Common Council at the end of each month.

~~(3) Written notice of Department Approved Transfers shall be provided to the Office of the Controller.~~

~~(e) Emergencies. When there exists, under emergency conditions, a threat to public health, welfare, or safety, the Maximum Approved Transfer Amount may be exceeded and ratified at the next meeting of the Common Council following the emergency.~~

§ 2-302 Chart of Accounts and Budget Forms.

- (a) The Controller shall adopt a Chart of Accounts in compliance with the State Board of Accounts and Department of Local Government Finance and shall submit a copy of any changes at least annually to the Common Council. ~~Common Council has adopted a Chart of Accounts, budget forms and report (Exhibits A, B, C, D, and E, attached to Ordinance D-1005). The Council requires all departments, Carmel/Clay Board of Parks and Recreation, and all elected officials to shall use the Chart of Accounts and budget forms as adopted in the preparation of budget estimates. The budget and any forms shall be formulated in accordance with IC 36-4-7. The Council authorizes the Controller to administer the Chart of Accounts as he finds it necessary in order to assure continuity and consistency of the budget process among all departments and elected officials. The Council further declares that the Chart of Accounts or budget forms may not be changed or altered. Nonposting accounts as stated in the Chart of Accounts shall not be used by any department or elected official in the preparation of the budget but shall abide by the point system and budget category line items as established in the Chart of Accounts.~~
- (b) The Controller shall adopt budget forms to be used in the preparation of the budget. All departments, Carmel/Clay Board of Parks and Recreation and all elected officials shall use the Chart of Accounts and budget forms as adopted in the preparation of budget estimates. The budget and any forms shall be formulated in accordance with IC 36-4-7. ~~Any and all additions or alterations of the Chart of Accounts, budget forms and report must be petitioned by ordinance through the Council and must receive a favorable recommendation from the fiscal officer.~~
- (c) The Utility Department is exempt from the provisions of this section.”

§ 2-303 Encumbrances.

- (a) **Written contractual obligations.** Components of government may only encumber funds with a written contractual obligation from one budget year to the next with approval of the Controller, with the exception of the below limited exceptions.

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(b) **Absence of written contractual obligations.** All City departments, the office of the Mayor, Clerk, Common Council, and City Judge may encumber funds in the absence of a written contractual obligation from one budget year to a subsequent budget year, only in conformance with this section.

(1) In the event that a department seeks to carry forward such an encumbrance to a subsequent budget year, that department must submit a request to the Controller justifying the encumbrance. The Controller shall provide a summary memorandum to the Common Council, prior to the adoption of the City budget by the Common Council final Common Council meeting of the year, listing any such encumbrance.

(2) The failure to provide such a memorandum will result in the automatic cancellation of such encumbrance and the automatic return of the encumbered funds to their originating fund on the first day of the following subsequent budget year;

(3) The only exception will be invoices which remain in "dispute" or "inquiry" status, or invoices received after the last annual Council meeting; and,

(4) Any encumbrances specified in such a memorandum shall, subject to any modifications or conditions adopted by the Common Council through a resolution, automatically be renewed in the subsequent budget year.

(c) All capital fund projects (Cum Cap Development, Cum Cap Improvement, and Cum Cap Sewer) as well as Local Road and Street Fund projects that have been encumbered may not be used for any project or purpose different than from that established by the original encumbrance, and such project or purpose must proceed in the budget year in which the funds are encumbered. If it is deemed necessary to change the scope of the encumbrance, a resolution must be presented to and approved by the Common Council. This resolution shall list the detailed justification for the change request."

Section 6. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed, to the extent of such inconsistency only, as of the effective date of this Ordinance, such repeal to have prospective effect only. However, the repeal or amendment by this Ordinance of any other ordinance does not affect any rights or liabilities accrued, penalties incurred or proceedings begun prior to the effective date of this Ordinance. Those rights, liabilities and proceedings are continued and penalties shall be imposed and enforced under such repealed or amended ordinance as if this Ordinance had not been adopted.

Section 7. If any portion of this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of same can be given the same effect.

Section 8. The remaining portions of Carmel City Code Sections 2-301, 2-302, and 2-303 are not affected by this Ordinance upon its passage.

Section 9. This Ordinance shall be in full force and effect from and after the date of its passage and signing by the Mayor and such publication as required by law.

This Ordinance was prepared by Samantha S. Karn, Corporation Counsel, on 9/19/2024 at 11:00 a.m. It may have been subsequently revised. No subsequent revision to this Ordinance has been reviewed by Ms. Karn for legal sufficiency or otherwise.

CITY OF CARMEL
DOCS DEPARTMENT REPORT TO THE COUNCIL

December 16, 2024

Towne 146 PUD Rezone (Z-694-24)

- Plan Commission Docket No. PZ-2024-00028 PUD
- Rezone 15.67 acres from S-1/Residence to the Towne 146 PUD for 87 single-family homes and townhomes
- Site is located at 2275 W 146th Street
- 87 total dwellings proposed with 19% open space

Planning and Zoning Analysis

- Comprehensive Plan (Comp Plan):
 - Classifies this area as West Neighborhoods with characteristics including lot sizes from 1/8 to 5+ acres; building coverage between 20% to 50%; 2.5 story heights; front yards, gardens, porches, stoops.
 - Because this site is along 146th St, it falls into the Typical Corridor classification as well.
 - Typical corridors are primary E/W and N/S routes that provide connectivity to community assets. These corridors are based on adjacent patterns and serve as transitions between places. They allow expanded housing options and limited commercial as long as they are consistent with adjacent character patterns.
 - The Policy Goals and Objectives of the Comp Plan calls for such things as a variety of housing types, a mixture of land uses, and promoting housing options to support aging in place.
 - Building a residential neighborhood adjacent to existing residential is a compatible land use.
 - The 1 and 2-story height of the homes, large setback to the south, and the landscaped buffer area allows for a sensitive transition from the 2-story homes to the south to this neighborhood and then 146th St.
- PUD:
 - Site plan consists of 29 single-family detached homes and 58 2-story townhomes.
 - 4 vehicular entrances from frontage road south of 146th St., and 2 pedestrian connections to 146th St.
 - The street layout is similar to a grid style system and provides short blocks with good connections to promote pedestrian friendly streets.
 - 3 acres of common area are planned with a pond, tree preservation area, wetland and neighborhood park.
 - The pond will be combined with the adjacent pond to create a larger water feature with a boardwalk.
- Architectural Design:
 - The PUD includes Architectural Character Imagery along with Architectural Standards.
 - There will be some homes with garage doors facing the street, but the majority of the residential units will have garage doors facing an alley. This enhances streetscape aesthetics and pedestrian friendliness.
 - Homes are 1-story or 2-story, with the maximum height limited in the PUD to 28 ft. and 32 ft.
 - Covered porches and/or stoops are required and porches shall be 6 ft. deep in Area A and B.
 - Monotony mitigation standards are in place to help avoid a cookie cutter or repetitive aesthetic.
 - 6-unit buildings will have more masonry on the front to break up the façade and add to the character.

Negotiations with Petitioner during Plan Commission process

- Original layout proposed a small neighborhood shops building. Petitioner changed the plan to only be residential.
- Rental restrictions added as commitments to prevent investors from buying multiple units and renting out.
- Additional sidewalk connection to 146th St. path, and path connection to Towne Rd added.
- Architectural standards improved and additional landscaping was provided in the common areas and south buffer.

Concerns discussed by the Plan Commission

- Density and traffic impact study discussed as well as need for smaller ranch homes in the community.
- The combined pond and how maintenance would work with two different HOAs.
- Tree preservation for the site and buffer landscaping along the south.

DOCS Staff found that the residential PUD meets several Policies and Objectives of the Comp. Plan. The development provides a buffer of common area to the neighborhood to the south, provides appropriate pedestrian, bicycle and vehicular access, and contains a wetland preservation and tree preservation area. The architecture was improved throughout the Plan Commission process as well as several other changes and improvements. We recommended that the Plan Commission forward this item to City Council with a Favorable Recommendation. They voted 6-1 to send it with a Favorable Recommendation to City Council.

Towne 146 PUD

Planned Unit Development (PUD) / Rezone

Ordinance No. Z-694-24

**PUD REZONE
CITY OF CARMEL, INDIANA**

**December 16, 2024
Common Council**

Applicant: Lennar Homes of Indiana, LLC

Attorneys: Nelson & Frankenberger, LLC
Jim Shinaver, Attorney
Jon C. Dobosiewicz, Land Use Professional
317-844-0106

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4. Connectivity Plan
Open Space Plan
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6. Architectural Character Imagery Area B – Single-Family Detached Ranch and 2-
Story Homes
7. Architectural Character Imagery Area C – 2-Story Townhomes
8. Proposed Rental Restriction Commitments
9. Towne 146 PUD Ordinance

TAB 1

Towne 146 PUD Project Description

Lennar Homes of Indiana, LLC (“Lennar”) has filed a rezone application seeking approval of the “Towne 146 Planned Unit Development Ordinance” (the “Towne 146 PUD”) which pertains to a 15.67 acre site located at the southeast corner of 146th Street and Towne Road (the “Real Estate”). The Real Estate is adjacent to the Saddle Creek community to the south and Ambleside community to the east. Included behind Tab 2 are various site location context maps that depict the location of the Real Estate, as well as the existing and proposed future development around the Real Estate, including planned development for the northside of 146th Street in Westfield.

The Plan Commission, on November 19, 2024, voted to send the proposal to the City Council with a positive, favorable recommendation for approval.

Modifications to the Towne 146 PUD proposal resulting from the discussion and input from the September, October and November Plan Commission Committee meetings are described below.

1. Concept Plan:

Behind Tab 3 is the Concept Plan which was modified by removing the Neighborhood Commercial component from the original proposal, so that the community is now solely a residential development. Further, adjustments to the lot configuration occurred in order to expand the wetland buffer area at the southeast corner of the property. The Concept Plan now includes a total of 87 lots consisting of 17 ranch homes which have a first-floor primary bedroom, 12 new proposed ranch and 2-story detached homes that also offer a first-floor bedroom and 58 2-story townhomes. Due to modifications from the original proposal, the Concept Plan now provides more homes with first-floor bedrooms, preserves more trees in the southeast corner of the Real Estate and provides a larger common area and other open space areas than the original Concept Plan. Two (2) additional trees are now also required in the rear of lots along the south perimeter of the site (adjacent to the Saddle Creek community) as requested by DOCS Staff. The Concept Plan also includes 5 fewer homes than the original Concept Plan which included 92 homes and a proposed neighborhood commercial building – which neighborhood commercial building has been removed from the proposal.

2. Connectivity Plan and Open Space Plan:

Behind Tab 4 is the Connectivity Plan and Open Space Plan. The Plan Commission requested additional connectivity within and around the community. The Concept Plan and PUD were revised to require additional internal sidewalk locations and connectivity to the path on the south side of 146th Street. Further, a 10’ wood deck/walkway feature which crosses the pond was also added to the proposal. An Open Space exhibit which identifies natural open space areas, tree preservation areas and designed open space areas has also been added to the PUD and updated to show the expanded wetland buffer area.

3. Area A Home Product:

Behind Tab 5 is the Architectural Character Imagery for the Area A homes which will be Single-Family Detached ranch homes with an option for a ½ story above. These ranch homes are on larger lots that are located along the southern perimeter of the Real Estate adjacent to the Saddle Creek community. Area A will include 17 ranch homes which will have a first-

floor primary bedroom and Lennar anticipates average sales prices to range between \$350,000 to \$375,000. Also, DOCS Staff requested that all porches for Area A homes be at least 6' in depth and the PUD was revised to include this standard for Area A homes.

4. Area B Home Product:

The homes originally proposed in Area B were 2-story detached homes that did not have a first-floor bedroom. However, during the Plan Commission review process Lennar removed those 2-story homes and replaced them with their Venture Alley series homes that include both a ranch product and a 2-story detached product, both of which include a first-floor bedroom. Behind Tab 6 is the Architectural Character Imagery for the 12 Area B homes and Lennar anticipates the average sales prices to range \$375,000 and \$400,000. Also, DOCS Staff requested that all porches for Area B homes be at least 6' in depth and the PUD was revised to include this standard for Area B homes.

5. Area C Home Product:

Behind Tab 7 is the Architectural Character Imagery for the Area C 2-story Townhomes and Area C will include 58 2-story townhomes. These 2-story townhomes will be consistent in scale and height of the surrounding single-family residential uses. As part of the Plan Commission review process, DOCS Staff requested color variation and enhanced masonry treatment for the 6-unit townhome buildings, which requirements have been included in the Towne 146 PUD. Lennar anticipates the average sales prices for the townhomes to range between \$325,000 to \$350,000.

6. Rental Restriction Commitments:

The Plan Commission requested, and Lennar provided Rental Restriction Commitments for the Towne 146 community which are included behind Tab 8.

7. Towne 146 PUD:

Behind Tab 9 is the Towne 146 PUD which includes all revisions and project modifications resulting from DOCS Staff input and the Plan Commission review process.

In summary, changes to the proposal and the PUD text include, but are not limited to, the following:

- Removal of the neighborhood commercial node.
- Reduction in the number of homes.
- Landscaping and Open Space enhancements.
- Pedestrian Connectivity enhancements.
- Removal of the language which would allow the Plan Commission to consider waivers.
- Architectural enhancements.

The Towne 146 PUD provides a variety of home types and price points. The larger lots for the ranch homes will range between \$350,000 to \$375,000, the new Venture Alley series detached homes will range between \$375,000 and \$400,000 and the townhomes will range between \$325,000

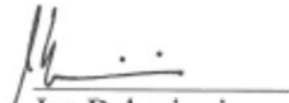
to \$350,000. The architectural quality and character of the residential homes proposed for the Towne 146 community will be compatible with that of the surrounding residential communities. Alleys will be utilized to enhance the streetscape appearance from the public view. The townhomes are limited to 2-stories in height to be consistent in scale with the surrounding single-family residential uses.

The following page below includes an explanation regarding how the Towne 146 proposal addresses “missing middle” housing needs in the City of Carmel and an explanation regarding how the proposal meets certain objectives and goals of the Comprehensive Plan.

As noted above, the Plan Commission, on November 19, 2024, voted to send the proposal to the City Council with a positive, favorable recommendation for approval.

We look forward to presenting this request to the Council on December 16, 2024.

Respectfully submitted,



Jon Dobosiewicz



Jim Shinaver

How the Proposal Addresses “Missing Middle” Housing Needs

The Towne 146th proposal provides and opportunity to address the “missing middle” housing needs of the City of Carmel by: (i) providing availability of appropriately priced new housing opportunities to the current empty-nester Carmel population who are seeking to downsize out of their larger homes, but still want to reside in Carmel as they age, as many of the homes have a bedroom on the first floor; (ii) encouraging empty-nester Carmel residents who want to downsize and move out of their larger existing homes, thus making those larger existing homes more accessible to younger “legacy” residents with young, growing families to move into; (iii) facilitating and increasing the supply of “missing-middle” smaller housing opportunities that are desired by seniors (because many of the homes having a first floor bedroom) who are looking to downsize, in the form of well-designed, single-family detached homes on smaller lots with less home square footage and less maintenance responsibilities, but with the desired community amenities, including open spaces, gathering areas, a pedestrian-friendly neighborhood with trails and paths - the types of community amenities that allow residents to interact and form meaningful neighborhood bonds; and, (iv) proposing an “in-fill” development that should protect the existing and surrounding residential communities, as the Towne 146 PUD contains specific architectural guidelines and standards and tree preservation.

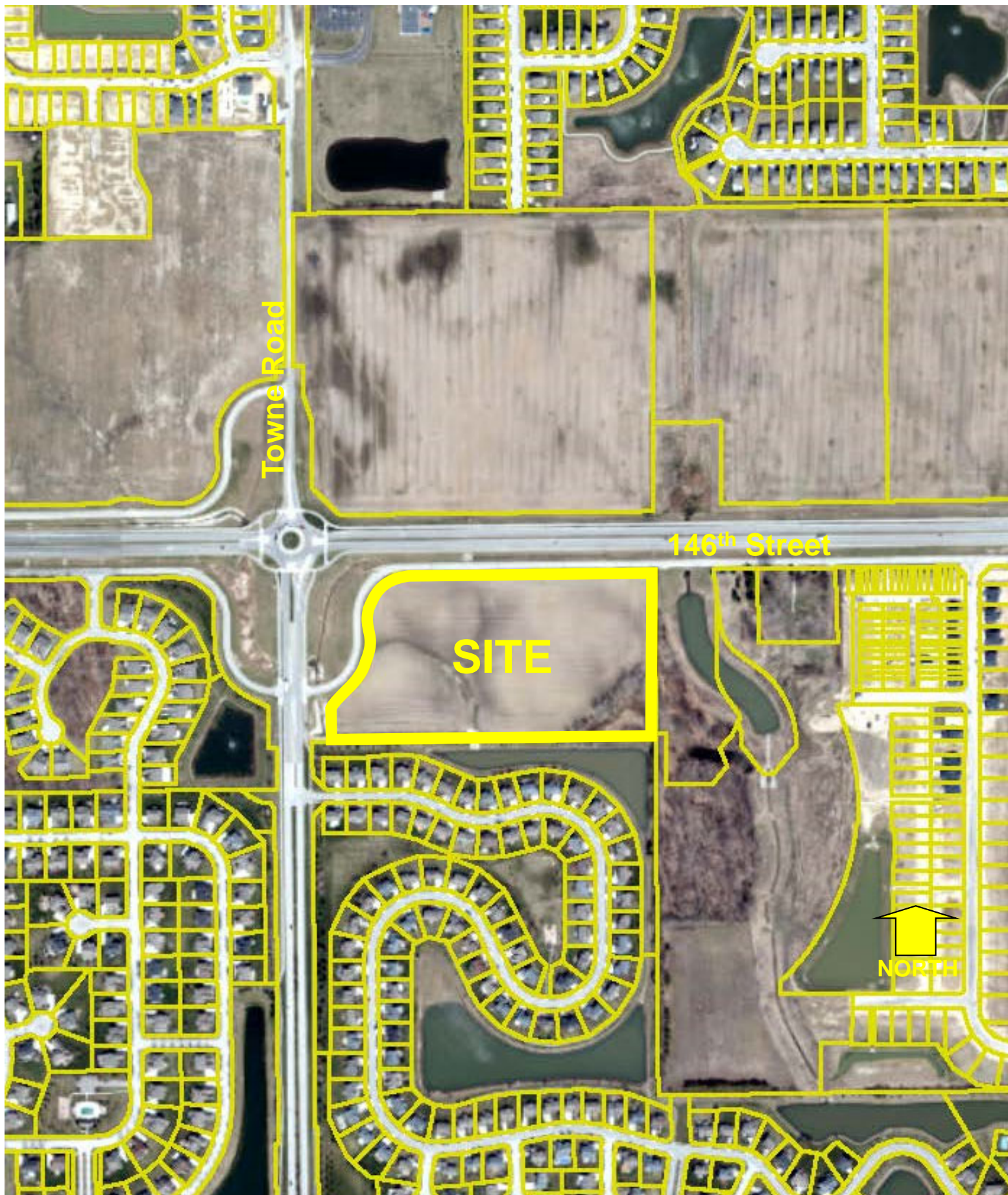
Comprehensive Plan Statement

The subject Real Estate and surrounding area south of 146th Street is designated, per the Carmel Comprehensive Plan 2022 Development Patterns Map, as “West Neighborhoods”. The subject Real Estate is also located within a “Typical Corridor” (146th Street) as designated in the Comprehensive Plan. Attributes associated with a “Typical Corridor” include: (i) serving as a transition between places and uses; and (ii) allowing for expanded housing options.

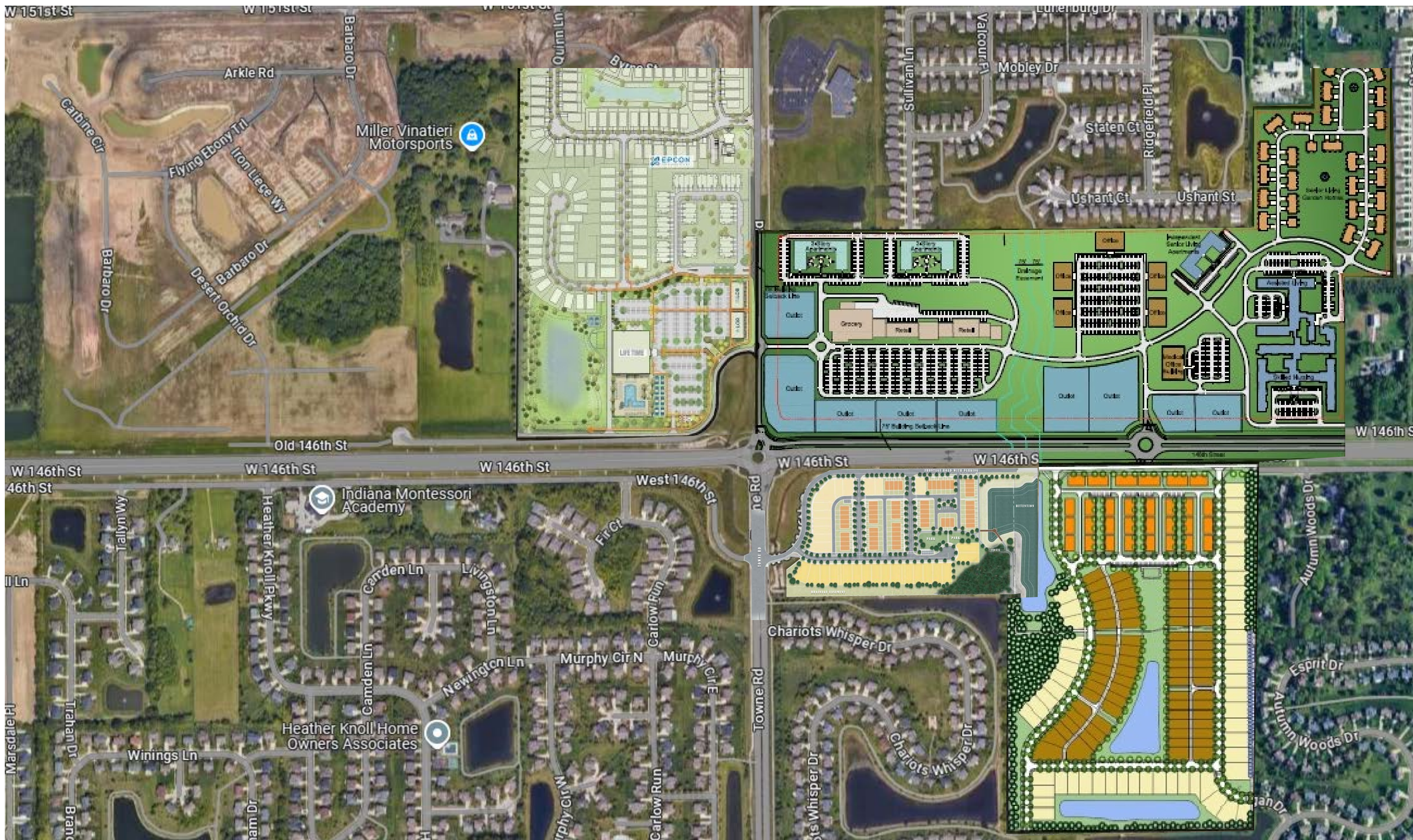
As shown on the various site location context exhibits included behind Tab 2, the area north of 146th Street includes property within Westfield zoned for intense retail, commercial and office uses. The Real Estate is an “in-fill” site and presents a unique opportunity for development of a master-planned residential community that includes smaller for-sale ownership opportunities, with multiple home product offerings that expands housing options in Carmel, and in a location that serves as an appropriate transition between the existing residential neighborhoods on the south side of 146th Street and the more intense uses and development that will occur on the north side of 146th Street.

The Towne 146 PUD provides for: (i) expanded diversity of for-sale housing products, including single-family detached homes offering a first-floor bedroom, with enhanced architectural design and detail as is required by the architectural provisions of the proposed PUD; (ii) an appropriate transition next to a major thoroughfare (146th Street) and intense commercial development; (iii) limiting the height of homes and townhomes to 2-stories and positioning the fronts of dwellings to face toward 146th Street providing an attractive streetscape; and, (iv) internal and external pedestrian connectivity and passive common areas and open space areas, including tree preservation.

TAB 2

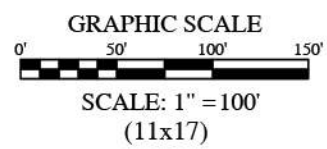
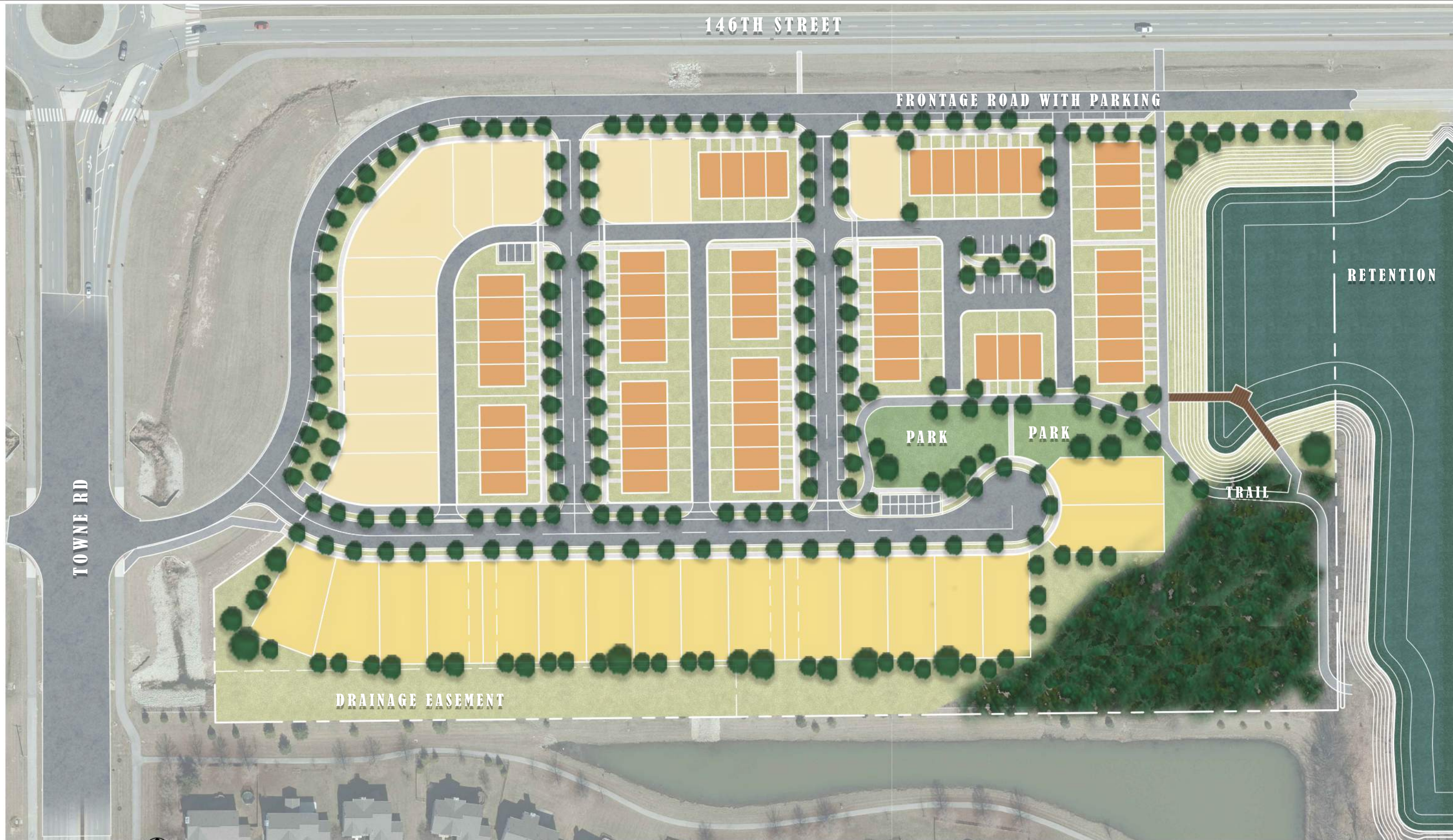


Site Location Map / Aerial Photograph





TAB 3



LEGEND

- 51' x 110' FRONT LOAD
- 42' x 100' REAR LOAD
- TOWNHOMES

146TH & TOWNE RD.

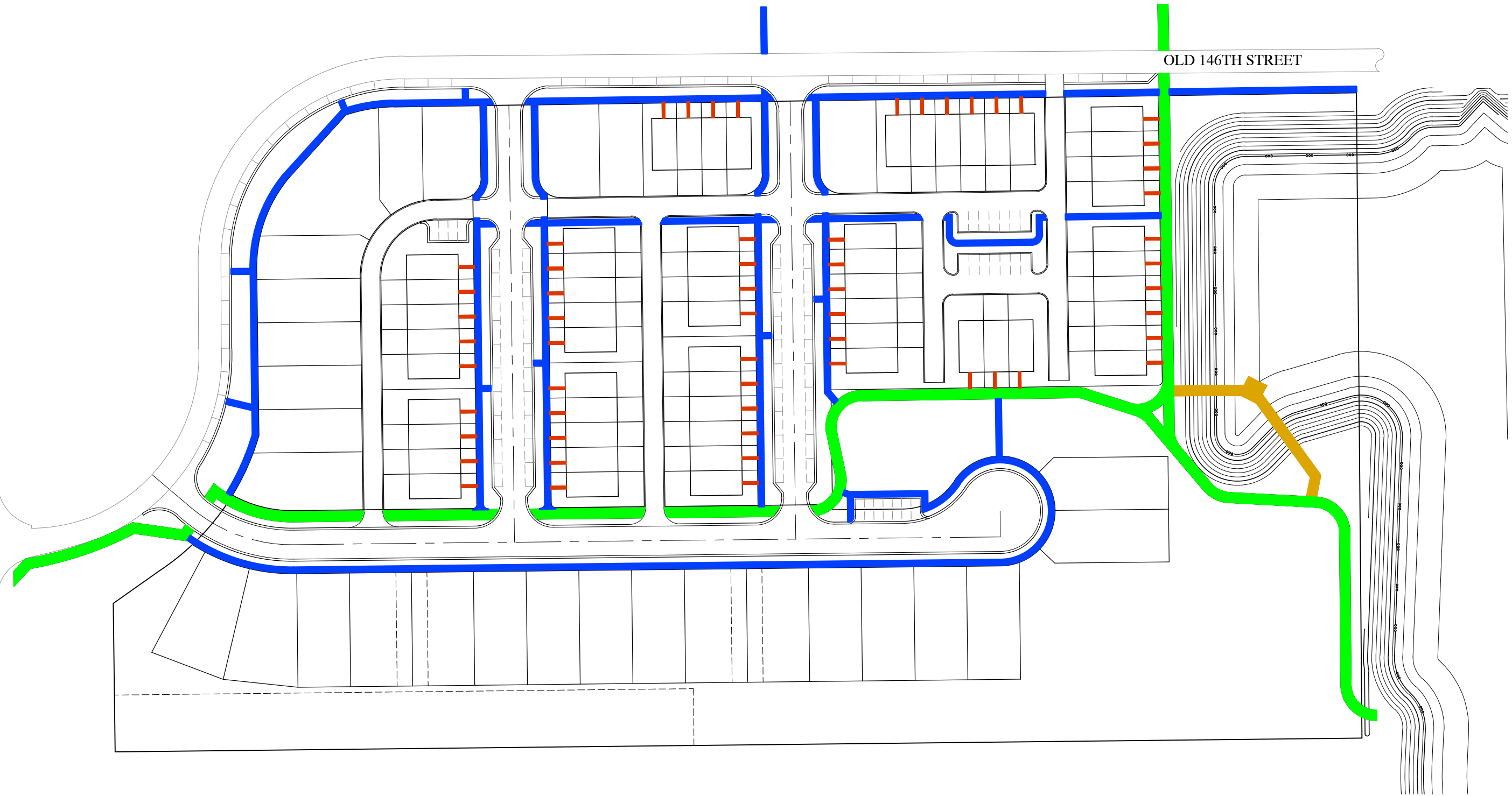
CARMEL, INDIANA
NOVEMBER 12, 2024



HWC
ENGINEERING

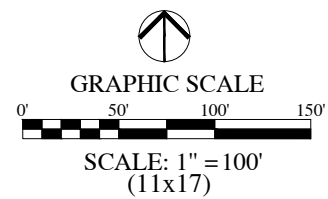
TAB 4

Plot Date: Nov 12, 2024 Plot Time: 4:32pm File Name: W:\Lennar\2023-330-S 146th and Towne\Design\Renderings\CAD Hatch - 146th & Towne Connectivity Exhibit - Layout S.dwg, Layout: CAD Hatch Exhibit By: dchesterfield



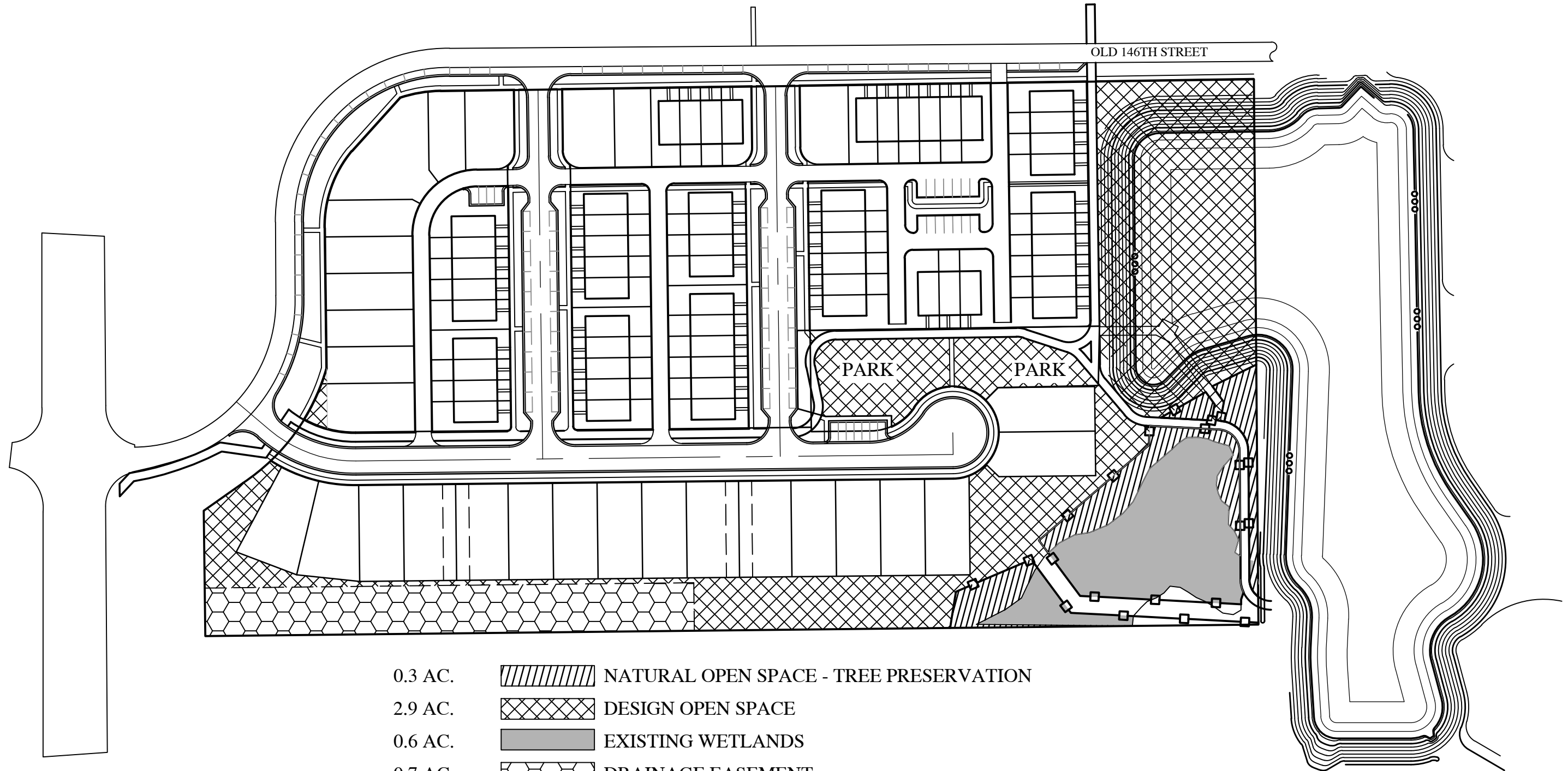
LEGEND

- 10' ASPHALT PATH - 1,950 LF
- 5' CONCRETE SIDEWALK - 4,605 LF
- 10' WOOD DECK - 225 LF
- 3' CONCRETE SIDEWALK - 928 LF



LENNAR
146TH & TOWNE ROAD
CONNECTIVITY EXHIBIT
CARMEL, INDIANA
NOVEMBER 12, 2024

Plot Date: Nov 12, 2024 Plot Time: 2:05pm File Name: W:\Lerner\2023-330-S 146th and Towne\Design\CAD\Open Space Exhibit.dwg Layout: OS Exhibit By: keichhorn



- | | | |
|--|---|--|
| 0.3 AC. |  | NATURAL OPEN SPACE - TREE PRESERVATION |
| 2.9 AC. |  | DESIGN OPEN SPACE |
| 0.6 AC. |  | EXISTING WETLANDS |
| 0.7 AC. |  | DRAINAGE EASEMENT |
|  TREE PRESERVATION FENCE | | |

TOTAL OPEN SPACE = 3.8 AC.
SITE ACREAGE = 15.76 AC.
CURRENT OPEN SPACE = 24%

NOTE:
DESIGNED OPEN SPACE AREAS WILL BE LANDSCAPED WITH
SHADE TREES AS APPROVED BY URBAN FORESTER. ALL
COMMON AREA SPACES WILL HAVE TREES AND LANDSCAPING.

TOWNE & 146TH
OPEN SPACE PLAN
EXHIBIT " "
CARMEL, INDIANA
NOVEMBER 12, 2024

TAB 5



Ashbury A

Fletcher B

Ashbury C



Fletcher A

Ashbury B

Fletcher C



Fletcher B



Ashbury B

TAB 6







TAB 7







TOWNS AT 146
2-STORY TOWNHOMES, 6-UNIT BUILDING
PRELIMINARY DESIGN
REV 001



TAB 8

COMMITMENTS CONCERNING USE AND DEVELOPMENT OF REAL ESTATE

Document Cross Reference: Warranty Deed Recorded with the Hamilton County Recorder's Office on May 10, 2000, as Instrument No. 2000-22764.

WHEREAS, Lennar Homes of Indiana, LLC is the applicant (the "Applicant") and CB Family Partnership is the owner (the "Owner") in regard to a rezone application identified by Docket Number PZ-2024-00028 that is seeking to rezone the real estate that is described below to the Towne 146th Planned Unit Development Ordinance (the "Towne 146 PUD") (collectively, the "Request") with the City of Carmel's Plan Commission (the "Plan Commission") and the City of Carmel's Common Council (the "Council") pertaining a parcel of real estate that is identified by the Hamilton County, Indiana Auditor's Office as Tax Parcel Identification Number 17-09-21-00-00-001.000 (the "Real Estate"), which Real Estate is more particularly described in **Exhibit A** which is attached hereto and incorporated herein by reference;

WHEREAS, pursuant to I.C. 36-7-4-1015, and the City of Carmel's Unified Development Ordinance (the "UDO"), the Plan Commission and Council may request written zoning commitments in connection with approving rezone requests; and, the Owner and Applicant, in response to the request by the Plan Commission for certain rental zoning commitments in connection to the Request, are offering below described zoning commitments (the "Commitments");

NOW THEREFORE, the Applicant and Owner make the following Commitments regarding the Homes to be constructed on the Real Estate:

Section 1. Commitments. Any Home to be constructed upon the Real Estate is subject to the following Commitments:

- A. **Required Sale, Rental and Leasing Provisions in the CCR's:** The following text shall be included in the Covenants, Conditions and Restrictions (the "CCR's") that shall be prepared and recorded with the Office of the Recorder of Hamilton County, Indiana which CCR's shall govern any Homes to be constructed on the Real Estate:
 1. **Limitations on the Sale of Homes by Lennar Homes:** Lennar Homes, and its successors and assigns including any other builder of a Home on the Real Estate, shall only be permitted to sell a maximum of two (2) Homes to the same individual or individuals, corporation, trust, limited liability company, limited partnership or other similar corporate entity.

2. Prohibition of Short-term Rentals: Short-term rentals, as defined in the City of Carmel's Unified Development Ordinance ("UDO") and as permitted under Section 5.73 of the UDO, shall be prohibited on the Real Estate. Further, any owner of any Home shall be prohibited from advertising their Home as a short-term rental including but not limited to any advertising on any and all short-term rental internet websites.
3. Limitations on Rental and Leasing of Homes: Subject to the terms and conditions set forth below and subject to the exceptions set forth below, the following shall apply to the rental or leasing of Homes:
 - a. A maximum of twenty percent (20%) of the Homes on the Real Estate shall be permitted to be rented or leased to a third party.
 - b. The initial owner who purchases a Home from Lennar Homes or any other builder of a Home shall not be permitted to rent or lease their Home for income to a third party until that initial owner has owned and resided in the Home for a period of at least twelve (12) months.
 - c. After the twelve (12) month period has expired, the initial owner shall be permitted to lease the Home for income to a third party; however, said lease term to any third party shall be for a minimum period of six (6) months.
 - d. All rental agreements between an owner of a Home and tenant shall: (i) prohibit subleasing and assignment of any rights and obligations to a 3rd party; (ii) be in writing; and, (ii) be approved by the Association Board prior to execution by the owner of a Home and tenant.
 - e. Upon execution by the owner of a Home and tenant of an Association Board approved rental agreement, the owner shall be required to: (i) provide to the tenant the CCR's; and, (ii) provide the fully executed lease to the Association Board within fifteen (15) days.
4. Exceptions to Limitations on Rental and Leasing of Homes Due to Hardship:
 - a. "Hardship" is defined herein as a personal or financial situation affecting the owner of a Home that, without allowing the renting or leasing of the owner's Home, detrimental financial harm may occur to the owner.
 - b. An exception to Paragraph 3 above shall exist if an owner of a Home qualifies for a Hardship exception. For an owner to qualify for a Hardship exception, the owner shall provide a written Hardship request to the Association Board that details the specific circumstances of the owner's Hardship and an explanation of the detrimental financial harm that may

occur to the owner if that owner is not permitted to rent or lease their Home.

- c. Within fifteen (15) days of the Association Board receiving a written Hardship Request, the Association Board shall provide the owner a written response either approving the Hardship request or denying the Hardship request. In the event a Hardship request is denied, the Association Board shall set forth its reasons for denial.
 - d. In the event an owner of a Home qualifies for a Hardship exception, the owner shall be permitted to lease their Home for income to a third party however, said lease term to any third party shall be for a minimum period of six (6) months.
 - e. All rental agreements between an owner of a Home and tenant occurring as a result of a Hardship shall: (i) prohibit subleasing and assignment of any rights and obligations to a 3rd party; (ii) be in writing; and, (iii) be approved by the Association Board prior to execution by the owner of a Home and tenant.
 - f. Upon execution by the owner of a Home and tenant of an Association Board approved rental agreement occurring as a result of a Hardship, the owner shall be required to: (i) provide to the tenant the CCR's; and, (ii) provide the fully executed lease to the Association Board within fifteen (15) days.
5. Exceptions to Limitations on Rental and Leasing of Homes for Certain Loans and Mortgages:
- a. An exception to Paragraph 3 above shall exist if there are any FHA, VA or USDA insured loans or mortgages affecting a Home or Lot for as long as any of the foregoing insured loans or mortgages apply to the Home or Lot. Any restrictions in Paragraph 2 above relating to the renting, leasing, subleasing, or reconveyance that violate any FHA, VA or USDA requirements shall not apply to any Home, Lot or its owner.

Section 2. Definitions.

- 1. Applicant. Lennar Homes of Indiana, LLC.
- 2. Association Board. Shall mean the board of directors of the homeowner's association that shall be established and incorporated by Lennar Homes of Indiana, LLC that shall govern and regulate the Real Estate, which shall also include the establishment of association By-Laws and Covenants, Conditions and Restrictions pertaining to the Real Estate.

3. Director. The Director of Department of Community Services of the City of Carmel, Indiana.
4. Home or Homes. Shall mean any single-family detached homes and any townhomes on the Real Estate.
5. FHA. Federal Housing Administration.
6. Lot. Shall mean a lot as a lot is to be defined in the Towne 146 Covenants, Conditions and Restrictions.
7. Owner. CB Family Partnership.
8. USDA. United States Department of Agriculture.
9. VA. United States Department of Veterans Affairs.

Section 3. Modification of Commitments. These Commitments shall continue in effect until modified or terminated. These Commitments shall only be modified or terminated by the Plan Commission in accordance with the City of Carmel's Unified Development Ordinance and any applicable laws, rules and regulations.

Section 4. Effective Date. These Commitments shall be effective upon the Council's approval of the Request.

Section 5. Recording. These Commitments shall be recorded with the Office of the Recorder of Hamilton County, Indiana by the Applicant upon approval of the Request by the Council and acquisition of the Real Estate. Within thirty (30) days after the recording of these Commitments, the Applicant shall provide to the Director a recorded copy of these Commitments.

Section 6. Enforcement. These Commitments may be enforced by the Director of the Department of Community Services at the direction of the Council and/or Plan Commission.

Section 7. Binding on Successors. These Commitments are binding upon: (i) the Owner, and its successors and assigns; (ii) Lennar, its successors and assigns including any other builder of a Home on the Real Estate; (iii) each owner of a Home; and, (iv) upon each owner of a home successors, assigns and grantees with respect to the portion of the Real Estate owned by such successor, assign and grantee and during such successor's, assign's and grantee's ownership, unless the Commitments herein are modified or terminated by the Plan Commission pursuant to the requirements herein. Notwithstanding the provisions of this Section 7, these Commitments shall terminate as to any part or parts of the Real Estate for which the zoning district or classification is later changed after the Effective Date.

IN WITNESS WHEREOF, the Owner has caused these Commitments to be executed as of the dates identified below.

“Owner”

CB Family Partnership

By: _____

Name: _____

Title:

Date: _____, 2024

STATE OF INDIANA)
) SS.:
COUNTY OF)

Before me the undersigned, a Notary Public, in and for said County and State, personally appeared _____ (name) as _____ title) of CB Family Partnership, the Owner, who acknowledged the execution and the foregoing Commitments Concerning Use and Development of Real Estate this _____ day of _____, 2024 for and on behalf of said entity.

WITNESS my hand and Notarial Seal this _____ day of _____, 2024.

My Commission Expires: _____
Notary Public

Residing in _____
County of _____ Printed Name _____

IN WITNESS WHEREOF, the Applicant has caused these Commitments to be executed as of the dates identified below.

“Applicant”

Lennar Homes of Indiana, LLC

By: _____

Name: _____

Title: _____

Date: _____, 2024

STATE OF INDIANA)
) SS.:
COUNTY OF _____)

Before me the undersigned, a Notary Public, in and for said County and State, personally appeared _____ (name) as _____ (title) of Lennar Homes of Indiana, LLC, the Applicant, who acknowledged the execution and the foregoing Commitments Concerning Use and Development of Real Estate this _____ day of _____, 2024 for and on behalf of said entity.

WITNESS my hand and Notarial Seal this _____ day of _____, 2024.

My Commission Expires: _____
Notary Public

Residing in _____
County of _____ Printed Name

This instrument prepared by James E. Shinaver and Jon Dobosiewicz, Nelson & Frankenberger, 550 Congressional Blvd., Suite 210, Carmel, IN 46032.

Return to: James E. Shinaver, Nelson & Frankenberger, 550 Congressional Blvd., Suite 210, Carmel, IN 46032.

I affirm under the penalties of perjury that I have taken reasonable care to redact each social security number in this document, unless required by law. James E. Shinaver.

EXHIBIT "A"

(Legal Description)

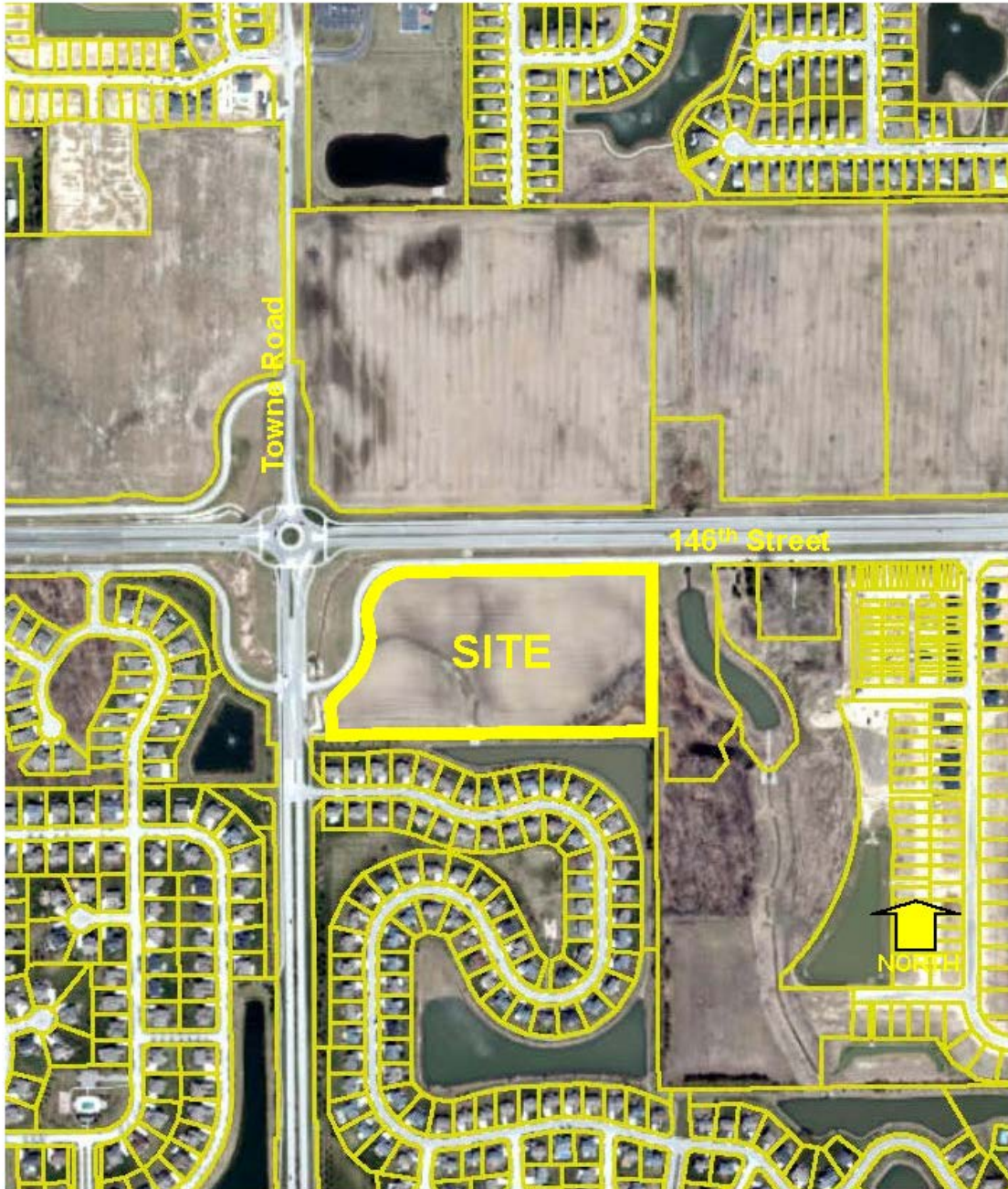
Page 1 of 2

A part of the West Half of the Northwest Quarter of Section 21, Township 18 North, Range 3 East of the Second Principal Meridian, Clay Township, Hamilton County, Indiana, more particularly described as follows:

Commencing at the northwest corner of said Quarter Section, said corner marked by a Harrison Monument per Hamilton County Surveyor's Office Corner Records; thence North 89 degrees 09 minutes 42 seconds East (Saddle Creek assumed bearing per survey recorded as Instrument Number 9609611604 in the Office of the Recorder of Hamilton County, Indiana) along the north line of said West Half a distance of 1353.28 feet to the northeast corner of said West Half; thence South 00 degrees 29 minutes 34 seconds East along the east line of said West Half a distance of 25.00 feet to the POINT OF BEGINNING being a southeast corner of the 3.436-acre tract of land described in Instrument Number 2016010931 in said Recorder's Office; thence continuing South 00 degrees 29 minutes 34 seconds East along said east line a distance of 624.47 feet to the northeast corner of Common Area Number 6 in Saddle Creek Section Twelve per plat recorded in Plat Cabinet 3, Slide 308 as Instrument Number 200300122041 in said Recorder's Office; thence South 89 degrees 22 minutes 09 seconds West along the north line of said Common Area Number 6 a distance of 1206.16 feet to a southeast corner of said 3.436-acre tract and the following eight (8) courses are along the easterly and southern lines of said 3.436-acre tract; (1) thence North 00 degrees 40 minutes 50 seconds West a distance of 143.69 feet; (2) thence North 54 degrees 44 minutes 53 seconds East a distance of 54.90 feet to the point of curvature of a non-tangent curve to the left having a radius of 235.00 feet; (3) thence northeasterly along said curve an arc distance of 165.81 feet, said curve being subtended by a chord having a bearing of North 36 degrees 11 minutes 25 seconds East and a chord distance of 162.39 feet; (4) thence North 00 degrees 43 minutes 46 seconds West a distance of 161.10 feet to the point of curvature of a non-tangent curve to the right having a radius of 135.00 feet; (5) thence northerly along said curve an arc distance of 95.20 feet, said curve being subtended by a chord having a bearing of North 19 degrees 31 minutes 14 seconds East and a chord distance of 93.24 feet; (6) thence North 42 degrees 02 minutes 27 seconds East a distance of 81.82 feet to the point of curvature of a non-tangent curve to the right having a radius of 155.00 feet; (7) thence easterly along said curve an arc distance of 47.64 feet, said curve being subtended by a chord having a bearing of North 80 degrees 21 minutes 26 seconds East and a chord distance of 47.45 feet; (8) thence North 89 degrees 09 minutes 42 seconds East a distance of 931.13 feet to the POINT OF BEGINNING, containing 15.760 acres, more or less.

EXHIBIT “A”

(Legal Description – Location Map)
Page 2 of 2



TAB 9

Sponsor: Councilor Minnaar

CARMEL, INDIANA

Towne 146

PLANNED UNIT DEVELOPMENT DISTRICT

ORDINANCE Z-694-24

November 20, 2024

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Sponsor: Councilor Minnaar

ORDINANCE Z-694-24

**AN ORDINANCE OF THE COMMON COUNCIL OF THE
CITY OF CARMEL, INDIANA
ESTABLISHING
THE TOWNE 146 PLANNED UNIT DEVELOPMENT DISTRICT**

Synopsis:

Ordinance Establishes the Towne 146 Planned Unit Development District Ordinance (the “Towne 146 PUD”). The Ordinance would rezone the real estate from S-1 Residential to a Planned Unit Development district allowing the development of a mixed-residential neighborhood laid out in the style and character as depicted on the Concept Plan (attached as Exhibit B) which includes single-family homes and townhomes.

WHEREAS, Articles 4.02 and 9.05 of the Carmel Unified Development Ordinance, Ordinance Z-625-17, as amended (the “UDO”), provides for the establishment of a Planned Unit Development District in accordance with the requirements of I.C. § 36-7-4-1500 et seq. (the “PUD Statute”); and

WHEREAS, Lennar Homes of Indiana, LLC (“Lennar”), submitted an application to the Carmel Plan Commission (the “Plan Commission”) to adopt a PUD District Ordinance for certain real estate in the City of Carmel, Hamilton County, Indiana, as legally described in **Exhibit A** attached hereto (the “Real Estate”); and

WHEREAS, Lennar’s application is consistent with the provisions of the UDO and PUD Statute; and

WHEREAS, after proper notice, and pursuant to the provisions of the PUD Statute and UDO, the Plan Commission conducted a public hearing on August 20, 2024 concerning Lennar’s application for a PUD District Ordinance, which application was docketed as PZ-2024-00028 PUD, and

WHEREAS, the Plan Commission, at its hearing on November 19, 2024, has given a Favorable Recommendation to this Towne 146 PUD (the “Towne 146 Ordinance”), which establishes the Towne 146 Planned Unit Development District (the “Towne 146 District”).

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Carmel, Indiana (the “Council”), that: (i) pursuant to IC §36-7-4-1500 *et seq.*, the Council adopts this Towne 146 Ordinance, as an amendment to the Zone Map; (ii) all prior ordinances or parts thereof inconsistent with any provision of this Towne 146 Ordinance and its exhibits are hereby made inapplicable to the use and development of the Real Estate; (iii) all prior commitments and restrictions applicable to the Real Estate shall be null and void and replaced and superseded by

this Towne 146 Ordinance; and, (iv) this Towne 146 Ordinance shall be in full force and effect from and after its passage and signing.

Section 1. Applicability of Ordinance.

Section 1.1 The Zone Map is hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the Towne 146 District.

Section 1.2 Development in the Towne 146 District shall be governed entirely by (i) the provisions of this Towne 146 Ordinance and its exhibits, and (ii) those provisions of the UDO specifically referenced in this Towne 146 Ordinance. Where this Towne 146 Ordinance is silent, the applicable standards of the UDO shall apply.

Section 2. Definitions and Rules of Construction.

Section 2.1 General Rules of Construction. The following general rules of construction and definitions shall apply to the Towne 146 Ordinance:

- A. The singular number includes the plural and the plural the singular, unless the context clearly indicates the contrary.
- B. Words used in the present tense include the past and future tenses, and the future the present.
- C. The word “shall” indicates a mandatory requirement. The word “may” indicates a permissive requirement.

Section 2.2 Definitions. The definitions (i) of the capitalized terms set forth below in this Section 2.2, as they appear throughout this Towne 146 Ordinance, shall have the meanings set forth below in this Section 2.2 and (ii) of all other capitalized terms included in this Towne 146 Ordinance and not defined below in this Section 2.2, shall be the same as set forth in the UDO.

Accessory Use: A use subordinate to the main use, located on the real estate or in the same Dwelling as the main use, and incidental to the main use.

“ADLS”: The architecture, design, exterior lighting, landscaping and signage associated with a Building.

“ADLS Approval”: Approval by the Plan Commission of architecture, design, lighting and landscaping and signage pursuant to the procedures for ADLS review of the UDO and the Development Requirements.

Area A Lots: The area identified as “Area A” on the Concept Plan.

Area B Lots: The area identified as “Area B” on the Concept Plan.

Area C – Townhomes: The area identified as “Area C” on the Concept Plan.

Architectural Character Imagery: These comprise the elevations and photographs, attached hereto as **Exhibit C** (Architectural Character Imagery – Area A Lots), **Exhibit D** (Architectural Character Imagery – Area B Lots), and **Exhibit E** (Architectural Character Imagery – Area C – Townhomes), and are intended to generally and conceptually illustrate an application of the Development Requirements. Architectural Character Imagery is general and not intended to delineate the only final designs that may be built. All Buildings and Dwellings will comply with the Architectural Standards but may vary from the Architectural Character Imagery provided all applicable Architectural Standards are met.

Architectural Standards: The Architectural Standards incorporated herein under **Exhibit F** (Architectural Standards).

Building: A structure having a roof supported by columns and walls, for shelter, support, or a Dwelling.

Common Area(s): Common Areas shall comprise a parcel or parcels of land, areas of water, or a combination of land and water, including flood plain and wetland areas located within the Real Estate and designed by the Controlling Developer. Common Areas do not include any area which is divided into individual Dwelling lots or streets. Common Areas shall be in the areas generally identified on the Concept Plan.

Concept Plan: The general plan for the development of the Real Estate, including but not limited to Lots, streets and Common Areas attached hereto as **Exhibit B** (Concept Plan).

Controlling Developer: Shall mean Lennar Homes of Indiana, LLC or the owner of the Real Estate at the time of adoption of the Towne 146 Ordinance, until such time as Lennar Homes of Indiana, LLC or the owner transfers or assigns, in writing, its rights as Controlling Developer such as to an Owners Association.

Development Requirements: Written development standards and any written requirements specified in this Towne 146 Ordinance, which must be satisfied in connection with the approval of a Primary Plat and Building Permits.

Plan Commission: The City’s Plan Commission.

Primary Plat or “PP”: A specific plan for the development of the Real Estate, or any portion thereof, which is submitted for approval, showing proposed locations of lots, streets and common areas.

Primary Roof: The highest roof plane on the front elevation.

Real Estate: The Real Estate legally described in **Exhibit A** (Legal Description).

Setback, Minimum: The minimum setback a dwelling shall be from the property line. Stoops, steps, and landings may encroach into the required Minimum Front Yard Setback. Said encroachments may extend to the front property line as required to access a door to enter the Dwelling.

Stoop: A landing area adjacent to the front door of a dwelling connected to a sidewalk.

Unified Development Ordinance (or “UDO”): The Unified Development Ordinance, Ordinance Z-625-17, of the City of Carmel, Hamilton County, Indiana, as amended.

Zone Map: The City’s official Zone Map corresponding to the UDO.

Section 3. Uses and Accessory Buildings.

Section 3.1 Permitted Uses: The Conceptual Plan divides the District into three (3) Areas: Area A (Front Load Detached Residential), Area B (Rear Load Detached Residential, Alley), and Area C (Townhomes - Attached Residential). The Permitted Uses within each Area shall be as set forth below:

- A. Area A and Area B: Single-Family Dwellings.
- B. Area C: Townhomes.
- C. Temporary Model Homes shall be permitted in all Areas.

Section 3.2 Accessory Building and Uses: Accessory Buildings and Uses shall be permitted in the District unless prohibited in the Declaration(s) of Covenants. Accessory Buildings and Uses shall be subject to the terms and restrictions of the UDO.

- A. Solar Panels shall be a permitted Accessory Use on the Real Estate.

Section 3.3 Special Uses: Special Uses shall be permitted as set forth in the Use Table and shall be subject to review and subsequent approval pursuant to the UDO.

Section 3.4 Temporary Uses: Temporary Uses shall be permitted as set forth in the Use Table and shall be subject to the terms and restrictions of the UDO.

Section 3.5 Home Occupations: Home Occupations shall be permitted and shall be subject to the terms and restrictions of the UDO.

Section 3.6 Non-Conforming Uses: Non-Conforming Uses and exemptions shall be subject to the terms and restrictions of the UDO.

Section 3.7 Short Term Residential Rentals: Short Term Residential Rentals as

regulated under the UDO shall be prohibited on the Real Estate.

Section 4. Development Standards.

Section 4.1 Bulk Requirements: The following standards shall apply.

Area	Minimum Lot			Minimum Yard Setbacks			Min. Dwelling Unit Size (SF)		Max Lot Coverage
	Width	Area (SF)	Street Frontage	Front	Side	Rear	1-story	2-story	
Area A – Front Load Detached Residential	50'	5,000	40'	20'	6'	15'	1,400	1,700	60%
Area B – Rear Load Detached Residential, Alley	42'	3,000	20'	10'	6'	15'	1,200	1,400	75%
Area C – Townhomes Attached Residential	24'	N/A	20'	10'	15' between buildings	10'	1,200	1,400	80%

Section 4.2 Maximum Residential Densities: The maximum number of Residential Dwellings shall be eighty-seven (87).

Section 4.3 Building Height: The maximum Building Height shall be as follows:

- A. Area A – Single-family: Twenty-eight (28) feet.
- B. Area B – Single-family: Twenty-eight (28) feet.
- C. Area C – Single-family: Thirty-two (32) feet.

Section 4.4 Dwelling Orientation:

- A. Dwellings in Area A shall have front-facing garages with individual access to the street.
- B. Alleys shall be required in Area B and Area C. Driveways on Lots in Area B and Area C shall only access alleys (no direct driveway to street access shall be permitted).

- C. All Dwellings shall provide a sidewalk connection from the front door of each dwelling to a sidewalk at the street or along the perimeter of a common area.

Section 4.5 Architectural Standards:

- A. Character Imagery: The applicable Architectural Character Imagery, indicating conceptually the intended architecture and appearance of Dwellings are contained within **Exhibit C** (Architectural Character Imagery – Area A Lots), **Exhibit D** (Architectural Character Imagery – Area B Lots), and **Exhibit E** (Architectural Character Imagery – Area C – Townhomes).
- B. Dwelling Architecture: Applicable architectural requirements and standards for dwellings are contained in **Exhibit F** (Architectural Standards) of this Towne 146 Ordinance.

Section 4.6 Lighting:

- A. Lot Lighting: All Dwellings shall have light fixtures on either side of the garage door and equipped with a photocell so the light is on from dusk to dawn.
- B. Street Lighting: Street lighting (lighting in the street right-of-way) shall be required and shall meet the requirements of Article 7.32 and 7.33 of the UDO.

Section 4.7 Parking: Parking shall comply with the UDO, except as provided below:

- A. Four (4) spaces per Dwelling are required.
- B. Parking Spaces (i) within driveways, (ii) within garages, and (iii) on-street parking shall count toward the number of required parking spaces.
- C. Driveways designed to permit parking shall be a minimum of twenty (20) feet in length as measured from the street right of way or alley. Vehicles shall not be parked in a location that encroaches onto a sidewalk or alley.
- D. Driveways shall be concrete, stamped concrete, brick, porous concrete, or stone or pervious pavers. Asphalt and gravel driveways shall not be permitted.

- A. On-street Parking: On-street parking shall be permitted on the Real Estate's internal streets and along the frontage road. Each parallel on-street parking space shall be a minimum of twenty-two (22) feet in length.
- B. Bicycle Parking: Bicycle parking shall comply with the standards of the UDO.

Section 5. Common Area Requirements. Common Area shall be in the areas generally identified on the Concept Plan.

Section 5.1 A minimum of three (3) acres of the District, shall be allocated to Common Area as generally illustrated on the Concept Plan.

Section 5.2 Open space, including internal trails and paths, shall be provided as generally depicted on the Concept Plan and as conceptually shown on **Exhibit G** (Common Area Concept Imagery) of this Towne 146 Ordinance. An Open Space Plan shall be submitted at the time of Primary Plat review.

Section 5.3 The existing wetland generally located in the southeastern corner of the Real Estate shall be placed within a Water Quality Preservation Easement which shall permit pathways, storm sewers, sanitary sewers, and grading within the fifty (50) foot easement area outside the delineation of the wetland.

Section 5.4 Internal paths shall be of a width and location as generally depicted on **Exhibit G** (Common Area Concept Imagery). All internal paths not located in right-of-way shall be located in a public pedestrian easement. The final location of the internal trail is subject to existing easements and final engineering. If the internal paths are prevented from being installed as generally shown, then an alternative path location may be provided that still provide access within the subject area of the Real Estate.

Section 5.5 Two (2) areas identified on the Concept Plan as “Park” shall be provided as generally depicted on **Exhibit G** (Common Area Concept Imagery). Collectively, the areas shall include (i) a boardwalk structure and (ii) landscaping.

Section 5.6 The Common Area along the southern perimeter of the Real Estate shall be in substantial compliance with the Concept Plan as required under Section 9.1.B of this Towne 146 Ordinance.

Section 6. Landscaping Requirements. Landscaping shall comply with the following standards:

Section 6.1 General Landscaping Standards. Landscaping shall be integrated with, and complement other functional and ornamental site design elements, such as hardscape materials, paths, sidewalks, and fencing.

- A. All trees, shrubs and ground covers shall be planted according to American Standard for Nursery Stock (ANSI Z60.1) and following the standards and best management practices (BMPs) published by the City's Urban Forestry Program. Landscaping materials shall be appropriate for local growing and climatic conditions. Plant suitability, maintenance and compatibility with site construction features shall be addressed. The City's planting details shall be required on the landscape plan. All trees shall be selected from the City's recommended tree list published by the City's Urban Forestry Program or otherwise approved by the Urban Forester.
- B. Shade trees shall be at least 2.5 inches in caliper when planted. Ornamental trees shall be at least 1.5 inches in caliper when planted. Evergreen trees shall be 6 feet in height when planted. Shrubs shall be at least 18 inches in height when planted. Ornamental grasses must obtain a mature height of at least 3 feet.
- C. All landscaping approved as part of a Primary Plat shall be installed prior to issuance of the first Certificate of Occupancy for a dwelling in the area of the Real Estate subject to a Secondary Plat; provided, however, that when because of weather conditions, it is not possible to install the approved landscaping before the issuance of a Certificate of Occupancy, the Controlling Developer shall request a temporary Certificate Of Occupancy which shall be conditioned upon a determined time to complete the installation of the uninstalled landscape material.
- D. All landscaping is subject to Primary Plat approval. No landscaping which has been approved by the Urban Forester with the Primary Plat may later be substantially altered, eliminated or sacrificed without first obtaining further approval from the Urban Forester in order to conform to specific site conditions.
- E. It shall be the responsibility of the owner(s), with respect to any portion of the Real Estate owned by such owner(s) and on which any landscaped area exists per the requirements of this Towne 146 Ordinance, to ensure proper maintenance of landscaping in accordance with the Towne 146 Ordinance. This maintenance is to include, but is not limited to (i) mowing, tree trimming, planting, maintenance contracting and mulching of planting areas, (ii) replacing dead or diseased plantings with identical varieties or a suitable substitute, and (iii) keeping the area free of refuse, debris, rank vegetation and weeds.

Section 6.2 Landscaped Areas.

A. Street Trees.

1. Shade trees shall be planted within public street right-of-way, parallel to each street, in planting strips. Street trees shall be planted a minimum of twenty-five (25) feet and a maximum of fifty (50) feet on center and are not required to be evenly spaced, unless this spacing cannot be attained due to the location of driveways, proposed utilities, or other obstructions as defined below in Section 6.2.B.2.
2. Per City standards, no street trees shall be planted in conflict with drainage or utility easements or structures and underground detention (unless so designed for that purpose), or within traffic vision safety clearances. However, where the logical location of proposed utilities would compromise the desired effect, the Controlling Developer may solicit the aid of the City's Urban Forester in mediating an alternative.

B. Foundation and Lot Planting Standards. The following planting requirements apply to all Dwellings:

1. Area A:

- a. Lots shall be required to plant one (1) shade tree in the front and rear yard. Corner Lots shall install one (1) shade tree included in a minimum of two (2) trees per side facing a street.
- b. Lots shall have a minimum of twelve (12) shrubs and /or ornamental grasses along the Dwelling foundation with a minimum of eight (8) facing the street. Corner lots shall install a minimum of twenty (20) shrubs and/or ornamental grasses along the dwelling foundation with a minimum of eight (8) shrubs or grasses per side façade facing a street.
- c. Two (2) shade trees shall be required in the rear yard of all Lots in Area A within one-hundred (100) feet of the south perimeter of the Real Estate.

2. Area B and Area C:

- a. Lots shall be required to plant a minimum of one (1) shade tree in the front yard. Corner Lots shall install a minimum of two (2) trees per side facing a street.
- b. Lots shall have a minimum of eight (8) shrubs and /or ornamental grasses along the Dwelling foundation facing the street. Corner lots shall install a minimum of eight (8) shrubs

and/or ornamental grasses along the dwelling foundation per side façade facing a street. This standard shall be applicable to a dwelling building in the case of a Townhome.

3. Air Conditioning units shall be screened by a minimum of three (3) shrubs.
 4. Foundation and Lot plantings shall be installed by the builder at the time a Dwelling is constructed on the Lot(s).
- C. Stormwater Ponds: Stormwater management ponds shall incorporate native vegetation (landscaping materials) along the perimeter of the pond banks in order to count as a best management practice.
- D. Common Areas. Common Areas shall be planted at a rate of ten (10) shade trees per acre.

Section 7. **Signage Requirements.** All signage on the Real Estate shall comply with the UDO as amended below:

Section 7.1 Entryway Features. Entryway Features shall require ADLS Amendment approval.

Section 7.2 Subdivision Signage. A subdivision entry sign shall be permitted at each connection of internal streets to the 146th Street frontage road with a minimum setback of five (5) feet.

Section 8. **Additional Requirements and Standards.**

Section 8.1 Home Occupations. Home Occupations shall meet the requirements of the UDO as amended.

Section 8.2 Right-of-way Standards.

- A. The required right-of-way for the 146th Street frontage road shall be the existing right-of-way.
- B. Internal Street width and cross-section shall be designed to meet the City of Carmel Local Street Standards.
- C. Alleys pavement width shall be a minimum of twenty (20) feet.
- D. The configuration of vehicular access into the Real Estate shall be provided as illustrated on the Concept Plan. No vehicular access shall be permitted from 146th Street other than the frontage road as generally illustrated on the Concept Plan.

Section 8.3 Sidewalks and Pedestrian Amenities.

- A. A five (5) foot wide sidewalk shall be required along both sides of all internal streets except along segments where a ten (10) foot wide path is provided along subject segment.
- B. A five (5) foot wide sidewalk shall be required along the front of dwellings adjacent to the 146th Street frontage road. This sidewalk may be located in the right-of-way or a pedestrian access easement outside the right-of-way.
- C. Internal paths shall be installed within the common area as generally shown on **Exhibit G** subject to approval by the Surveyors Office regarding the legal drain crossing.
- D. Connections shall be provided between internal paths/sidewalks and the path along the south side of 146th Street. In this regard a five (5) foot sidewalk and crosswalk and a ten (10) foot path and crosswalk shall be installed across the frontage road and connect to the 146th Street path. Locations of these connections shall be as shown on the Connectivity Plan Exhibit.
- E. A sidewalk connection shall be provided between the path along the east side of Towne Road to the sidewalk along the south side of the 146th Street frontage road. The location of this connection shall be as shown on the Connectivity Plan Exhibit.
- F. A three (3) foot side sidewalk shall be required between the front door of the dwelling and the sidewalks in the street right of way as shown on the Connectivity Plan Exhibit.

Section 8.4 Road Improvement Requirements. Development of the Real Estate shall meet all applicable Thoroughfare Plan related improvement requirements as identified in and required under the UDO unless otherwise provided for in this Towne 146 Ordinance for only the street connections to the 146th Street Frontage Road as shown on the Concept Plan.

Section 8.5 Southern Pond. The pond illustrated on the Concept Plan along the east perimeter of the Real Estate shall include a fountain or aerator system. The final design shall be as directed and approved by DOCS, Carmel Engineering, and the Hamilton County Surveyor.

Section 9. **Procedural Provisions.**

Section 9.1 Primary Plat and ADLS.

- A. Primary Plat (“PP”) and/or architectural design, exterior lighting, landscaping and signage (“ADLS”) approval by the Plan Commission,

as prescribed in UDO, shall be required prior to the issuance of an Improvement Location Permit to determine if the PP and ADLS satisfy the Development Requirements specified within this Towne 146 Ordinance.

- B. The Real Estate shall be developed in substantial compliance with the Concept Plan hereby incorporated and attached as **Exhibit B** subject to Primary Plat Approval by the Plan Commission. Substantial compliance shall be regulated in the same manner as the “substantially or materially altered” provisions of the UDO.
- C. ADLS Approval by the Plan Commission shall be required for Attached Single-Family (Townhome) Dwellings. Single-Family Detached Dwellings shall comply with applicable architectural standards and be reviewed by staff at the time of building permit approval.
- D. If there is a Substantial Alteration in any approved PP or ADLS, review and approval of the amended plans shall be made by the Plan Commission, or a Committee thereof, pursuant to the Plan Commission’s rules of procedure. Minor Alterations shall be approved by the Director.

Section 9.3 **Secondary Plat Approval.** The Director shall have sole and exclusive authority to approve, with or without conditions, or to disapprove any Secondary Plat; provided, however, that the Director shall not unreasonably withhold or delay the Director's approval of a Secondary Plat that is in substantial conformance with the Primary Plat and is in conformance with the Development Requirements of this Towne 146 Ordinance. If the Director disapproves any Secondary Plat, the Director shall set forth in writing the basis for the disapproval and schedule the request for hearing before the Plan Commission.

Section 9.4 **Variance of Development Requirements.** The BZA may authorize Variances from the terms of the Towne 146 Ordinance, subject to the procedures prescribed in the UDO.

Section 10. **Controlling Developer’s Consent.** Without the written consent of the Controlling Developer, no other developer, user, owner, or tenant may obtain any permits or approvals, whatsoever, with respect to the Real Estate or any portion thereof and, as such, and by way of example but not by limitation, none of the following may be obtained without the approval and consent of the Controlling Developer:

- A. Improvement Location Permits for any site improvements within the Real Estate;

- B. Sign permits for any signs within the Real Estate;
- C. Improvement Location Permits for any Dwellings within the Real Estate;
- D. Primary Plat or Secondary Plat approval for any part of the Real Estate; and
- E. Any text amendments, variances, modifications of development requirements or other variations to the terms and conditions of this Towne 146 Ordinance.

Section 11. **Violations and Enforcement.** All violations and enforcement of this Towne 146 Ordinance shall be subject to the requirements of the UDO.

Section 12. **Exhibits.** All of the Exhibits (A-G) on the following pages are attached to this Towne 146 Ordinance, are incorporated by reference into this Towne 146 Ordinance and are part of this Towne 146 Ordinance.

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Exhibit "A"

(Legal Description)

A part of the West Half of the Northwest Quarter of Section 21, Township 18 North, Range 3 East of the Second Principal Meridian, Clay Township, Hamilton County, Indiana, more particularly described as follows:

Commencing at the northwest corner of said Quarter Section, said corner marked by a Harrison Monument per Hamilton County Surveyor's Office Corner Records; thence North 89 degrees 09 minutes 42 seconds East (Saddle Creek assumed bearing per survey recorded as Instrument Number 9609611604 in the Office of the Recorder of Hamilton County, Indiana) along the north line of said West Half a distance of 1353.28 feet to the northeast corner of said West Half; thence South 00 degrees 29 minutes 34 seconds East along the east line of said West Half a distance of 25.00 feet to the POINT OF BEGINNING being a southeast corner of the 3.436-acre tract of land described in Instrument Number 2016010931 in said Recorder's Office; thence continuing South 00 degrees 29 minutes 34 seconds East along said east line a distance of 624.47 feet to the northeast corner of Common Area Number 6 in Saddle Creek Section Twelve per plat recorded in Plat Cabinet 3, Slide 308 as Instrument Number 200300122041 in said Recorder's Office; thence South 89 degrees 22 minutes 09 seconds West along the north line of said Common Area Number 6 a distance of 1206.16 feet to a southeast corner of said 3.436-acre tract and the following eight (8) courses are along the easterly and southern lines of said 3.436-acre tract; (1) thence North 00 degrees 40 minutes 50 seconds West a distance of 143.69 feet; (2) thence North 54 degrees 44 minutes 53 seconds East a distance of 54.90 feet to the point of curvature of a non-tangent curve to the left having a radius of 235.00 feet; (3) thence northeasterly along said curve an arc distance of 165.81 feet, said curve being subtended by a chord having a bearing of North 36 degrees 11 minutes 25 seconds East and a chord distance of 162.39 feet; (4) thence North 00 degrees 43 minutes 46 seconds West a distance of 161.10 feet to the point of curvature of a non-tangent curve to the right having a radius of 135.00 feet; (5) thence northerly along said curve an arc distance of 95.20 feet, said curve being subtended by a chord having a bearing of North 19 degrees 31 minutes 14 seconds East and a chord distance of 93.24 feet; (6) thence North 42 degrees 02 minutes 27 seconds East a distance of 81.82 feet to the point of curvature of a non-tangent curve to the right having a radius of 155.00 feet; (7) thence easterly along said curve an arc distance of 47.64 feet, said curve being subtended by a chord having a bearing of North 80 degrees 21 minutes 26 seconds East and a chord distance of 47.45 feet; (8) thence North 89 degrees 09 minutes 42 seconds East a distance of 931.13 feet to the POINT OF BEGINNING, containing 15.760 acres, more or less.

Exhibit "A"

(Legal Description – Location Map)

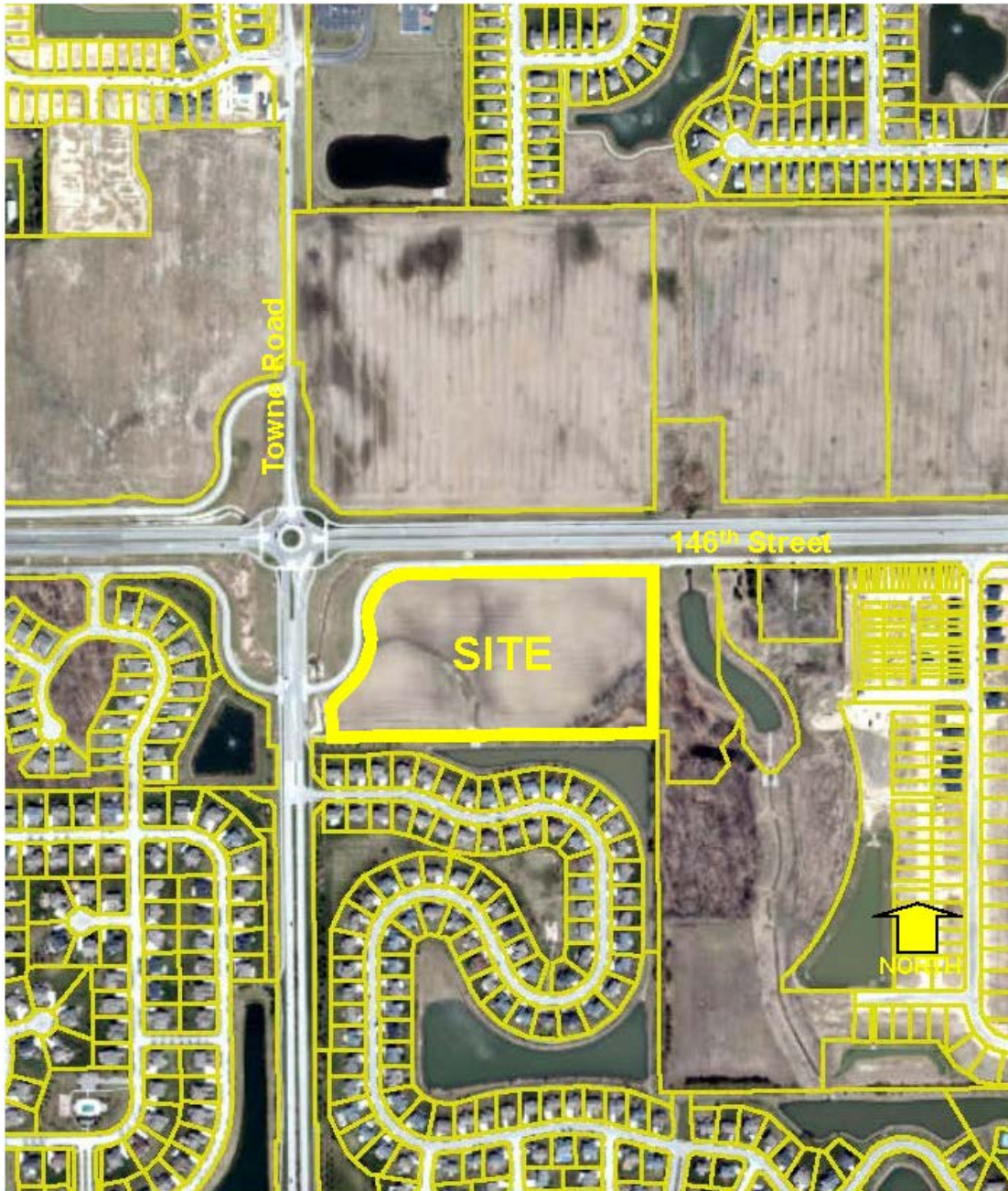


Exhibit "B"

(Concept Plan)



Exhibit "B"

Exhibit "B"

(Connectivity Plan Exhibit)

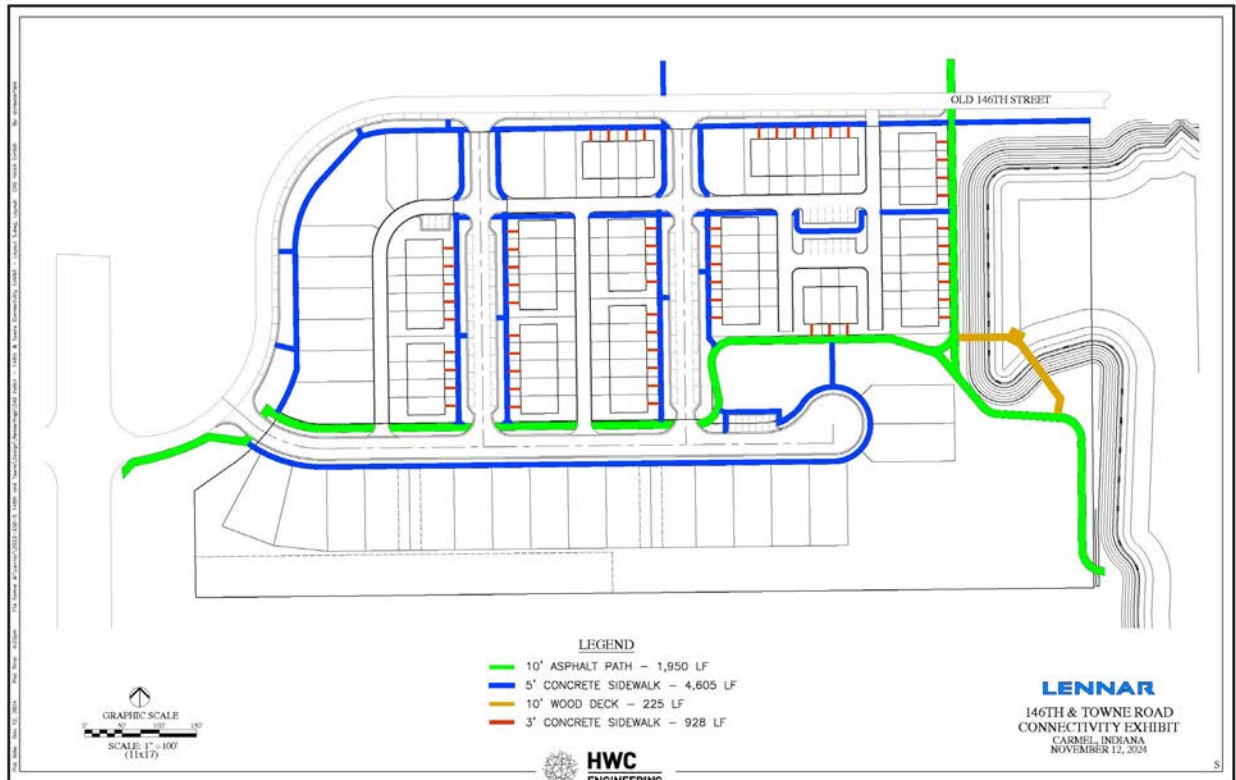


Exhibit "B"

Exhibit “B”
(Open Space Plan Exhibit)

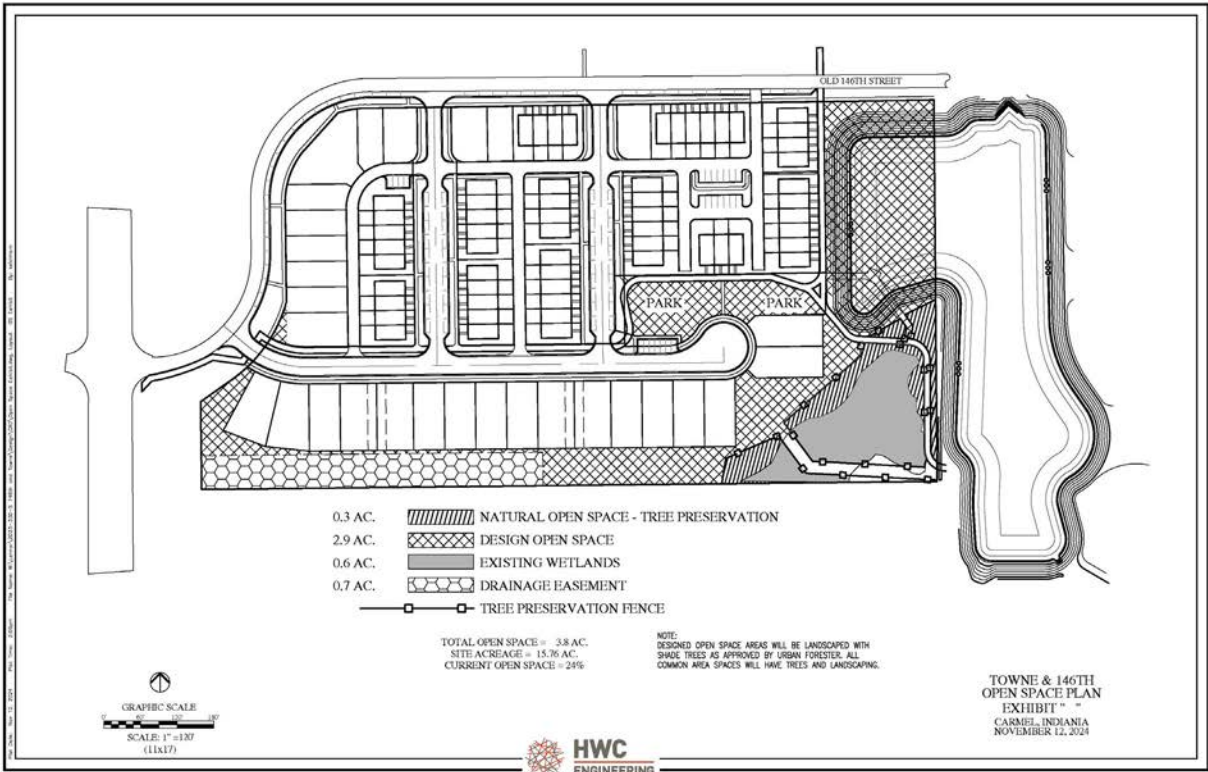


Exhibit “C”

(Architectural Character Imagery – Area A Lots)

See following four (4) pages.



Ashbury A

Fletcher B

Ashbury C



Fletcher C

Ashbury B

Fletcher A



Fletcher B



Ashbury B

Exhibit “D”

(Architectural Character Imagery – Area B Lots)

See following three (3) pages.







Exhibit “E”

(Architectural Character Imagery – Area C Lots - Townhomes)

See following three (3) pages.







TOWNS AT 146
2-STORY TOWNHOMES, 6-UNIT BUILDING
PRELIMINARY DESIGN
REV 001



Exhibit “F”

(Architectural Standards - Residential)

Section 1. Introduction & Procedure

- A. **Character Imagery:** Applicable Architectural Character Imagery, indicating conceptually the intended architecture and appearance of Dwellings is included within **Exhibit C** (Architectural Character Imagery – Area A Lots), **Exhibit D** (Architectural Character Imagery – Area B Lots) and **Exhibit E** (Architectural Character Imagery – Area C – Townhomes).

Section 2. Dwelling Design:

- A. **Permitted Building Materials:** Masonry, Wood, Cementitious Board shall be permitted siding materials. EIFS, Vinyl and aluminum siding shall be prohibited.
1. All homes shall have a masonry wainscot on all sides of the building up to the lowest windowsill on the first floor, at a minimum. The same masonry used on the front wainscot shall be used on the side and rear wainscots.
 2. Any exterior chimney, where provided, shall have full height masonry.
 3. There shall be a minimum of three (3) masonry colors used across the Real Estate.
- B. **Required Window Openings:**
1. **Minimum Number:**
 - a. A minimum of three (3) windows on the front facade, two (2) windows, per level (floor), on the side façades, and four (4) windows on the rear facade shall be provided for all Dwellings based on the plans on file with the Department of Community Services.
 - b. In order to meet this requirement, each individual window, or set of contiguous windows, must be a minimum of eight (8) square feet. A door on the side of a Dwelling may substitute for one (1) window on the same side of the Dwelling.
 2. Windows shall be wood, vinyl-clad, vinyl, aluminum-clad wood, or painted metal.

3. All windows not surrounded by masonry shall be trimmed (1" by 4" nominal board).

C. Garage Type:

1. All garages shall be attached to the Dwelling.
2. Garage Doors shall have raised panels or other decorative panels (e.g., window panels, carriage style panels, and decorative hardware).
3. All Dwellings shall have a minimum of a two (2) car garage.

D. Porches and Entryways:

1. Covered porches and/or stoops shall be required on all Dwellings and shall be (i) a minimum of thirteen (13) square feet in Area A and (ii) a minimum of thirty (30) square feet in Area B.
2. Porches in Area A and Area B shall be a minimum of six (6) feet in depth. Depth shall be measured from the inside framing of the wall to the outside edge of the porch. Additionally, columns shall be permitted within the minimum six (6) foot porch depth.

E. Roofline:

1. Primary Roof shall have a minimum roof slope of 6 (vertical units); 12 (horizontal units). Secondary roofs (e.g., porches, bays, garages, dormers) may have a lower roof pitch.
2. All roofs shall have at least an eleven-inch (11") overhang after installation of siding or an eight-inch (8") overhang after installation of brick or stone masonry. This measurement shall not include gutters.
3. All Dwellings' roofs shall include architectural-grade dimensional shingles. Three-tab shingles are not permitted.
4. If dormers are used, at least one (1) window or decorative louver per dormer is required.

F. Fences: Fences are permitted on individual Lots and shall not be chain-link, coated chain-link or wood.

G. AC Units: Air Conditioning units shall be located on the rear or side or the side of end Townhome units.

Section 3. Monotony Mitigation, Single-Family Detached:

- A. Front Façade: The same front building elevation shall not be constructed on (i) two (2) lots on either side of the subject lot and (ii) on a lot directly across the street from the subject lot. To be different, the front elevation would need to have changes in the form or the roof type of pitch, porch placement, or dormer design or location.
- B. Exterior Siding Color: No two (2) side by side homes on contiguous lots or the lot across the street from the subject lot shall have the same primary exterior color on the primary structure of the home.
- C. Exterior Masonry Color: No two (2) side by side homes on contiguous lots shall have the same masonry color.
- D. Anti-Monotony Exemption: Lots that either do not front the same street with front doors facing the same street shall be exempt from this anti-monotony requirement. In this scenario, the pattern shall reset.

Section 4. Monotony Mitigation, Single-Family Attached (Townhomes):

- A. Minimum Number of Floor Plans: Area C shall have a minimum of two (2) unique floor plans.
- B. No more than six (6) dwellings shall be attached to form a townhome building.
- C. Exterior Color Package: Individual units shall incorporate various materials, patterns, and design features as depicted in **Exhibit E**.
- D. There shall be two (2) color schemes so that adjacent buildings shall have alternating colors.
- E. 6-unit Townhome buildings shall have additional masonry on the front building elevation as depicted in **Exhibit E**.

Section 5. Lot Lighting: All Dwellings shall have light fixtures flanking the garage door and equipped with a photocell, so the light is on from dusk to dawn.

Section 6. Parking:

- A. Driveways shall be a minimum of twenty (20) feet in length as measured from the street right of way or alley. Vehicles shall not be parked in a location that encroaches onto the sidewalk or alley.
- B. Driveways shall be concrete, stamped concrete, brick, porous concrete, or stone or pervious pavers. Asphalt and gravel driveways shall not be permitted. Gravel shall not be a permitted ground cover between townhome driveways. Mulch shall be provided between driveways in Area C along with two (2) shrubs.

Section 7. Bedrooms: All homes in Area A shall be a 1-story design or include the primary bedroom on the 1st floor if living area is provided above the 1st floor.

Exhibit “G”

(Common Area Concept Imagery)



LAWN



BOARDWALK



GAZEBO



SEATING



PLAYGROUND



TRAILS



FIRE PIT

PASSED by the Common Council of the City of Carmel, Indiana, this ____ day of _____, 2025, by a vote of ____ ayes and ____ nays.

COMMON COUNCIL FOR THE CITY OF CARMEL

Adam Aasen, President

Matthew Snyder, Vice-President

Jeff Worrell

Teresa Ayers

Shannon Minnaar

Ryan Locke

AnthonyGreen

Rich Taylor

Anita Joshi

ATTEST:

Jacob Quinn, Clerk

Presented by me to the Mayor of the City of Carmel, Indiana this ____ day of _____, 2025, at _____.M.

Jacob Quinn, Clerk

Approved by me, Mayor of the City of Carmel, Indiana this ____ day of _____, 2025, at _____.M.

Sue Finkam, Mayor

ATTEST:

Jacob Quinn, Clerk

This Instrument prepared by: James E. Shinaver, attorney at law, NELSON & FRANKENBERGER and Jon C. Dobosiewicz, land use professional, NELSON & FRANKENBERGER. 550 Congressional Blvd, Carmel, IN 46032.
Towne 146 PUD 18 112024

ORDINANCE NO. D-2753-24**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA,
AMENDING CHAPTER 2, ARTICLE 3, SECTIONS 2-51, 2-52, 2-54 AND 2-55
OF THE CARMEL CITY CODE.**

Synopsis: Ordinance amending PTO and leave policy.

WHEREAS, the City of Carmel ("City"), has established various policies regarding PTO and leave relating to employees; and

WHEREAS, it is now necessary for the Carmel City Code to be updated to more properly reflect the City's policies regarding such leave.

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Carmel, Indiana, as follows:

Section 1. The foregoing Recitals are fully incorporated herein by this reference.

Section 2. The following subsections of Carmel City Code Sections 2-51, 2-52, 2-54 and 2-55 are hereby amended, and shall read as follows:

§ 2-51 PTO

(a) Definitions.

An employee's Benefit Year shall mean the anniversary of the employee's full-time hire date in any given year to the day preceding the anniversary date in the following year. Benefit Years shall thus vary from employee to employee, depending on hire date.

Paid Time Off (PTO) shall mean time off with pay that can be used at an employee's discretion and with the approval of the employee's supervisor. ~~replaces vacation time, sick time and holidays. PTO shall mean time off with pay that shall be used for holidays and can otherwise be used at an employee's discretion and with the approval of the employee's supervisor.~~

(b) PTO bank.

(1) Accruals.

a) PTO shall accrue according to the following schedule:

Years		0-5
(date of hire through end of year 5)	9.50 6.50	hours per pay period
Years		6-12
(beginning of year 6 through end of year 12)	11.25 8.25	hours per pay period
Years		13-20
(beginning of year 13 through end of year 20)	12.00 9.00	hours per pay period
Years		21+
(beginning of year 21 through date of separation)	13.00 10.00	hours per pay period

b) The City may, in its sole discretion, elect to accrue PTO at time intervals other than bi-weekly (e.g., monthly, quarterly, biannually or annually). The conversion to a different accrual interval shall result in accruals essentially equivalent (with allowance for rounding), on a prorated basis, to the bi-weekly amounts stated above.

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c) An employee must work and/or be on paid leave an entire pay period in order to accrue PTO for that pay period. Any employee who is paid for fewer than 75 hours in a pay period (80 hours for golf course employees) shall not accrue PTO for that period. ~~An exception shall be made for a new employee within the first two full pay periods of his or her employment. If one or more holidays are the only reason the employee is not paid 75 hours for the first two full pay periods, the employee shall accrue PTO for those pay periods.~~

(3) New employees.

a) A new employee shall accrue PTO beginning with his or her first full pay period, but shall not be entitled to use ~~discretionary accrued leave~~ PTO until he or she has completed ~~three~~ two months of full-time employment. ~~During this period the employee is required to use non-discretionary PTO for holidays unless he or she works the holiday.~~

b) Should an employee separate from the City and then be re-employed within 100 or fewer calendar days, the employee shall be entitled to full credit for service prior to the separation. After a separation of more than 100 calendar days, a returning employee shall be treated as a new employee for purposes of calculating PTO accruals and shall not receive credit for prior service.

(4) Transfer/termination.

a) The balance in an employee's PTO bank is transferable between any City departments. The employee's new department is responsible for all PTO time the employee brings with him.

b) An employee is eligible to be paid for unused PTO upon leaving the City's employment. However, an employee's termination date may not be extended to use up the PTO bank balance. The employee's termination date shall always be the last day worked.

(5) Use of PTO bank.

a) ~~Non-discretionary: Employees shall be required to use PTO time for holidays they would be scheduled to work but for the holiday. An employee does not have discretion to work the holiday rather than take PTO. Any employee who does not have sufficient time accrued for a holiday shall take the time off without pay. Discretionary:~~ For all ~~discretionary~~ paid time off, supervisors shall make every effort to honor the paid time off requests of employees, consistent with the needs of the department.

b) An employee will be allowed to use only that paid leave that has been credited to his PTO bank. PTO cannot be taken in advance of, or during, the pay period in which it is accrued.

c) PTO may be used in increments of 15 minutes.

d) Employees are expected to meet the minimum notification standards established by the City. All PTO requests and/or notifications must be made in a manner consistent with each department's documented reporting procedures.

e) Use of PTO with less than 24 hours notice is referred to herein as unscheduled PTO. A supervisor may require proof of illness, injury or other emergency when an employee uses unscheduled PTO. An employee using unscheduled PTO shall not be paid for the absence unless he or she has provided notification before the commencement of each work day (unless an emergency makes notification impossible).

f) An employee using PTO for his own illness, injury or health condition shall not engage in outside employment during the period of leave.

g) Subject to the minimum requirements of this ordinance, each department head may establish additional guidelines for administration of the PTO program. Such guidelines must be in writing, distributed to each employee and posted in the workplace. Failure to follow established procedures may lead to disciplinary action, up to and including termination.

(6) Minimum staffing.

a) Every department shall establish minimum staffing requirements for each of its operations. PTO shall not be granted, except in case of illness or approved FMLA leave, when it will cause the staffing to fall below minimum requirements.

b) Unless the department has established a different policy, time off requests shall be granted on a first come, first served basis.

(7) Employee responsibilities. The City's goal in creating a PTO policy is to allow employees maximum flexibility in the scheduling and use of paid time off, while at the same time ensuring that City operations are not adversely affected by the use of the privilege. Thus, the entitlement to paid time off under this policy carries a corresponding duty on the part of each employee to use his time responsibly. Using PTO in a manner that is detrimental to department operations will be considered a breach of the employee's duty and will be subject to disciplinary action.

(8) Carryover. An employee will be allowed to carry over a maximum of 150 hours from one benefit year to the next. Any excess time left in the PTO bank at the end of any benefit year will be transferred to the employee's sick leave bank, subject to the 300 hour maximum accumulation in the sick leave bank. Hours that exceed the sick leave bank maximum shall be forfeited.

(c) Sick leave bank.

(1) Initial funding. Sick leave accrued by an employee prior to June 27, 2009, will be maintained in a sick leave bank and may only be used for the employee's own medical needs, or as otherwise allowed under the City's family and medical leave policy.

(2) Annual deposits.

a) Any time in excess of 150 hours remaining in an employee's PTO bank at the end of any benefit year will be transferred to the sick leave bank, up to the maximum stated below.

b) An employee who has 150 or fewer hours in his PTO bank at the end of any benefit year will not have a deposit into his sick leave bank for that year.

(3) Use of sick leave bank.

a) The sick leave bank is intended for use when:

i. An employee is medically unable to work due to an illness, injury or health condition, and is not otherwise compensated by the City or by worker's compensation or disability benefits; or

ii. An employee qualifies for family and medical leave to care for a spouse, child or parent with a serious medical condition.

b) The sick leave bank cannot be used:

i. Until the balance in the employee's PTO bank is ~~75~~ 100 hours or less (although an employee may choose to deplete his PTO bank before using time from his sick leave bank); and/or

ii. For illnesses of family members, unless such illnesses qualify for leave under the City's family and medical leave policy.

c) The sick leave bank may be used in increments of 15 minutes.

d) An employee using time from his sick leave bank for his own illness, injury or health condition shall not engage in outside employment during the period of leave.

e) A supervisor may require a doctor's statement or other proof of illness if the employee's use of the sick leave bank indicates misuse, or any time after an absence of three or more work days.

f) Use of the sick leave bank contrary to the guidelines listed in this section may result in disciplinary action, up to and including termination.

(4) Maximum accumulation. No employee can carry over more than 300 hours in his sick leave bank from one benefit year to the next. Any time in excess of 300 hours will be forfeited.

(5) Transfer/termination.

a) The balance in an employee's sick leave bank is transferable between any City departments. The employee's new department is responsible for all sick time the employee brings with him.

b) An employee's sick leave bank balance will not be paid out upon termination of employment. An employee's termination date may not be extended to use up the sick leave bank balance. The employee's termination date shall always be the last day worked.

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(d) Coordination with disability benefits. An employee is required to use all but ~~75~~ 100 hours in his PTO bank and all time in his sick leave bank before receiving disability benefits. An employee may elect to use any remaining PTO balance before receiving disability benefits.

(e) Additional leave.

(1) An employee who uses all the accrued time in his PTO bank and sick leave bank is not eligible for additional paid time off, unless the absence falls into another category of paid leave for which the employee is eligible. Even if additional unpaid leave is granted, the employee may be subject to disciplinary action for misuse of the PTO program.

(2) An employee who is in need of additional extended leave may apply for unpaid leave as provided by the City's leaves of absence policy.

§ 2-52 Holidays.

(a) Definitions.

Holiday shall mean the 24-hour period from midnight to midnight of a day on the annual holiday schedule, unless otherwise specified.

Premium Pay shall mean the hourly amount, as stated in the Salary Ordinance, a full-time, part-time or temporary employee earns in addition to his regular hourly rate, for each hour (or portion thereof) worked on a holiday.

(b) Each year the Mayor shall set a City holiday schedule which shall reflect the 10 holidays for which full-time employees shall receive paid leave. ~~Pay for such holidays shall be included in an employee's bi-weekly PTO accrual. Employees are required to use PTO time for holidays they would be scheduled to work but for the holiday.~~ An employee may be required to work on a holiday ~~or may be given the option to work;~~ however, this decision is at the discretion of management. ~~An employee may not choose to work on a holiday because he does not have sufficient PTO accrued or in order to save PTO for another time. Notwithstanding the requirements of §2-40(d)(1)(f-g), a department that is operated and/or may be staffed on a 24/7 basis may allow or require PTO to be used for holidays that fall on an employee's scheduled day off and/or for holidays on which the employee is required to work, in order to ensure adequate staffing at all times.~~

(c) In addition, full-time employees shall receive paid leave for 2 floating holidays each calendar year. New full-time employees starting before July 1st shall receive paid leave for 2 floating holidays. New full-time employees starting July 1st or after will receive paid leave for 1 floating holiday. Full-time employees starting after October 31st will not receive any floating holiday paid leave. A new employee shall not be entitled to use a floating holiday until he or she has completed two months of full-time employment. When requesting to use a floating holiday, employees are expected to meet the same minimum notification requirements established by their department for PTO requests. Requests to use a floating holiday shall not be granted when it will cause the staffing to fall below minimum requirements. This leave cannot be carried forward to the following year.

~~(e) (d) In addition to their regular pay, full-time, part-time and temporary~~ Non-exempt employees required to work on a holiday shall be paid ~~eligible for premium pay~~ twice their regular pay for each hour (or portion thereof) actually worked, ~~as specified in the annual Salary Ordinance. Regardless of the City's holiday schedule, each employee who works January 1, July 4 or December 25 of any year shall be eligible for premium pay. Employees who are given the option to work, but are not required to work, on a holiday shall not be entitled to premium pay. Department heads and golf course employees are not eligible for premium pay.~~
~~(d) Part time golf course employees shall receive time and one-half their regular hourly rate for each hour (or portion thereof) worked on a holiday. Full-time golf course employees shall receive their regular pay only for working on a holiday—they are not eligible for either premium pay or for time and one-half.~~

§ 2-54 Military Leave.

(a) It is the City's intent to comply at all times with applicable Federal and State law as it pertains to military leave, including, but not limited to, the Uniformed Services Employment and Reemployment Rights Act (USERRA).

(b) Any City employee who is a **member**, as that term is defined in *I.C.*, 10-16-7-2, of the Indiana National Guard or a reserve component of the U.S. Armed Forces, is entitled to receive up to 15 consecutive or nonconsecutive **eight-hour days** shifts of military leave annually, without loss of time or pay, for such time as the employee is on Indiana National Guard or reserve component training or duty pursuant to appropriate and authorized military orders. Such time away from the job shall not be charged against the employee's PTO/vacation allowance.

(c) Any City employee who is a member, as that term is defined in *I.C.*, 10-16-7-2, of the Indiana National Guard shall also be entitled to receive an unpaid leave of absence for the total number of days that he is on state active duty pursuant to *I.C.*, 10-16-7-7. Such an employee may elect to substitute paid leave (excluding sick and/or catastrophic leave) for any portion of this unpaid leave time.

(d) USERRA may provide an employee with additional rights as regards unpaid military leave and job reinstatement. In general, USERRA covers all categories of military training and service, including duty performed on a voluntary or involuntary basis, in time of peace or war. A complete list of current employee rights and obligations under USERRA is available from Human Resources. An employee who exercises rights provided by USERRA shall not be discriminated or retaliated against in any matter of employment.

(e) The City shall pay 100% of the employer and employee contributions for dependent (spouse and child(ren)) health insurance coverage during a period of active duty, other than active duty for training, if the dependents are covered under the City plan.

(f) The City may, in its sole discretion, elect to pay the difference between an employee's active duty pay and the employee's regular City salary or wages, whether the employee's military leave is taken pursuant to Indiana law and/or USERRA, whenever the employee is ordered to active duty other than active duty for training. Supplemental pay, if provided, shall be subject to the following conditions:

(1) Supplemental pay will be determined by comparing gross military pay to gross City pay (excluding overtime). If the City's pay is greater, the supplement shall be the difference between the two. If the City's pay is less than or equal to military pay, there shall be no supplement.

(2) Hardship Duty/Imminent Danger Pay and Family Separation Allowance shall not be included in military gross pay for purposes of calculating supplemental pay.

(3) To determine gross military pay, the employee is required to submit a military Leave and Earnings Statement (LES) at the time he reports for active duty, at the time he is released from active duty and at any time between if military pay changes. If military pay increases during the period of active duty and a new LES is not submitted to the City, the employee shall, upon return from active duty, be required to repay the City for any overpayment of supplemental pay.

§ 2-55 Bereavement Leave.

(a) Up to three **days (22.5 hours)** shifts of paid leave may, at the department head's discretion, be granted **per calendar year** for a death that occurs in a full-time employee's immediate family. This leave cannot be accumulated or carried forward to the following year.

An employee in need of more than three days for bereavement must use PTO or compensatory time, or seek approval for additional unpaid leave through his department head, who shall review each request on a case-by-case basis.

(b) **Immediate family** is defined as father, mother, husband, wife, brother, sister, child, grandchild or grandparent (including step- or in-law relationships). **Immediate family** also includes those individuals residing in the same household as the employee. ~~a mother or father in law, son or daughter in law, sister or brother in law, grandparent in law, as well as step mother or father, children, brother or sister, grandparents or grandchildren.~~ In addition, a maximum of one shift of the three bereavement days (7.5 hours) each year can be used for an aunt, uncle or cousin (including step- or in-law relationships).

(c) An eligible employee must notify his supervisor of the death and request bereavement leave. The City reserves the right to require documentation.

Section 3. If any portion of this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of same can be given the same effect.

Section 4. This Ordinance shall be in full force and effect from and after the date of its passage and signing by the Mayor and such publication as required by law.

[remainder of page intentionally left blank]

PASSED, by the Common Council of the City of Carmel, Indiana, this _____ day of _____, 2025, by a vote of _____ ayes and _____ nays.

COMMON COUNCIL FOR THE CITY OF CARMEL

Adam Aasen, President

Matthew Snyder, Vice-President

Rich Taylor

Anthony Green

Jeff Worrell

Teresa Ayers

Shannon Minnaar

Ryan Locke

Anita Joshi

ATTEST:

Jacob Quinn, Clerk

Presented by me to the Mayor of the City of Carmel, Indiana this _____ day of _____, 2025, at _____ .M.

Jacob Quinn, Clerk

Approved by me, Mayor of the City of Carmel, Indiana this _____ day of _____, 2025, at _____ .M.

Sue Finkam, Mayor

ATTEST:

Jacob Quinn, Clerk

Ordinance No. D-2753-24
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Sponsor: Councilor Aasen

ORDINANCE D-2754-24

AN ORDINANCE OF THE COMMON COUNCIL OF THE
CITY OF CARMEL, INDIANA, APPROVING AND
ADOPTING AN INTERLOCAL AGREEMENT

Synopsis:

Ordinance approving and adopting an interlocal agreement with Hamilton County, Indiana concerning the U.S. 31 Ramps Economic Development Area.

WHEREAS, Indiana Code 36-1-7 authorizes cooperative endeavors between governmental entities so as to better and more economically and efficiently serve the public health, safety and welfare; and

WHEREAS, Indiana Code 36-1-7-2 authorizes the Common Council to approve such “interlocal agreements”; and

WHEREAS, the “Interlocal Agreement” by and among the City of Carmel, Indiana (the “City”); the City of Carmel Redevelopment Commission; Hamilton County, Indiana; and the Hamilton County Redevelopment Commission pertaining to the amendment of prior interlocal agreements concerning the U.S. 31 Ramps Economic Development Area and certain proposed new economic development and allocation areas, a copy of which is attached hereto and incorporated herein as Exhibit A (the “Interlocal Agreement”), is in the best interests of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Carmel, Indiana, that:

Section 1. The foregoing Recitals are fully incorporated herein by this reference.

Section 2. The Interlocal Agreement should be and is hereby approved and adopted by the Common Council of the City of Carmel, Indiana.

Section 3. The Clerk is hereby directed to file a copy of the Interlocal Agreement with the Hamilton County Recorder and the Indiana State Board of Accounts within the time periods established by Indiana Code 36-1-7-6.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall be in full force and effect immediately upon adoption and compliance with Indiana Code 36-4-6-14.

PASSED by the Common Council of the City of Carmel, this _____ day of _____, 2025, by a vote of _____ ayes and _____ nays.

COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA

Adam Aasen, President

Matthew Snyder, Vice-President

Anthony Green

Anita Joshi

Ryan Locke

Shannon Minnaar

Teresa Ayers

Rich Taylor

Jeff Worrell

ATTEST:

Jacob Quinn, Clerk

Presented by me to the Mayor of the City of Carmel, Indiana this _____ day of _____ 2025, at _____ .M.

Jacob Quinn, Clerk

Approved by me, Mayor of the City of Carmel, Indiana, this _____ day of _____ 2025, at _____ .M.

Sue Finkam, Mayor

ATTEST:

Jacob Quinn, Clerk

Prepared by: Bradley J. Bingham
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, IN 46204

82

EXHIBIT A

83

Copy of Interlocal Agreement

84

[Attached]

85 DMS 43907834.2

**INTERLOCAL AGREEMENT BETWEEN THE
CITY OF CARMEL, INDIANA AND HAMILTON COUNTY, INDIANA
CONCERNING THE U.S. 31 RAMPS ECONOMIC DEVELOPMENT AREA**

This Interlocal Agreement (the “Interlocal Agreement”) is entered into on the dates set forth below by and among the Board of Commissioners of Hamilton County, Indiana (the “County Commissioners”), the Hamilton County Council (the “County Council”), the Hamilton County Redevelopment Commission (the “County Redevelopment Commission” and, together with the County Commissioners and the County Council, the “County Parties”), and the Common Council of the City of Carmel, Indiana (the “City Council”) and the City of Carmel Redevelopment Commission (the “City Redevelopment Commission” and, together with the City Council, the “City Parties”);

WITNESS THAT:

WHEREAS, pursuant to Indiana Code 36-1-7, et seq., and Indiana Code 36-7-25-4, Hamilton County, Indiana (the “County”), acting by and through the County Commissioners, and the City of Carmel, Indiana (the “City”) previously entered into that certain interlocal agreement entitled “Interlocal Agreement between the City of Carmel and Hamilton County, Indiana Concerning the 146th Street and U.S. 31 Project”, effective April 18, 2000, which was the date of the last signatures thereto (the “2000 Interlocal Agreement”), in order to establish the parties’ agreement to provide a mechanism to finance the costs of the Ramps (as defined in the 2000 Interlocal Agreement) by establishing a new economic development area encompassing the Benefitted Parcels (as defined in the 2000 Interlocal Agreement) which were described on Exhibit A thereto; and

WHEREAS, at the time of execution of the 2000 Interlocal Agreement, some of the Benefitted Parcels were located within the then-existing corporate boundaries of the City, and some of the Benefitted Parcels were located within the then-existing unincorporated area of the County; and

WHEREAS, pursuant to the terms of the 2000 Interlocal Agreement, the City Council adopted Ordinance D-1459-00 on April 17, 2000 (the “2000 Ordinance”) which assigned jurisdiction of the Benefitted Parcels within the then-existing corporate boundaries of the City to the County Redevelopment Commission, pursuant to Indiana Code 36-7-25-4, for the sole purpose of permitting the County Redevelopment Commission to create an allocation area pursuant to Indiana Code 36-7-14-39 encompassing the Benefitted Parcels (the “Proposed Allocation Area”) to capture tax increment revenues derived from the increase of assessed value of real property within the Proposed Allocation Area to be used to pay the costs to construct the Ramps project described in the 2000 Interlocal Agreement, and which assignment remains in full force and effect so long as there are any outstanding principal and interest due on bonds issued to pay the costs of the construction of the Ramps and local streets identified in the 2000 Interlocal Agreement, but in no event shall the assignment be valid beyond the calendar year 2030 without an amendment to the 2000 Interlocal Agreement; and

WHEREAS, on June 2, 2000, pursuant to the terms of the 2000 Interlocal Agreement, the County Redevelopment Commission adopted a declaratory resolution, as subsequently confirmed

(collectively, the “Ramps Declaratory Resolution”), which established an economic development area pursuant to Indiana Code 36-7-14 comprised of the Benefitted Parcels, designated as the “U.S. 31-146th Street Economic Development Area” (the “Area”), designated all of the Area as one or more separate “allocation areas” pursuant to Indiana Code 36-7-14-39, and adopted a plan for the Area; and

WHEREAS, pursuant to Indiana Code 36-1-7, et seq., and Indiana Code 36-7-25-4, the parties entered into that certain interlocal agreement entitled “*Interlocal Agreement between the City of Carmel and Hamilton County, Indiana Concerning Construction of Road Projects (Lowes Way)*”, effective October 16, 2017, which was the date of the last signatures thereto (the “2017 Interlocal Agreement”), in order to establish the parties’ agreement to finance certain additional road projects in, benefitting or serving the Area, as more particularly described in the 2017 Interlocal Agreement; and

WHEREAS, in accordance with the 2000 Interlocal Agreement and the 2017 Interlocal Agreement, the County, acting by and through the County Redevelopment Commission, has previously issued the following obligations, which are secured by tax increment revenues derived from the increase of assessed value of real property within the Area pursuant to Indiana Code 36-7-14-39(b) (collectively, the “Ramps TIF Revenue”):

- a. the Hamilton County, Indiana Redevelopment Commission Redevelopment District County Option Income Tax Refunding Revenue Bonds of 2010, Series B (the “2010B Bonds”), currently outstanding in the aggregate principal amount of \$285,000, with a final maturity date of January 10, 2025, which are payable from the Ramps TIF Revenue and, to the extent the Ramps TIF Revenue is insufficient, from the County’s distribute share of certified share portion of local income tax imposed on the adjusted gross income of taxpayers in the County and received by the County under Indiana Code 6-3.6-6-4(3) (the “County Certified Shares”), and
- b. the Hamilton County, Indiana Redevelopment Commission Redevelopment District Local Income Tax Revenue Bonds of 2018 (the “2018 Bonds”), currently outstanding in the aggregate principal amount of \$7,590,000, with a final maturity date of July 10, 2030, which are payable from the Ramps TIF Revenue and, to the extent the Ramps TIF Revenue is insufficient, from the County Certified Shares; and

WHEREAS, since the creation of the Area, the City has annexed all of the real estate within the Area into the City’s corporate boundaries, and, pursuant to Indiana Code 36-7-14.3.5, the County Redevelopment Commission may not issue any additional bonds or enter into leases that are payable from the Ramps TIF Revenue unless the City Council adopts an ordinance approving the issuance and the use of the Ramps TIF Revenue for such purpose; and

WHEREAS, because the City has assigned jurisdiction of the Area to the County Redevelopment Commission through December 31, 2030, and because Indiana Code 36-7-14-57 prohibits a parcel from being located in more than one (1) allocation area, the City Redevelopment Commission cannot create new allocation areas within the Area without the County’s cooperation; and

WHEREAS, it is in the best interests of the citizens of the City and the citizens of the County to enter into this interlocal agreement to accomplish the following:

- a. To allow the City, acting through the City Redevelopment Commission, to facilitate new investment in the Clay Terrace area for the benefit of real estate located in the Area and the citizens of the City and the County;
- b. To allow the City, acting through the City Redevelopment Commission, to create two new economic development areas consisting of the BJ's Parcel and the Clay Terrace Parcels, respectively (each as hereinafter defined), and pledge and assign all or a portion of the tax increment revenues derived therefrom to the County for the purposes and in the amounts described herein;
- c. To ensure the County Redevelopment Commission has sufficient tax increment revenues necessary to pay debt service on the 2010B and the 2018 Bonds (collectively, the "Outstanding Bonds") through the final maturity thereof, which Outstanding Bonds financed local public improvements benefitting and serving the Area;
- d. To provide a mechanism to allow the County to pay or finance the costs of additional local public improvements in, serving or benefitting the Area, including additional improvements to 146th Street;
- e. To increase and diversify the tax base, to increase employment opportunities and to improve the transportation system of the City and the County; and
- f. To improve the health, safety and welfare of the citizens of the City and the County.

NOW, THEREFORE, in consideration of the premises, the mutual covenants and the agreements hereinafter contained, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is agreed by and among the parties hereto as follows:

1. This agreement shall be construed as an Interlocal Agreement entered into by the parties pursuant to the provisions of Indiana Code 36-1-7 and Indiana Code 36-7-25-4, and shall constitute an amendment to the 2000 Interlocal Agreement and the 2017 Interlocal Agreement to the extent provided for herein.

2. The County Parties acknowledge, consent and agree that, upon passage of the ordinance by the City Council approving this Interlocal Agreement and the execution hereof by all parties hereto, the 2000 Ordinance shall be, and hereby is, amended for purposes of rescinding the assignment to the County and the County Redevelopment Commission of jurisdiction over the parcel identified on Appendix A hereto (the "BJ's Parcel") and the parcels identified on Appendix B hereto (the "Clay Terrace Parcels"); *provided however*, this rescission of assignment of jurisdiction shall only apply to the BJ's Parcel and the Clay Terrace Parcels, and the remainder of the assignment of jurisdiction to the County and the County Redevelopment Commission set forth in the 2000 Ordinance shall remain in full force and effect until December 31, 2030. The County Parties acknowledge that upon passage of the ordinance by the City Council approving this Interlocal Agreement and the execution hereof by all parties hereto, the County Parties shall no

longer have any jurisdiction over the BJ's Parcel and the Clay Terrace Parcels for the purposes contemplated by the 2000 Ordinance.

3. The County Redevelopment Commission shall adopt a declaratory resolution on or before December 1, 2024, to amend the Ramps Declaratory Resolution by removing the BJ's Parcel from the Ramps East Allocation Area (as defined therein), removing the Clay Terrace Parcels from the Ramps West Allocation Area (as defined therein), and removing the BJ's Parcels and the Clay Terrace Parcels from the Area.

4. The City Redevelopment Commission shall adopt a declaratory resolution on or before December 31, 2024 establishing a new economic development area which encompasses the BJ's Parcel and the Clay Terrace Parcels (the "New EDA"), designating the BJ's Parcel as an allocation area for purposes of Indiana Code 36-7-14-39 (the "BJ's Allocation Area"), and designating the Clay Terrace Parcels as an allocation area for purposes of Indiana Code 36-7-14-39 (the "Clay Terrace Allocation Area"), and shall complete all procedures required by law to complete the establishment of the New EDA, the BJ's Allocation Area and the Clay Terrace Allocation Area with due diligence and in any event prior to the first anniversary date of adoption of such declaratory resolution.

5. Pursuant to Indiana Code 36-7-25-4, the City Council, as the legislative body of the City (on behalf of the City Redevelopment Commission), upon passage of the ordinance by the City Council approving this Interlocal Agreement and the execution hereof by all parties hereto, irrevocably pledges one hundred percent (100%) of the tax increment revenues to be derived from the increase of assessed value of real property within the BJ's Allocation Area pursuant to Indiana Code 36-7-14-39(b) (the "Pledged BJ's TIF Revenue") to the County Redevelopment Commission for the life of the BJ's Allocation Area. The Pledged BJ's TIF Revenue shall be used by the County Parties for any of the following purposes:

- a. To pay debt service on the Outstanding Bonds, through the final maturity thereof;
- b. To replenish any debt service reserve funds securing the Outstanding Bonds, through the final maturity thereof; and/or
- c. To pay the costs of additional projects and improvements to 146th Street and other related local public improvements which will be in, serving or benefitting the Area, as the County shall determine in its sole discretion (collectively, the "Future County Improvements").

6. In the event that the Ramps East Allocation Area and the BJ's Allocation Area, in the aggregate, do not generate a sufficient amount of tax increment revenues (together, the "Aggregate Revenues") to meet one hundred percent (100%) coverage of the semi-annual debt service payments due on the Outstanding Bonds in any given calendar year through and including December 31, 2030 and for any reason (the "Coverage Trigger"), the City and/or the City Redevelopment Commission shall remit to the County an amount equal to the difference between the semi-annual debt service payment due on the Outstanding Bonds and the Aggregate Revenues for that calendar year, subject to the limitation in the following sentence (the "Remittance Amount"), by no later than thirty (30) days after the date the City and/or the City Redevelopment

Commission shall have received written notice thereof from the County. The Remittance Amount shall not exceed twenty-five thousand dollars (\$25,000) for any calendar year. Upon the occurrence of a Coverage Trigger, the County Redevelopment Commission shall promptly notify the City by providing written notice of the same, together with supporting documentation of the Aggregate Revenues and the calculation of the Remittance Amount for that calendar year, via e-mail or to the City of Carmel, Indiana, Carmel City Hall, One Civic Square, Carmel, Indiana 46032, attention: CFO/Controller.

7. The City, acting through its City Redevelopment Commission, shall use its best efforts to attract new mixed-use developments within the Clay Terrace Allocation Area, and may use up to ninety-five percent (95%) of the tax increment revenues to be derived from the increase of assessed value of real property within the Clay Terrace Allocation Area pursuant to Indiana Code 36-7-14-39(b) (the "Clay Terrace TIF Revenue") to incentivize such new development.

8. Pursuant to Indiana Code 36-7-25-4, the City Council, as the legislative body of the City, upon passage of the ordinance by the City Council approving this Interlocal Agreement and the execution hereof by all parties hereto, irrevocably pledges five percent (5%) of the Clay Terrace TIF Revenue to the County Redevelopment Commission for the life of the Clay Terrace Allocation Area (such portion, the "Pledged Clay Terrace TIF Revenue"). The Pledged Clay Terrace TIF Revenue shall be used by the County Parties solely for the purpose of paying the costs of the Future County Improvements.

9. The County, acting through the County Redevelopment Commission, and with the City Council's approval as set forth in Section 10 below, may issue one or more series of its tax increment revenue bonds to be secured and payable from the Pledged BJ's TIF Revenue and the Pledged Clay Terrace TIF Revenue in order to provide funds to pay all or a portion of the County share of the Future County Improvements, together with any incidental costs related thereto and on account of issuance of the bonds (the "Future Bonds").

10. The City Council, as the legislative body of the City, upon passage of the ordinance by the City Council approving this Interlocal Agreement and the execution hereof by all parties hereto, approves the issuance of the Future Bonds by the County, through the County Redevelopment Commission, as described in Section 9 above, and approves the use of the Pledged BJ's TIF Revenue and the Pledged Clay Terrace TIF Revenue to be used to pay principal of and interest on the Future Bonds.

11. The County Parties shall select such engineers, design professionals and appraisers as are necessary to design and construct the Future County Improvements in the County's sole discretion. The County shall be responsible for obtaining bids and awarding any contracts for land acquisition, design, construction inspection and construction of the Future County Projects. The County shall manage the Future County Improvements and shall be responsible for and pay all costs thereof. The County shall take commercially reasonable steps to coordinate the Future County Improvements with the City's Chief Infrastructure Officer regarding the same. If the County should desire the City to accept and maintain all or a portion of such Future County Improvements upon completion, the County shall request the same subject to approval by the Mayor of the City.

12. The County, acting through its County Highway Department, and the City, acting through its Engineering Department, shall meet periodically, to discuss the progress of the Future County Improvements.

13. Unless otherwise agreed to by the City in accordance with Section 10, upon completion of all or part of each Future County Improvement, the County shall accept, inventory and maintain such Future County Improvement. Each unit will receive all State and Federal funds available for maintenance of the portion of the Future County Improvements to be maintained by the unit, including Local Road and Street, Motor Vehicle Highway, and Bridge Maintenance funds.

14. Following the creation of the BJ's Allocation Area and the Clay Terrace Allocation Area, the County agrees to submit a written spending report to the City no more frequently than annually which describes the expenditures of the Pledged BJ's TIF Revenue and/or the Pledged Clay Terrace TIF Revenue in reasonable detail during the prior calendar year.

15. The parties agree to take all actions and proceedings necessary to implement the terms and conditions of this Interlocal Agreement.

16. The City Parties and the County Parties each agree that they shall be responsible for their own fees and expenses incurred related to this Agreement and the actions contemplated herein, including legal fees and municipal advisor fees, and that neither party shall look to the other party for reimbursement of the same.

17. In the event there is dispute between the parties concerning any terms of this Interlocal Agreement, the dispute shall be initially discussed by the Director of the Hamilton County Highway Department and the City Engineer of Carmel or their designees. If there is no resolution of the issue at the staff level described above, the dispute shall be submitted to a four (4) person dispute committee to include: (i) the Mayor of the City or his/her designee; (ii) a member of the City Council designated by the City Council; (iii) a member of County Commissioners designated by the County Commissioners; (iv) a member of the County Council designated by the County Council; (v) the Director of the Hamilton County Highway Department (as a non-voting member); and (vi) the City Engineer (as a non-voting member) (collectively, the "Dispute Committee"). The meeting of the Dispute Committee shall be considered discussions to resolve potential litigation and, therefore, held in a noticed executive session.

18. In the event the dispute is not resolved by the Dispute Committee, the parties agree to submit the dispute to mediation pursuant to the Indiana Rules of Alternative Dispute Resolution prior to the initiation of litigation. In the event the parties are unable to agree upon a mediator for such dispute, the parties agree to alternately strike from a panel of mediators appointed by the Judge of the Circuit Court of Hamilton County.

19. This Interlocal Agreement may be executed in one or more counterparts, any of which shall be regarded for all purposes as an original and all of which constitute but one and the same instrument.

20. This Interlocal Agreement shall be recorded by the County and a recorded copy shall be delivered to the Controller of the City and to the Hamilton County Auditor.

242

[Signature Pages Follow]

243

244 ALL OF WHICH IS AGREED TO BY the Board of Commissioners of Hamilton County,
245 Indiana, on this ____ day of _____, 2024.
246

BOARD OF COMMISSIONERS OF
HAMILTON COUNTY, INDIANA

Mark Heirbrandt, President

Steven C. Dillinger, Vice President

Christine Altman, Member

ATTEST:

Robin Mills, County Auditor

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250 ALL OF WHICH IS AGREED TO BY the Hamilton County Council on this ____ day of
251 _____, 2024.
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COUNTY COUNCIL OF
HAMILTON COUNTY, INDIANA

Amy Massillamany, President

Sue Maki, Vice President

Tim Griffin, Member

Mark Hall, Member

Ken Alexander, Member

Brad Beaver, Member

Steven Nation, Member

ATTEST:

Robin Mills, County Auditor

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256 ALL OF WHICH IS AGREED TO BY the Hamilton County Redevelopment Commission
257 on this ____ day of _____, 2024.

258
259 HAMILTON COUNTY
260 REDEVELOPMENT COMMISSION

261
262
263
264 _____
265 President

266
267
268 _____
269 Vice President

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271
272 _____
273 Secretary

274
275
276 _____
277 Member

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279
280 _____
281 Member

282 ATTEST:

283
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285 _____
286 Secretary

290 ALL OF WHICH IS AGREED TO BY the Common Council of the City of Carmel,
291 Indiana, on this ____ day of _____, 20__.

292
293
294 COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA
295
296

297
298 _____
299 Adam Aasen, President

Matthew Snyder, Vice-President

300
301 _____
302 Anthony Green

Anita Joshi

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304 _____
305 Ryan Locke

Shannon Minnaar

306
307 _____
308 Teresa Ayers

Rich Taylor

309
310 _____
311 Jeff Worrell

312
313 ATTEST:

314
315 _____
316 Jacob Quinn, Clerk

320 ALL OF WHICH IS AGREED TO BY the Carmel Redevelopment Commission on this
321 ____ day of _____, 2024.

322
323 CITY OF CARMEL REDEVELOPMENT
324 COMMISSION

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328 _____
329 President

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331 _____
332 Vice President

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336 _____
337 Secretary

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340 _____
341 Member

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344 _____
345 Member

346 ATTEST:
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349 _____
350 Secretary

APPENDIX A

Parcel comprising the new BJ's Allocation Area

The following parcel is to be removed from the U.S. 31 Ramps Economic Development Area and designated by the City Redevelopment Commission as the new BJ's Allocation Area, and are shown in the darker shaded area on the map attached hereto:

PARCEL ID NUMBER:

16-10-19-00-00-001.009

MAP



APPENDIX B

Parcels comprising the new Clay Terrace Allocation Area

The following parcel(s) are to be removed from the U.S. 31 Ramps Economic Development Area and designated by the City Redevelopment Commission as the new Clay Terrace Allocation Area, and are shown in the red-shaded area on the map attached hereto:

PARCEL ID NUMBER:

16-09-24-00-00-015.001

16-09-24-00-00-015.101

MAP



ORDINANCE D-2755-25

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL,
INDIANA, AMENDING CHAPTER 3, ARTICLE 1, DIVISION II, SECTION 3-30 OF
THE CARMEL CITY CODE**

Synopsis: Ordinance amends the order of business for the Carmel Common Council agenda by adding Finance Department's budget quarterly reports.

WHEREAS, pursuant to Indiana Code § 36-1-3-4, the Carmel Common Council (the "Council") may adopt its own rules to govern its proceedings; and

WHEREAS, The Council aims to further improve transparency and fiscal responsibility in public funds spending.

NOW, THEREFORE, IT IS AGREED AND ORDAINED, by the Common Council of the City of Carmel, Indiana, as follows:

Section 1. The foregoing Recitals are incorporated herein by this reference.

Section 2. Section 3-30 of the Carmel City Code is hereby amended and shall read as follows:

"§ 3-30 Order of Business.

(j) Other Reports – (at the first meeting of the month specified below):

- (1) Carmel Redevelopment Commission (Monthly);
- (2) Carmel Historic Preservation Commission (Quarterly – January, April, July, October);
- (3) Audit Committee (Bi-Annual May, October);
- (4) Redevelopment Authority (Bi-Annual – April, October);
- (5) Carmel Cable and Telecommunications Commission (Bi-annual – April, October);
- (6) Economic Development Commission (Bi-annual – February, August);
- (7) Library Board (Annual – February);
- (8) Ethics Board (Annual – February);
- (9) Climate Action Advisory Committee (Quarterly – March, June, September, December);
- (10) Finance Department Budget Update (Quarterly- April, July, October, January (for the 4th quarter of the previous year));
- (11) All reports designated by the Chair to qualify for placement under this category."

Section 3. All other current provisions of City Code Section 3-30 shall remain in full force and effect and are not affected by this Ordinance.

Section 4. The Finance, Utilities, and Rules Committee shall coordinate with the Finance Department to develop the format and content of the Budget Update report. All Council members shall receive written reports or summaries at least seven (7) days before the Finance Department's Budget Update presentation.

Ordinance No. D- 2755-25

Page One of Two

This Ordinance was prepared by Sergey Grechukhin, Transactions Chief, on December 19, 2024, at 4:00 p.m. No subsequent revision to this Ordinance has been reviewed by Mr. Grechukhin for legal sufficiency or otherwise.

Section 5. If any portion of this Ordinance is for any reason declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of same can be given the same effect.

Section 6. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

PASSED by the Common Council of the City of Carmel, Indiana, this _____ day of _____, 2025, by a vote of _____ ayes and _____ nays.

COMMON COUNCIL FOR THE CITY OF CARMEL

Adam Aasen, President

Matthew Snyder, Vice-President

Rich Taylor

Anthony Green

Jeff Worrell

Teresa Ayers

Shannon Minnaar

Ryan Locke

Anita Joshi

ATTEST:

Jacob Quinn, Clerk

Presented by me to the Mayor of the City of Carmel, Indiana this _____ day of _____ 2025, at _____ .M.

Jacob Quinn, Clerk

Approved by me, Mayor of the City of Carmel, Indiana, this _____ day of _____ 2025, at _____ .M.

Sue Finkam, Mayor

ATTEST:

Jacob Quinn, Clerk

Ordinance No. D- 2755-25

Page Two of Two

This Ordinance was prepared by Sergey Grechukhin, Transactions Chief, on December 19, 2024, at 4:00 p.m. No subsequent revision to this Ordinance has been reviewed by Mr. Grechukhin for legal sufficiency or otherwise.

RESOLUTION CC-01-06-25-01

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA,
APPROVING CERTAIN MATTERS IN CONNECTION WITH THE OLD TOWN
ECONOMIC DEVELOPMENT AREA (MAIN AND 4th AVENUE ALLOCATION AREA)

Synopsis:

Resolution approves (1) a resolution of the City of Carmel Redevelopment Commission creating a new Main and 4th Avenue Allocation Area within the Old Town Economic Development Area, including an economic development plan supplement, and (2) a related City of Carmel Plan Commission resolution.

WHEREAS, the City of Carmel Redevelopment Commission (the “Redevelopment Commission”), as the governing body for the City of Carmel Redevelopment Department, pursuant to Indiana Code 36-7-14, as amended (the “Act”), adopted its Resolution No. 2024-07 on September 18, 2024 (the “CRC Resolution”), which made certain amendments to the previously declared Old Town Economic Development Area (the “Economic Development Area”) and the Economic Development Plan (the “Plan”) for the Economic Development Area (such Plan amendments, the “Plan Supplement”); and

WHEREAS, the City of Carmel Plan Commission, on December 17, 2024, approved and adopted its Resolution No. PC-12-17-24-a (the “Plan Commission Order”) determining that the CRC Resolution and Plan Supplement conform to the plan of development for the City of Carmel, Indiana (the “City”), and approving the CRC Resolution and the Plan Supplement; and

WHEREAS, pursuant to Section 16(b) of the Act, the Redevelopment Commission has submitted the CRC Resolution, the Plan Supplement, and the Plan Commission Order to the Common Council of the City (the “Council”).

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Carmel, Indiana, as follows:

1. Pursuant to Section 16(b) of the Act, the Council determines that the CRC Resolution and the Plan Supplement conform to the plan of development for the City, and approves the CRC Resolution, the Plan Supplement, and the Plan Commission Order.

2. This Resolution shall be in full force and effect from and after its passage by the Council and approval by the Mayor as required by law.

PASSED by the Common Council of the City of Carmel, Indiana, this _____ day of _____, 2025, by a vote of _____ ayes and _____ nays.

COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA

Adam Aasen, President

Matthew Snyder, Vice President

Rich Taylor

Anthony Green

Jeff Worrell

Teresa Ayers

Shannon Minnaar

Ryan Locke

Anita Joshi

ATTEST:

Jacob Quinn, Clerk

Presented by me to the Mayor of the City of Carmel, Indiana this _____ day of _____, 2025, at _____ .M.

Jacob Quinn, Clerk

Approved by me, Mayor of the City of Carmel, Indiana, this _____ day of _____, 2025, at _____ .M.

Sue Finkam, Mayor

ATTEST:

Jacob Quinn, Clerk

Prepared by: Bradley J. Bingham
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, IN 46204

RESOLUTION NO. 2024-07

**RESOLUTION OF THE CITY OF CARMEL REDEVELOPMENT COMMISSION
AMENDING THE DECLARATORY RESOLUTION AND THE ECONOMIC
DEVELOPMENT PLAN FOR THE OLD TOWN ECONOMIC DEVELOPMENT AREA
(MAIN AND 4th AVENUE ALLOCATION AREA)**

WHEREAS, the City of Carmel Redevelopment Commission (the “Commission”), pursuant to Indiana Code 36-7-14 (the “Act”), serves as the governing body of the City of Carmel Redevelopment District (the “District”); and

WHEREAS, the Commission previously has adopted and confirmed resolutions (collectively, the “Declaratory Resolution”) which established and expanded an economic development area known as the “Old Town Economic Development Area” (the “Economic Development Area”), designated certain portions thereof as allocation areas pursuant to Section 39 of the Act, and approved an economic development plan for the Economic Development Area (the “Plan”) pursuant to the Act; and

WHEREAS, the Commission now desires to amend the Declaratory Resolution and Plan (i) to designate the area described on Exhibit A attached hereto as an allocation area pursuant to Section 39 of the Act to be known as the Main and 4th Avenue Allocation Area (the “Main and 4th Avenue Allocation Area”), and (ii) to adopt a supplement to the Plan attached hereto as Exhibit B (the “2024 Plan Supplement”) (such amendments, collectively, the “2024 Amendments”); and

WHEREAS, the 2024 Amendments and supporting data were reviewed and considered at this meeting; and

WHEREAS, Section 39 of the Act has been created and amended to permit the creation and expansion of “allocation areas” to provide for the allocation and distribution of property taxes for the purposes and in the manner provided in said Section; and

WHEREAS, the Commission deems it advisable to apply the provisions of said Section 39 of the Act to the 2024 Amendments; and

WHEREAS, the Commission now desires to approve the 2024 Amendments.

NOW, THEREFORE, BE IT RESOLVED by the City of Carmel Redevelopment Commission, governing body of the City of Carmel Redevelopment District, as follows:

1. The 2024 Amendments promote significant opportunities for the gainful employment of the citizens of the City of Carmel, Indiana (the “City”), attraction of major new business enterprises to the City, retention and expansion of significant business enterprises existing in the boundaries of the City, and meets other purposes of Sections 2.5, 41 and 43 of the Act, including without limitation benefiting public health, safety and welfare, increasing the economic well being of the City and the State of Indiana (the “State”), and serving to protect and increase property values in the City and the State.

2. The 2024 Plan Supplement for the Main and 4th Avenue Allocation Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Sections 2.5, 41 and 43 of the Act because of lack of local public improvement, existence of conditions that lower the value of the land below that of nearby land, multiple ownership of land, and other similar conditions.

3. The public health and welfare will be benefited by accomplishment of the 2024 Amendments.

4. It will be of public utility and benefit to amend the Declaratory Resolution and the Plan for the Economic Development Area as provided in the 2024 Amendments and to continue to develop the Economic Development Area, including the Main and 4th Avenue Allocation Area, under the Act.

5. The accomplishment of the 2024 Plan Supplement for the Main and 4th Avenue Allocation Area will be a public utility and benefit as measured by the attraction or retention of permanent jobs, an increase in the property tax base, improved diversity of the economic base and other similar public benefits.

6. The Declaratory Resolution and the Plan, as amended by this Resolution and the 2024 Plan Supplement, conform to the comprehensive plan of development for the City.

7. The 2024 Amendments are reasonable and appropriate when considered in relation to the Declaratory Resolution and the Plan and the purposes of the Act.

8. The findings and determinations set forth in the Declaratory Resolution and the Plan are hereby reaffirmed.

9. In support of the findings and determinations set forth in Sections 1 through 7 above, the Commission hereby adopts the specific findings set forth in the 2024 Plan Supplement.

10. The Commission does not intend to acquire property within the boundaries of the Main and 4th Avenue Allocation Area as described in the 2024 Plan Supplement.

11. The Commission finds that no residents of the Economic Development Area will be displaced by any project resulting from the 2024 Plan Supplement, and therefore finds that it does not need to give consideration to transitional and permanent provision for adequate housing for the residents.

12. The 2024 Amendments are hereby in all respects approved.

13. The area described in Exhibit A is hereby designated as a separate “allocation area” pursuant to Section 39 of the Act to be known as the “Main and 4th Avenue Allocation Area,” for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed under Ind. Code 6-1.1 on real property subsequently

levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the redevelopment district and when collected paid into an allocation fund for the Main and 4th Avenue Allocation Area hereby designated as the “Main and 4th Avenue Allocation Fund” and may be used by the redevelopment district to do one or more of the things specified in Section 39(b)(4) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission, except as otherwise permitted by the Act. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(5) of the Act.

14. The foregoing allocation provision shall apply to the Main and 4th Avenue Allocation Area. The Commission hereby finds that the adoption of this allocation provision will result in new property taxes in the Main and 4th Avenue Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit B. The base assessment date for the Main and 4th Avenue Allocation Area is January 1, 2024.

15. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto, and the allocation provisions herein relating to the Main and 4th Avenue Allocation Area shall expire on the date that is twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues derived from the Main and 4th Avenue Allocation Area.

16. This Resolution, together with any supporting data, shall be submitted to the City of Carmel Plan Commission (the “Plan Commission”) and the Common Council of the City (the “Council”) as provided in the Act and, if approved by the Plan Commission and the Council, shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

17. The officers of the Commission are hereby authorized to make all filings necessary or desirable to carry out the purposes and intent of this Resolution.

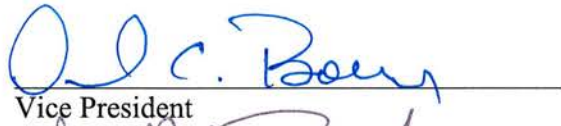
18. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto.

Adopted this 18th day of September, 2024.

CITY OF CARMEL REDEVELOPMENT
COMMISSION



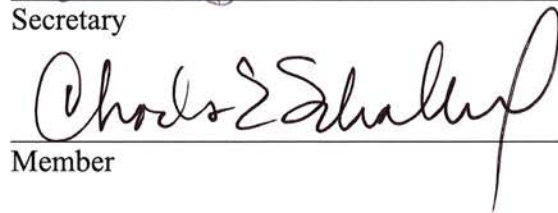
President



Vice President



Secretary



Member

Member

EXHIBIT A

Parcels comprising the Main and 4th Avenue Allocation Area

The following parcels are designated as the Main and 4th Avenue Allocation Area, and are shown in the red-shaded area on the map attached hereto:

Parcel ID Numbers:

16-09-25-16-01-001.000

16-09-25-16-01-002.000

16-09-25-16-01-003.000

16-09-25-16-01-003.001

Map of Main and 4th Avenue Allocation Area:



EXHIBIT B

2024 Plan Supplement

The Plan is hereby supplemented by adding the following project to the Plan:

The contribution of land for the design and construction of a mixed-use building with first floor retail and residential condominiums above, private garages for the condominiums, and surface and street parking for the retail space, all to be located within the Main and 4th Avenue Allocation Area (the “Project”). The Commission will contribute the land for the Project and will capture 100% of the tax increment revenue from the Main and 4th Avenue Allocation Area to compensate the Commission for the value of the land that it will contribute to the Project. Based on representations by the developer of the Project, the Project will not proceed as planned without the contribution of land by the Commission. The capture of tax increment revenues from the Main and 4th Avenue Allocation Area will allow the Commission to afford to make this contribution of land by providing alternative means of compensation to the Commission. The Commission may also utilize the captured tax increment revenues to further assist in the development of the Project, either directly or through bonding.

RESOLUTION NO. PC-12-17-24-a

**RESOLUTION OF THE CITY OF CARMEL PLAN COMMISSION APPROVING
AMENDMENTS TO THE DECLARATORY RESOLUTION AND ECONOMIC
DEVELOPMENT PLAN FOR THE OLD TOWN ECONOMIC DEVELOPMENT AREA
(MAIN AND 4th AVENUE ALLOCATION AREA)**

WHEREAS, the City of Carmel Plan Commission (the "Plan Commission") is the body charged with the duty of developing a general plan of development for the City of Carmel, Indiana (the "City"); and

WHEREAS, the City of Carmel Redevelopment Commission (the "Redevelopment Commission") on September 18, 2024, approved and adopted its Resolution No. 2024-07 (the "Resolution") approving certain amendments to the declaratory resolution and economic development plan for the Old Town Economic Development Area; and

WHEREAS, the Redevelopment Commission has submitted the Resolution to this Plan Commission.

NOW, THEREFORE, BE IT RESOLVED by the City of Carmel Plan Commission as follows:

1. The Resolution conforms to the plan of development for the City.
2. This Plan Commission hereby approves the Resolution. This resolution hereby constitutes the written order of the Plan Commission approving the Resolution pursuant to Indiana Code §36-7-14-16.
3. The Secretary of this Plan Commission is hereby directed to file a copy of the Resolution with the minutes of this meeting.

SO RESOLVED BY THE CITY OF CARMEL PLAN COMMISSION this 17th day of December, 2024.

CITY OF CARMEL PLAN COMMISSION



Vice President

ATTEST:


Secretary

RESOLUTION CC-01-06-25-02

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA,
APPROVING CERTAIN MATTERS IN CONNECTION WITH THE
NORTH ILLINOIS STREET ECONOMIC DEVELOPMENT AREA
(FRONTAGE ROAD HOTEL ALLOCATION AREA)

Synopsis:

Resolution approves (1) a resolution of the City of Carmel Redevelopment Commission creating a new Frontage Road Hotel Allocation Area within the North Illinois Street Economic Development Area, including an economic development plan supplement, and (2) a related City of Carmel Plan Commission resolution.

WHEREAS, the City of Carmel Redevelopment Commission (the “Redevelopment Commission”), as the governing body for the City of Carmel Redevelopment Department, pursuant to Indiana Code 36-7-14, as amended (the “Act”), adopted its Resolution No. 2024-08 on September 18, 2024 (the “CRC Resolution”), which made certain amendments to the previously declared North Illinois Street Economic Development Area (the “Economic Development Area”) and the Economic Development Plan (the “Plan”) for the Economic Development Area (such Plan amendments, the “Plan Supplement”); and

WHEREAS, the City of Carmel Plan Commission, on December 17, 2024, approved and adopted its Resolution No. PC-12-17-24-b (the “Plan Commission Order”) determining that the CRC Resolution and Plan Supplement conform to the plan of development for the City of Carmel, Indiana (the “City”), and approving the CRC Resolution and the Plan Supplement; and

WHEREAS, pursuant to Section 16(b) of the Act, the Redevelopment Commission has submitted the CRC Resolution, the Plan Supplement, and the Plan Commission Order to the Common Council of the City (the “Council”).

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Carmel, Indiana, as follows:

1. Pursuant to Section 16(b) of the Act, the Council determines that the CRC Resolution and the Plan Supplement conform to the plan of development for the City, and approves the CRC Resolution, the Plan Supplement, and the Plan Commission Order.

2. This Resolution shall be in full force and effect from and after its passage by the Council and approval by the Mayor as required by law.

PASSED by the Common Council of the City of Carmel, Indiana, this _____ day of _____, 2025, by a vote of _____ ayes and _____ nays.

COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA

Adam Aasen, President

Matthew Snyder, Vice President

Rich Taylor

Anthony Green

Jeff Worrell

Teresa Ayers

Shannon Minnaar

Ryan Locke

Anita Joshi

ATTEST:

Jacob Quinn, Clerk

Presented by me to the Mayor of the City of Carmel, Indiana this _____ day of _____, 2025, at _____ .M.

Jacob Quinn, Clerk

Approved by me, Mayor of the City of Carmel, Indiana, this _____ day of _____, 2025, at _____ .M.

Sue Finkam, Mayor

ATTEST:

Jacob Quinn, Clerk

Prepared by: Bradley J. Bingham
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, IN 46204

RESOLUTION NO. 2024-08

**RESOLUTION OF THE CITY OF CARMEL REDEVELOPMENT COMMISSION
AMENDING THE DECLARATORY RESOLUTION AND ECONOMIC
DEVELOPMENT PLAN FOR THE NORTH ILLINOIS STREET ECONOMIC
DEVELOPMENT AREA
(FRONTAGE ROAD HOTEL ALLOCATION AREA)**

WHEREAS, the City of Carmel Redevelopment Commission (the “Commission”), pursuant to Indiana Code 36-7-14 (the “Act”), serves as the governing body of the City of Carmel Redevelopment District (the “District”); and

WHEREAS, the Commission previously has adopted and confirmed resolutions (collectively, the “Declaratory Resolution”) which established and expanded an economic development area known as the “North Illinois Street Economic Development Area” (the “Economic Development Area”), designated certain portions thereof as allocation areas pursuant to Section 39 of the Act, one of which is known as the North Illinois Street Expansion Allocation Area (the “North Illinois Street Expansion Allocation Area”), and approved an economic development plan for the Economic Development Area (the “Plan”) pursuant to the Act; and

WHEREAS, the Commission now desires to amend the Declaratory Resolution and Plan (i) to remove the area described on Exhibit A attached hereto from the North Illinois Street Expansion Allocation Area, (ii) to designate the area described on Exhibit A attached hereto as a separate allocation area pursuant to Section 39 of the Act to be known as the Frontage Road Hotel Allocation Area (the “Frontage Road Hotel Allocation Area”), and (iii) to adopt a supplement to the Plan attached hereto as Exhibit B (the “2024 Plan Supplement”) (such amendments, collectively, the “2024 Amendments”); and

WHEREAS, the 2024 Amendments and supporting data were reviewed and considered at this meeting; and

WHEREAS, Section 39 of the Act has been created and amended to permit the creation and expansion of “allocation areas” to provide for the allocation and distribution of property taxes for the purposes and in the manner provided in said Section; and

WHEREAS, the Commission deems it advisable to apply the provisions of said Section 39 of the Act to the 2024 Amendments; and

WHEREAS, the Commission now desires to approve the 2024 Amendments.

NOW, THEREFORE, BE IT RESOLVED by the City of Carmel Redevelopment Commission, governing body of the City of Carmel Redevelopment District, as follows:

1. The 2024 Amendments promote significant opportunities for the gainful employment of the citizens of the City of Carmel, Indiana (the “City”), attraction of major new business enterprises to the City, retention and expansion of significant business enterprises existing in the

boundaries of the City, and meets other purposes of Sections 2.5, 41 and 43 of the Act, including without limitation benefiting public health, safety and welfare, increasing the economic well being of the City and the State of Indiana (the “State”), and serving to protect and increase property values in the City and the State.

2. The 2024 Plan Supplement for the Frontage Road Hotel Allocation Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Sections 2.5, 41 and 43 of the Act because of lack of local public improvement, existence of conditions that lower the value of the land below that of nearby land, multiple ownership of land, and other similar conditions.

3. The public health and welfare will be benefited by accomplishment of the 2024 Amendments.

4. It will be of public utility and benefit to amend the Declaratory Resolution and the Plan for the Economic Development Area as provided in the 2024 Amendments and to continue to develop the Economic Development Area, including the Frontage Road Hotel Allocation Area, under the Act.

5. The accomplishment of the 2024 Plan Supplement for the Frontage Road Hotel Allocation Area will be a public utility and benefit as measured by the attraction or retention of permanent jobs, an increase in the property tax base, improved diversity of the economic base and other similar public benefits.

6. The Declaratory Resolution and the Plan, as amended by this Resolution and the 2024 Plan Supplement, conform to the comprehensive plan of development for the City.

7. The 2024 Amendments are reasonable and appropriate when considered in relation to the Declaratory Resolution, the Plan, and the purposes of the Act.

8. The findings and determinations set forth in the Declaratory Resolution and the Plan are hereby reaffirmed.

9. In support of the findings and determinations set forth in Sections 1 through 7 above, the Commission hereby adopts the specific findings set forth in the 2024 Plan Supplement.

10. The Commission does not intend to acquire property within the boundaries of the Frontage Road Hotel Allocation Area.

11. The Commission finds that no residents of the Economic Development Area will be displaced by any project resulting from the 2024 Plan Supplement, and therefore finds that it does not need to give consideration to transitional and permanent provision for adequate housing for the residents.

12. The 2024 Amendments are hereby in all respects approved.

13. The area described in Exhibit A is hereby removed from the North Illinois Street Expansion Allocation Area and designated as a separate “allocation area” pursuant to Section 39 of the Act to be known as the “Frontage Road Hotel Allocation Area,” for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed under Ind. Code 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the redevelopment district and when collected paid into an allocation fund for the Frontage Road Hotel Allocation Area hereby designated as the “Frontage Road Hotel Allocation Fund” and may be used by the redevelopment district to do one or more of the things specified in Section 39(b)(4) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission, except as otherwise permitted by the Act. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(5) of the Act.

14. The foregoing allocation provision shall apply to the Frontage Road Hotel Allocation Area. The Commission hereby finds that the adoption of this allocation provision will result in new property taxes in the Frontage Road Hotel Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit B. The base assessment date for the Frontage Road Hotel Allocation Area is January 1, 2024.

15. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto, and the allocation provisions herein relating to the Frontage Road Hotel Allocation Area shall expire on the date that is twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues derived from the Frontage Road Hotel Allocation Area.

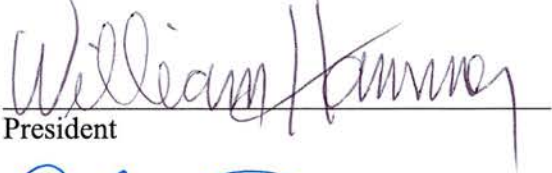
16. This Resolution, together with any supporting data, shall be submitted to the City of Carmel Plan Commission (the “Plan Commission”) and the Common Council of the City (the “Council”) as provided in the Act and, if approved by the Plan Commission and the Council, shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

17. The officers of the Commission are hereby authorized to make all filings necessary or desirable to carry out the purposes and intent of this Resolution.

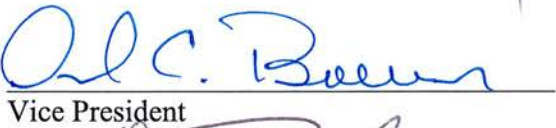
18. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto.

Adopted the 18th day of September, 2024.

CITY OF CARMEL REDEVELOPMENT
COMMISSION



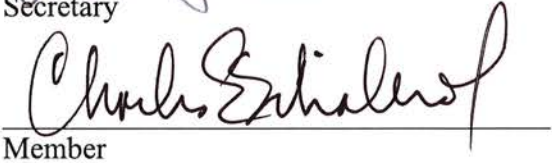
President



Vice President



Secretary



Member

Member

EXHIBIT A

Parcel to be removed from the North Illinois Street Expansion Allocation Area and designated as the Frontage Road Hotel Allocation Area

The following parcel is hereby removed from the North Illinois Street Expansion Allocation Area and designated as a separate allocation area to be known as the Frontage Road Hotel Allocation Area:

PARCEL ID NUMBER:

17-09-35-00-00-005.000

MAP OF THE FRONTAGE ROAD HOTEL ALLOCATION AREA (in purple below):



EXHIBIT B

2024 Plan Supplement

The Plan is hereby supplemented by adding the following project to the Plan:

The Commission expects to contribute approximately \$50,000 from cash on hand for the design and construction of parking, road and street improvements, site improvements, other public infrastructure improvements and appurtenances (collectively, the “Project”), all to support a new hotel development with approximately 97 rooms, which Project will be physically located in, or directly benefitting and serving, the Frontage Road Hotel Allocation Area.

Based on representations by the developer of the hotel development to be served by the Project, the hotel development will not proceed as planned without the contribution of such funds by the Commission. Therefore, the Commission has determined that the full development of the Frontage Road Hotel Allocation Area will not proceed as planned without the contribution of tax increment revenues to be derived from the Frontage Road Hotel Allocation Area to the Project, due to the lack of adequate infrastructure and other local public improvements in or serving the Frontage Road Hotel Allocation Area. The Commission does not have any other method of financing the costs of the Project, absent issuing bonds payable from a special benefits tax upon all taxable property within the District, without the prospect of replacing the source with tax increment revenues from developments within the Frontage Road Hotel Allocation Area. The Commission hereby finds that designating the Frontage Road Hotel Allocation Area as an allocation area will allow for the capture of tax increment revenues that will be available to the Commission to finance the Project and other improvements located in or serving or benefitting the Frontage Road Hotel Allocation Area, thereby facilitating investment in the Frontage Road Hotel Allocation Area that would otherwise not occur. The Commission may also utilize the captured tax increment revenues to further assist in the development of the Project, either directly or through bonding.

RESOLUTION NO. PC-12-17-24-b

**RESOLUTION OF THE CITY OF CARMEL PLAN COMMISSION APPROVING
AMENDMENTS TO THE DECLARATORY RESOLUTION AND ECONOMIC
DEVELOPMENT PLAN FOR THE NORTH ILLINOIS STREET ECONOMIC
DEVELOPMENT AREA (FRONTAGE ROAD HOTEL ALLOCATION AREA)**

WHEREAS, the City of Carmel Plan Commission (the "Plan Commission") is the body charged with the duty of developing a general plan of development for the City of Carmel, Indiana (the "City"); and

WHEREAS, the City of Carmel Redevelopment Commission (the "Redevelopment Commission") on September 18, 2024, approved and adopted its Resolution No. 2024-08 (the "Resolution") approving certain amendments to the declaratory resolution and economic development plan for the North Illinois Street Economic Development Area; and

WHEREAS, the Redevelopment Commission has submitted the Resolution to this Plan Commission.

NOW, THEREFORE, BE IT RESOLVED by the City of Carmel Plan Commission as follows:

1. The Resolution conforms to the plan of development for the City.
2. This Plan Commission hereby approves the Resolution. This resolution hereby constitutes the written order of the Plan Commission approving the Resolution pursuant to Indiana Code §36-7-14-16.
3. The Secretary of this Plan Commission is hereby directed to file a copy of the Resolution with the minutes of this meeting.

SO RESOLVED BY THE CITY OF CARMEL PLAN COMMISSION this 17th day of December, 2024.

CITY OF CARMEL PLAN COMMISSION


Vice President

ATTEST:


Secretary

RESOLUTION CC-01-06-25-03

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA,
APPROVING CERTAIN MATTERS IN CONNECTION WITH THE
NORTH ILLINOIS STREET ECONOMIC DEVELOPMENT AREA
(MERIDIAN HOTEL ALLOCATION AREA)

Synopsis:

Resolution approves (1) a resolution of the City of Carmel Redevelopment Commission creating a new Meridian Hotel Allocation Area within the North Illinois Street Economic Development Area, including an economic development plan supplement, and (2) a related City of Carmel Plan Commission resolution.

WHEREAS, the City of Carmel Redevelopment Commission (the “Redevelopment Commission”), as the governing body for the City of Carmel Redevelopment Department, pursuant to Indiana Code 36-7-14, as amended (the “Act”), adopted its Resolution No. 2024-09 on September 18, 2024 (the “CRC Resolution”), which made certain amendments to the previously declared North Illinois Street Economic Development Area (the “Economic Development Area”) and the Economic Development Plan (the “Plan”) for the Economic Development Area (such Plan amendments, the “Plan Supplement”); and

WHEREAS, the City of Carmel Plan Commission, on December 17, 2024, approved and adopted its Resolution No. PC-12-17-24-c (the “Plan Commission Order”) determining that the CRC Resolution and Plan Supplement conform to the plan of development for the City of Carmel, Indiana (the “City”), and approving the CRC Resolution and the Plan Supplement; and

WHEREAS, pursuant to Section 16(b) of the Act, the Redevelopment Commission has submitted the CRC Resolution, the Plan Supplement, and the Plan Commission Order to the Common Council of the City (the “Council”).

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Carmel, Indiana, as follows:

1. Pursuant to Section 16(b) of the Act, the Council determines that the CRC Resolution and the Plan Supplement conform to the plan of development for the City, and approves the CRC Resolution, the Plan Supplement, and the Plan Commission Order.

2. This Resolution shall be in full force and effect from and after its passage by the Council and approval by the Mayor as required by law.

PASSED by the Common Council of the City of Carmel, Indiana, this _____ day of _____, 2025, by a vote of _____ ayes and _____ nays.

COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA

Adam Aasen, President

Matthew Snyder, Vice President

Rich Taylor

Anthony Green

Jeff Worrell

Teresa Ayers

Shannon Minnaar

Ryan Locke

Anita Joshi

ATTEST:

Jacob Quinn, Clerk

Presented by me to the Mayor of the City of Carmel, Indiana this _____ day of _____, 2025, at _____ .M.

Jacob Quinn, Clerk

Approved by me, Mayor of the City of Carmel, Indiana, this _____ day of _____, 2025, at _____ .M.

Sue Finkam, Mayor

ATTEST:

Jacob Quinn, Clerk

Prepared by: Bradley J. Bingham
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, IN 46204

RESOLUTION NO. 2024-09

**RESOLUTION OF THE CITY OF CARMEL REDEVELOPMENT COMMISSION
AMENDING THE DECLARATORY RESOLUTION AND ECONOMIC
DEVELOPMENT PLAN FOR THE NORTH ILLINOIS STREET ECONOMIC
DEVELOPMENT AREA
(MERIDIAN HOTEL ALLOCATION AREA)**

WHEREAS, the City of Carmel Redevelopment Commission (the “Commission”), pursuant to Indiana Code 36-7-14 (the “Act”), serves as the governing body of the City of Carmel Redevelopment District (the “District”); and

WHEREAS, the Commission previously has adopted and confirmed resolutions (collectively, the “Declaratory Resolution”) which established and expanded an economic development area known as the “North Illinois Street Economic Development Area” (the “Economic Development Area”), designated certain portions thereof as allocation areas pursuant to Section 39 of the Act, one of which is known as the North Illinois Street Expansion Allocation Area (the “North Illinois Street Expansion Allocation Area”), and approved an economic development plan for the Economic Development Area (the “Plan”) pursuant to the Act; and

WHEREAS, the Commission now desires to amend the Declaratory Resolution and Plan (i) to remove the area described on Exhibit A attached hereto from the North Illinois Street Expansion Allocation Area, (ii) to designate the area described on Exhibit A attached hereto as a separate allocation area pursuant to Section 39 of the Act to be known as the Meridian Hotel Allocation Area (the “Meridian Hotel Allocation Area”), and (iii) to adopt a supplement to the Plan attached hereto as Exhibit B (the “2024 Plan Supplement”) (such amendments, collectively, the “2024 Amendments”); and

WHEREAS, the 2024 Amendments and supporting data were reviewed and considered at this meeting; and

WHEREAS, Section 39 of the Act has been created and amended to permit the creation and expansion of “allocation areas” to provide for the allocation and distribution of property taxes for the purposes and in the manner provided in said Section; and

WHEREAS, the Commission deems it advisable to apply the provisions of said Section 39 of the Act to the 2024 Amendments; and

WHEREAS, the Commission now desires to approve the 2024 Amendments.

NOW, THEREFORE, BE IT RESOLVED by the City of Carmel Redevelopment Commission, governing body of the City of Carmel Redevelopment District, as follows:

1. The 2024 Amendments promote significant opportunities for the gainful employment of the citizens of the City of Carmel, Indiana (the “City”), attraction of major new business enterprises to the City, retention and expansion of significant business enterprises existing in the

boundaries of the City, and meets other purposes of Sections 2.5, 41 and 43 of the Act, including without limitation benefiting public health, safety and welfare, increasing the economic well being of the City and the State of Indiana (the “State”), and serving to protect and increase property values in the City and the State.

2. The 2024 Plan Supplement for the Meridian Hotel Allocation Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Sections 2.5, 41 and 43 of the Act because of lack of local public improvement, existence of conditions that lower the value of the land below that of nearby land, multiple ownership of land, and other similar conditions.

3. The public health and welfare will be benefited by accomplishment of the 2024 Amendments.

4. It will be of public utility and benefit to amend the Declaratory Resolution and the Plan for the Economic Development Area as provided in the 2024 Amendments and to continue to develop the Economic Development Area, including the Meridian Hotel Allocation Area, under the Act.

5. The accomplishment of the 2024 Plan Supplement for the Meridian Hotel Allocation Area will be a public utility and benefit as measured by the attraction or retention of permanent jobs, an increase in the property tax base, improved diversity of the economic base and other similar public benefits.

6. The Declaratory Resolution and the Plan, as amended by this Resolution and the 2024 Plan Supplement, conform to the comprehensive plan of development for the City.

7. The 2024 Amendments are reasonable and appropriate when considered in relation to the Declaratory Resolution, the Plan, and the purposes of the Act.

8. The findings and determinations set forth in the Declaratory Resolution and the Plan are hereby reaffirmed.

9. In support of the findings and determinations set forth in Sections 1 through 7 above, the Commission hereby adopts the specific findings set forth in the 2024 Plan Supplement.

10. The Commission does not intend to acquire property within the boundaries of the Meridian Hotel Allocation Area.

11. The Commission finds that no residents of the Economic Development Area will be displaced by any project resulting from the 2024 Plan Supplement, and therefore finds that it does not need to give consideration to transitional and permanent provision for adequate housing for the residents.

12. The 2024 Amendments are hereby in all respects approved.

13. The area described in Exhibit A is hereby removed from the North Illinois Street Expansion Allocation Area and designated as a separate “allocation area” pursuant to Section 39 of the Act to be known as the “Meridian Hotel Allocation Area,” for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed under Ind. Code 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the redevelopment district and when collected paid into an allocation fund for the Meridian Hotel Allocation Area hereby designated as the “Meridian Hotel Allocation Fund” and may be used by the redevelopment district to do one or more of the things specified in Section 39(b)(4) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission, except as otherwise permitted by the Act. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(5) of the Act.

14. The foregoing allocation provision shall apply to the Meridian Hotel Allocation Area. The Commission hereby finds that the adoption of this allocation provision will result in new property taxes in the Meridian Hotel Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit B. The base assessment date for the Meridian Hotel Allocation Area is January 1, 2024.

15. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto, and the allocation provisions herein relating to the Meridian Hotel Allocation Area shall expire on the date that is twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues derived from the Meridian Hotel Allocation Area.

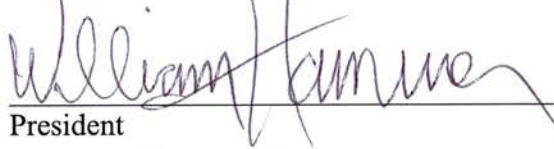
16. This Resolution, together with any supporting data, shall be submitted to the City of Carmel Plan Commission (the “Plan Commission”) and the Common Council of the City (the “Council”) as provided in the Act and, if approved by the Plan Commission and the Council, shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

17. The officers of the Commission are hereby authorized to make all filings necessary or desirable to carry out the purposes and intent of this Resolution.

18. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto.

Adopted the 18th day of September, 2024.

CITY OF CARMEL REDEVELOPMENT
COMMISSION



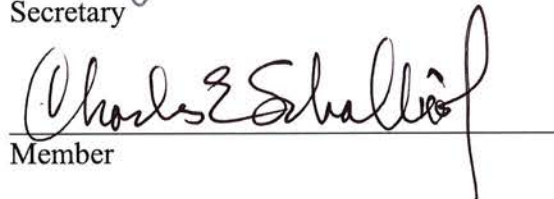
President



Vice President



Secretary



Member

Member

EXHIBIT A

Parcel to be removed from the North Illinois Street Expansion Allocation Area and designated as the Meridian Hotel Allocation Area

The following parcel is hereby removed from the North Illinois Street Expansion Allocation Area and designated as a separate allocation area to be known as the Meridian Hotel Allocation Area:

PARCEL ID NUMBER:

16-09-26-00-00-001.202

MAP OF THE MERIDIAN HOTEL ALLOCATION AREA (in red below):

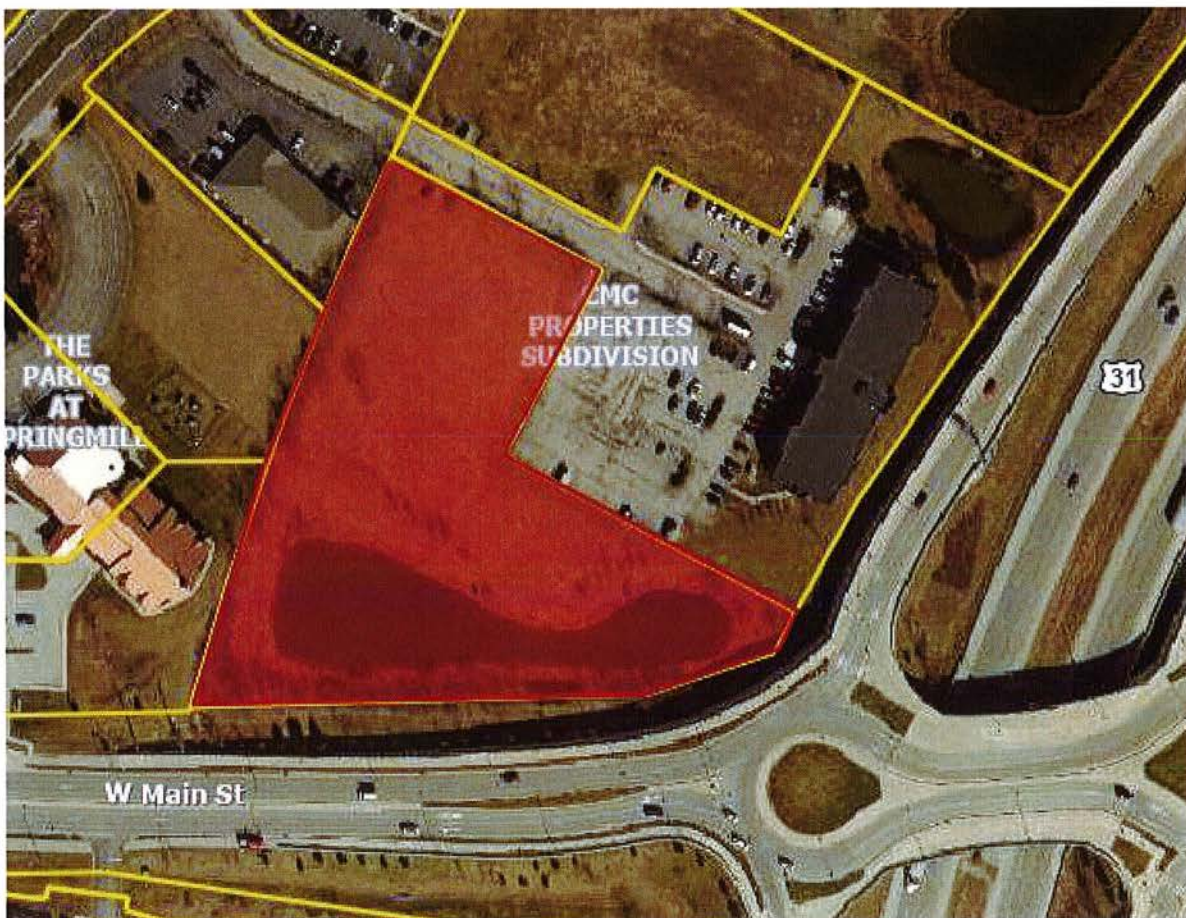


EXHIBIT B

2024 Plan Supplement

The Plan is hereby supplemented by adding the following project to the Plan:

The Commission expects to contribute approximately \$100,000 from cash on hand for the design and construction of parking, road and street improvements, site improvements, other public infrastructure improvements and appurtenances (collectively, the “Project”), all to support a new hotel development with approximately 104 rooms and 4,000 square feet of meeting space, which Project will be physically located in, or directly benefitting and serving, the Meridian Hotel Allocation Area.

Based on representations by the developer of the hotel development to be served by the Project, the hotel development will not proceed as planned without the contribution of such funds by the Commission. Therefore, the Commission has determined that the full development of the Meridian Hotel Allocation Area will not proceed as planned without the contribution of tax increment revenues to be derived from the Meridian Hotel Allocation Area to the Project, due to the lack of adequate infrastructure and other local public improvements in or serving the Meridian Hotel Allocation Area. The Commission does not have any other method of financing the costs of the Project, absent issuing bonds payable from a special benefits tax upon all taxable property within the District, without the prospect of replacing the source with tax increment revenues from developments within the Meridian Hotel Allocation Area. The Commission hereby finds that designating the Meridian Hotel Allocation Area as an allocation area will allow for the capture of tax increment revenues that will be available to the Commission to finance the Project and other improvements located in or serving or benefitting the Meridian Hotel Allocation Area, thereby facilitating investment in the Meridian Hotel Allocation Area that would otherwise not occur. The Commission may also utilize the captured tax increment revenues to further assist in the development of the Project, either directly or through bonding.

RESOLUTION NO. PC-12-17-24-c

**RESOLUTION OF THE CITY OF CARMEL PLAN COMMISSION APPROVING
AMENDMENTS TO THE DECLARATORY RESOLUTION AND ECONOMIC
DEVELOPMENT PLAN FOR THE NORTH ILLINOIS STREET ECONOMIC
DEVELOPMENT AREA (MERIDIAN HOTEL ALLOCATION AREA)**

WHEREAS, the City of Carmel Plan Commission (the "Plan Commission") is the body charged with the duty of developing a general plan of development for the City of Carmel, Indiana (the "City"); and

WHEREAS, the City of Carmel Redevelopment Commission (the "Redevelopment Commission") on September 18, 2024, approved and adopted its Resolution No. 2024-09 (the "Resolution") approving certain amendments to the declaratory resolution and economic development plan for the North Illinois Street Economic Development Area; and

WHEREAS, the Redevelopment Commission has submitted the Resolution to this Plan Commission.

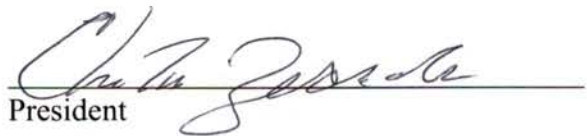
NOW, THEREFORE, BE IT RESOLVED by the City of Carmel Plan Commission as follows:

1. The Resolution conforms to the plan of development for the City.
2. This Plan Commission hereby approves the Resolution. This resolution hereby constitutes the written order of the Plan Commission approving the Resolution pursuant to Indiana Code §36-7-14-16.
3. The Secretary of this Plan Commission is hereby directed to file a copy of the Resolution with the minutes of this meeting.


SO RESOLVED BY THE CITY OF CARMEL PLAN COMMISSION this 17th day of December, 2024.

CITY OF CARMEL PLAN COMMISSION

Vice President



ATTEST:


Secretary