

Fishers City Council Minutes
Regular Minutes
January 19, 2021

BOARD/COMMISSION: City Council Meeting

DATE: 1/19/2021

DIRECTIONS: [Fishers City Hall](#)

EXECUTIVE SESSION, Administration Conference Room 6:15pm

- To conduct interviews and negotiations with industrial or commercial prospects or agents of industrial or commercial prospects under Ind. Code §5-14-1.5-6.1(b)(4).

REGULAR CITY COUNCIL MEETING, 7:00 p.m., City Hall Auditorium

1. Meeting Called to Order with the Pledge of Allegiance
 - Cecilia Coble called the meeting to order. This meeting was held virtually, and all documents were signed electronically. Other council members present were Selina Stoller, David George, Pete Peterson, John Weingardt, Brad DeReamer, Todd Zimmerman, Samantha DeLong and Jocelyn Vare. Others present were Mayor Scott Fadness, City Clerk Jennifer Kehl, Chris Greisl, Tracy Gaynor, Steve Harden, Randy Sherman, Dave Brackenhoth, Megan Schaefer, Tony Bagato, Jesse Boshell, Jordin Alexander, and Mr. Ahlwardt.
2. Election of Council President and Vice President
 - President Coble made a motion to elect Selina Stoller as President of the City Council for 2021 and David George as Vice President. Pete Peterson seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
3. Announcements:
 - None
4. Proclamations:
 - None
5. Presentations:
 - None
6. Finance Committee Report:
 - Chairman John Weingardt gave a brief report about the last committee meeting.
7. Consent Agenda:
 - a. Request to approve the previous meeting minutes: [Work Session Regular Session Minutes for December 21, 2020](#) | [Executive Session for December 21, 2020](#)
 - b. **Ro11921** - A Resolution of the Common Council Authorizing the City Controller to Transfer Certain Funds: *Signed Adoption*
 - c. **Ro11921A** - A Request to Approve the Purchase of a Blanket Surety Bond and Public Official Bonds for 2020: [Exhibit A](#)
 - *There was no resolution to sign.*
 - d. **Ro11921B** - A Request to Approve 2021 Council Appointments to City Boards & Commissions: [Exhibit A](#)
 - *There was no resolution to sign.*
 - President Selina Stoller moved item 7d. to the end of the agenda.

- Pete Peterson made a motion to approve the consent agenda 7a-7c. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.

REGULAR AGENDA

Economic Development

8. **Ro11921C** - A Request to Approve Declaratory Resolution Designating Certain Property as an Economic Revitalization Area and Authorizing Abatement (8766 E. 96th Street): **Signed Adoption**
- Jordin Alexander made her presentation to the council members.
 - Pete Peterson made a motion to approve resolution Ro11921C. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.

Planning & Zoning

9. **111620** - Consideration of a rezone from R2 Residential and AG Agricultural to I1 Industrial for expansion of the US Foods distribution center. - **Final Reading: Signed Adoption**
- Megan Schaefer made her presentation to the city council members.
 - Pete Peterson made a motion to approve ordinance 11620. Todd Zimmerman seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
10. **011921** - Consideration of a Rezone of 20.86 acres from PD to PUD-R. Property is located at the southeast corner of E. 126th Street and Brooks School Road. Project is known as The Preserve at Gray Eagle PUD and will consist of approximately 155 residential garden-style units, master down townhomes, and double ranch-style homes - **1st Reading: Council Action Form | Draft Ordinance**
- Tony Bagato made his presentation to city council members.
 - Steve Harden, Todd May, Randy Sherman and Dave Brackenhoth also spoke.
 - Pete Peterson made a motion to have the 1st Reading on ordinance 011921.
11. **Ro11921D** - Request to approve a resolution adopting the Fiscal Plan for the Hoosier Estates (Lots 2R-B / 2R-C) Annexation: **Signed Adoption**
- Pete Peterson made a motion to approve resolution Ro11921D. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
12. **122120D** - Request to approve a voluntary annexation of two (2) lots known as Hoosier Estates (Lots 2R-B / 2R-C), located at 11240 and 11280 E 106th Street, consisting of approximately 1.22 acres - **3rd Reading: Signed Adoption**
- Pete Peterson made a motion to approve ordinance 122120D. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
13. **Ro11921E** - Request to approve a resolution adopting the Fiscal Plan for the McNeely Annexation: **Signed Adoption**
- Pete Peterson made a motion to approve resolution Ro11921E. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.

14. **122120E** - Request to approve a voluntary annexation of two (2) lots known as the McNeely Properties located at 10765 E 121st St, Fishers, IN 46037, consisting of 1.65 acres - 3rd Reading: **Signed Adoption**
 - Pete Peterson made a motion to approve ordinance 122120E. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
15. **Ro11921F** - Request to approve a resolution adopting the Fiscal Plan for the Clark Annexation: **Signed Adoption**
 - Pete Peterson made a motion to approve resolution Ro11921F. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
16. **122120F** - A Request to approve a voluntary annexation of one (1) lot known as the Clark Property located at 13485 Howe Rd, Fishers, IN 46038, consisting of 2 acres - 3rd Reading: **Signed Adoption**
 - Pete Peterson made a motion to approve ordinance 122120F. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
17. **Ro11921G** - Request to Approve Resolution adopting the Fiscal Plan for the Watson-Robinson Annexation: **Signed Adoption**
 - Pete Peterson made a motion to approve resolution Ro11921G. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
18. **122120C** - A Request to approve a voluntary annexation of two (2) lots known as the Watson-Robinson Properties located at 13097 and 13031 Cyntheanne Road, Fishers, IN 46037, and consisting of 4.8 acres - Final Reading: **Signed Adoption**
 - Pete Peterson made a motion to approve ordinance 122120C. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
19. **Ro11921H** A Request to Approve Resolution adopting the Fiscal Plan for the Grantham PUD: **Signed Adoption**
 - Pete Peterson made a motion to approve resolution Ro11921H. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
20. **122120A**: A Request to approve a voluntary annexation of three (3) parcels known as the Grantham PUD. Properties are located at 16065 Southeastern Parkway, 16000 and o E 113th Street and consist of 118.75 acres - Final Reading: **Signed Adoption**
 - Pete Peterson made a motion to approve ordinance 122120A. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.

21. **011921A** - A Request to approve a voluntary annexation of four (4) lots known as the US Foods Expansion property, located at 10047, 10049, and 10097 E 126th Street, Fishers, IN 46038, and consisting of approximately 20.14 acres. - **1st & 2nd Reading, Public Hearing:** [Council Action Form](#) | [Draft Ordinance](#)
- Selina Stoller opened the meeting for the Public Hearing. No one came forward. The Public Meeting was closed.
 - Pete Peterson made a motion to have the 1st and 2nd Reading on ordinance 011921A.
22. **011921B** - Consideration of a text amendment to the Parkside PUD to amend the parking and landscaping requirements as part of a proposed Senior Apartment project. Property is 10 acres and will consist of 162 apartment units. Subject site is located on the east side of Parkside Drive, between 126th and 131st streets. Subject property is addressed 12915 Parkside Drive - **1st Reading:** [Council Action Form](#) | [Petitioner's Packet](#)
- Jessie Boshell made his presentation to the city council members.
 - Brad DeReamer said he would like to see that no more private driveways as previously passed.
 - Pete Peterson made a motion to have the first 1st Reading of ordinance 011921B.
23. **011921C** - Consideration of a text amendment to the Saxony PUD to expand area C1of the Saxony PUD for an expansion to the Play School at Saxony. Property in question is .75 acres, and is on the south side of 131st Street, west of Pennington Rd. Subject site is addressed 13149 E 131st Street - **1st Reading:** [Council Action Form](#) | [Petitioner's Packet](#)
- Jessie Boshell made his presentation to the city council members.
 - Pete Peterson made a motion to have the first 1st Reading of ordinance 011921C.
24. **011921D** - A Request to approve a voluntary annexation of eighteen (18) lots known as the Maple Del Subdivision. Properties are located south of the intersection of Holland Drive and E 116th Street and consist of 9.34 acres - **1st & 2nd Reading & Public Hearing:** [Council Action Form](#) | [Location Map](#) | [Draft Ordinance](#)
- Tony Bagato made his presentation to the city council members.
 - Brad DeReamer asked Tony to reach out to the Developer and see if the property owner of the one home just outside of the annexation would consider annexation so the annexation would be a clean and squared off.
 - Selina Stoller opened the meeting to have a Public Hearing. No one came forward. The Public Hearing was closed.
 - Pete Peterson made a motion to have the 1st and 2nd Reading on ordinance 011921D.
7. a. **Ro11921B** - A Request to Approve 2021 Council Appointments to City Boards & Commissions: [Exhibit A](#)
- Pete Peterson made a motion to approve resolution Ro11921B.
 - Jocelyn Vare made the following statement: I have concerns about this year's Council appointments to City Boards & Commissions. I would like to voice these concerns and make a motion for immediate action steps to address them. My remarks will be brief but complete.

According to the City of Fishers website, "Fishers' boards and commissions are a great way for citizens to get involved in their local community. These groups provide input and direction for the (city) council on decisions that can impact Fishers for years to come. This participation from our residents is essential to maintaining our status as one of this country's best places to live." (<https://www.fishers.in.us/257/Boards-Commissions>)

In practice, however, an extremely unrepresentative group of people have the opportunity to participate on boards and commissions, while other groups within the community are routinely excluded. The 95 available seats on boards and commissions include very few people of color, women, members of the LGBTQ community, and persons with disabilities. With recent information available from the City, I have determined that overall:

- 80% of the current Board and Commission appointees are white men
- Less than 20% of appointees are women
- There is a total of three people of color on all 24 boards and commissions
- Zero appointees were confirmed as members of the LGBTQ community or a person with a disability
- Eight people sit on more than one board or commission, taking up 20% of the total seats
- One appointee who serves on both the Police Merit Commission and Fire Merit Commission as a legally required Democratic representative for political balance, does not actually qualify as a Democrat

Furthermore, the current City Council majority's practice for making board and commission appointments is not transparent. Currently, no clear process for fairly scrutinizing Council appointments is followed. This has enabled a lack of diversity and resulted in boards and commissions that are grossly unrepresentative of our community.

Currently, as a practice:

- Incumbent appointees keep their seats for as long as they want to hold them, despite officially serving set terms. This is a problem because it maintains exclusivity and prevents more diverse voices from participating in city government
- Citizens can indeed apply to serve, and the online application is always accessible online and open to the public. But my question is - Did the City Council majority review any of these applications prior to finalizing their 2021 appointments?

I've requested to see these applications, I just received them today for the first time. I have not received an acknowledgement that they have been reviewed by the Council majority. If appointments are made without receiving and reviewing applications, I think that is a serious fairness and transparency issue

- The City does not publicly recruit residents to apply for boards and commissions when there are vacancies. Public calls for applications are vital
- Diversity and inclusion are not considered
- Conflicts of interest are not considered
- Lastly, Minority members of the Council have been prohibited from participating in the selection process. It is certainly the prerogative of the majority to slate appointments. But it is inappropriate for the Minority members of the Council to receive access to the slate less than 24 hours before the vote

I strongly suggest five practical recommendations to implement a thoughtful and transparent process

1. A formal, complete audit of all the board and commission appointments to identify overall composition and representation. This includes reviewing gender identity, race, religious beliefs, political party requirement adherence, number of terms served, number of boards serving on, and conflict of interest declarations. This data must be compiled for the Council's future reference.

2. Have city social media channels immediately deploy a call-out to Fishers residents, inviting interested citizens to apply to serve on City board and commissions, using the existing online form. This call-out should also explicitly welcome people of color, people with disabilities, women, and members of the LGBTQ community to apply.
3. Perform a complete pull of all applications that have been received in the past two years. Current appointees whose terms are up must reapply and be reviewed against all applicants if they wish to serve additional terms.
4. Form a nominating committee to review applications and determine a slate of appointees for Council consideration and vote at the February meeting. The majority caucus will select two members and the minority caucus will select one member to serve on this nominating committee.
5. Prepare an agenda item for the February meeting that codifies these policies so that they are followed in coming years.

- **Jocelyn Vare made the following amendment to the current motion:**

Form a nominating committee of 3 council members to solicit and review applications for the 2021 open Board & Commission seats.

The majority caucus will select two members and the minority caucus will select one member to serve on this nominating committee.

This committee will determine a slate of appointees for Council consideration at the February city council meeting.

- **Samantha DeLong seconded the motion. A vote was taken. Cecilia Coble, Selina Stoller, David George, Pete Peterson, John Weingardt, Brad DeReamer, Todd Zimmerman voted nay to the amendment. Jocelyn Vare and Samantha DeLong voted yay. The vote was 7 nay and 2 yay. The motion did not pass.**
- **Pete Peterson made a motion to approve the current list of individuals for the committees. John Weingardt seconded the motion. Cecilia Coble, Selina Stoller, David George, Pete Peterson, John Weingardt, Brad DeReamer, Todd Zimmerman voted yay to the amendment. Jocelyn Vare and Samantha DeLong voted nay. The vote was 7 yay and 2 nay. The motion passed.**
 - *There was no resolution to sign.*

REGULAR ITEMS

25. Any other Unfinished / New Business

- **None**

26. Community Comment

- **Mr. Ahlwardt came forward and spoke about the Gold Star Family Memorial for the Central on the Green.**
- **See Attached Comments**

27. Meeting Adjournment

- **Pete Peterson made a motion to adjourn the meeting. Todd Zimmerman seconded the motion. The meeting was adjourned at 8:21 p.m.**

Respectfully Submitted,



Jennifer Kehl
Fishers City Clerk

Form Name: Public Meeting Comment Form
Submission Time: January 12, 2021 7:30 pm
Browser: Chrome 87.0.4280.141 / Windows
IP Address: 98.220.134.38
Unique ID: 739214918
Location: 39.960998535156, -85.983703613281

Name Juli Willis

Address 10866 Dillon Pl.
Fishers, IN 46038

Email godzpeeps@aol.com

Subdivision or business name Ridgefield

Please select the meeting to which you would like to submit a public comment Plan Commission Meeting - 1/06/21, at 6 p.m.
City Council Meeting - 1/19/21 at 7 p.m.

Is this comment regarding 5G cell tower deployment? No

Project Name/Number Cumberland Cottages, Ord. #122120B

Plan Commission Meeting – 1/06/21, at 6 p.m.

Hello. I am aware that this note is coming late, but I just read about the Cumberland Cottages proposal in this week's Current newspaper, and wanted to voice my protest. I live in the vicinity of 131st and Cumberland (Ridgefield), just twelve blocks away, and paid a premium price for my home so that I could live in the upscale town of Fishers. All of the other homeowners here did, too. Many of us moved here from Indianapolis because our once-nice neighborhoods were deteriorating, and we were willing to pay more in order to invest in an ultra low crime community with excellent schools and high standards, as exhibited in the low density zoning laws. Had we wished to live near low income, higher density housing developments, and the crime and social problems associated with them, we would have remained in Indianapolis.

The HAND nonprofit organization loves to perpetuate the lie that low income housing needs to be built in nice suburban neighborhoods so that restaurant and other low paid workers can live near their workplaces. This is false. Fishers is only a short drive from affordable housing in Indianapolis. There is no need to build such housing here, nor do nearby residents desire it. Our property values would be directly and negatively affected by this proposed housing project and the tenants it would bring; not to mention that it is the ugliest collection of cheesy "cookie cutter" homes ever seen.

I watched the City Council meeting on UTube from December in which this project was proposed, and I disagree with the woman who stated that she had just moved away from that part of Fishers and thought that this project would be well suited to that part of town. Really? So it would be fine for this part of Fishers to become a ghetto, as long as it's "not in my backyard"? ("NIMBY")

New \$600,000 homes are currently being constructed across the street from me, and there is no reason why more upscale homes or perhaps a restaurant or other business could not be built on the parcel in question, yielding much higher tax revenue for this city. There is no need or desire for an unattractive low income housing project to come to Fishers. It would cause great economic loss and quality of life issues to the nearby homeowners, and it would be grossly unfair to those of us who paid top dollar in order to live far away from this kind of nonsense.

Let's plan for smart growth in our city, the kind that results in more prosperity and higher property values for its homeowners.

City Council Meeting – 1/19/21 at 7 p.m.

Hello. I just read about the Cumberland Cottages proposal in this week's Current newspaper, and wanted to voice my protest. I live in the vicinity of 131st and Cumberland (Ridgefield), just twelve blocks away, and paid a premium price for my home so that I could live in the upscale town of Fishers. All of the other homeowners here did, too. Many of us moved here from Indianapolis because our once-nice neighborhoods were deteriorating, and we were willing to pay more in order to invest in an ultra low crime community with excellent schools and high standards, as exhibited in the low density zoning laws. Had we wished to live near low income, higher density housing developments, and the crime and social problems associated with them, we would have remained in Indianapolis.

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Let's plan for smart growth in our city, the kind that results in more prosperity and higher property values for its homeowners.

**Would you like to receive email
communications and updates from the
City of Fishers?**

Yes

Form Name: Public Meeting Comment Form
Submission Time: January 13, 2021 5:25 pm
Browser: Safari 14.0.2 / OS X
IP Address: 69.174.135.201
Unique ID: 739726581
Location: 40.422401428223, -86.803100585938

Name No Name No Name

Address 1 Municipal Drive
Fishers, IN 46038

Subdivision or business name N/a

Please select the meeting to which you would like to submit a public comment City Council Work Session - 1/13/21 at 6 p.m.?
City Council Meeting - 1/19/21 at 7 p.m.

Is this comment regarding 5G cell tower deployment? No

Project Name/Number n/a

City Council Work Session – 1/13/21 Someone should really review what is posted on your site with the agenda.

From a link on your agenda, there is a document that talks about CyberRisk Policyholder Benefits. On that page, lists the website and access code to gain access to your portal.

I just find it funny that an insurance policy regarding CyberRisks published online contains a way to access that information.

City Council Meeting – 1/19/21 at 7 p.m. Someone should really review what is posted on your site with the agenda.

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Form Name: Public Meeting Comment Form
Submission Time: January 19, 2021 12:22 pm
Browser: Mobile Safari 14.0.2 / iOS
IP Address: 73.102.96.215
Unique ID: 742387252
Location: 39.960998535156, -85.983703613281

Name Clayton DeClue

Address 10174 Breezy Point Dr
Fishers, IN 46037

Email clayton.declue4@gmail.com

Subdivision or business name Bartenders Against Fishers

Please select the meeting to which you would like to submit a public comment City Council Meeting - 1/19/21 at 7 p.m.

Is this comment regarding 5G cell tower deployment? No

Project Name/Number Bartenders Against Fishers

City Council Meeting – 1/19/21 at 7 p.m. I personally think the city of Fishers has it out against bartenders. We haven't had a full bartop of seating since October/November (that was only for 2 weeks) and before that was March 2020 right before shutdown. At this point, I think it's enough. You look at a place like Target, and the parking lot is full. It's been a loss of wages for us for a long period of time. Enough is enough. I want answers as to why the bartop cannot be sat, and yet a server can stand table side and talk to a guest. It makes absolutely NO difference.
