



BOARD/COMMISSION: City Council

DATE: 8/17/2026

**ADDRESS: Fishers Municipal Center, Theater,
1 Municipal Drive, Fishers, IN 46038**

The public may [stream the meeting online](#). Members of the public may [submit comments online](#) before 12pm on the day of the meeting.

See the list of council members at FishersIN.gov/CityCouncil.

EXECUTIVE SESSION, 6:30 p.m., City Hall, Nickel Plate Conference Room

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

REGULAR CITY COUNCIL MEETING, 7 p.m.

1. Meeting Called to Order with the Pledge of Allegiance

2. Announcements - NONE

3. Proclamations - NONE

4. Presentations

a. Police Swearing in Ceremony

**Officer Matt Mobley
Officer Nicholas Butts
Officer Anthony Lenane
Officer Kevin Roach
Officer Madison McPhearson
Officer Scott Spillman
Officer Darren Jones**

5. Council Committee Reports

a. Finance Committee Report

Finance Committee Minutes - 08-12-2026

6. Department Reports

a. Health Department Report

Health Department Report - 08-17-2026

7. Consent Agenda

a. Request to approve the previous meeting minutes of July 20, 2026, Fishers City Council meeting.

Minutes - 07-20-2026

b. R081726 - A Resolution of the Common Council Authorizing the City Controller to Transfer Certain Funds.

City Funds Transfers - Resolution - R081726

City Funds Transfers - Exhibit A - R081726

City Funds Transfers - Council Action Form - R081726

Regular Agenda - Budget/Financial

8. R081726A - A Resolution of the Common Council Authorizing the City Controller to Appropriate Additional Public Safety Funds to The City of Fishers Municipal Budget - Public Hearing

Additional Appropriation of Public Safety (PSAP) Funds - Resolution - R081726A

Additional Appropriation of Public Safety (PSAP) Funds - Exhibit A - R081726A

Additional Appropriation of Public Safety (PSAP) Funds - Council Action Form - R081726A

9. R081726B - A Resolution of the Common Council Authorizing the City Controller to Appropriate Additional Criminal Investigation Funds to The City of Fishers Municipal Budget - Public Hearing

Additional Appropriation of Criminal Investigation Funds - Resolution - R081726B

Additional Appropriation of Criminal Investigation Funds - Exhibit A - R081726B

Additional Appropriation of Criminal Investigation Funds - Council Action Form - R081726B

10. R081726C - A Resolution of the Common Council Authorizing the City Controller to Appropriate Additional Sewer Operating Funds to The City of Fishers Municipal Budget - Public Hearing

Additional Appropriation of Sewer Operating Funds - Resolution - R081726C

Additional Appropriation of Sewer Operating Funds - Exhibit A - R081726C

Additional Appropriation of Sewer Operating Funds - Council Action Form - R081726C

Regular Agenda - Economic Development

11. R081726D – Request to Approve Confirmatory Resolution for Patch Development Abatement - Public Hearing

Patch Development Abatement - Confirmatory Resolution - Resolution - R081726D

Patch Development Abatement - Confirmatory Resolution - Council Action Form - R081726D

Regular Agenda - Government/Miscellaneous

12. 072026 - Request to Create and Add Chapter 120 of Fishers Code of Ordinances (Designated Outdoor Refreshment Areas (DORAs) within the Nickel Plate District and Fishers District) – 2nd & Final Reading

Request to Approve Chapter 120 DORA - Ordinance - 072026

Request to Approve Chapter 120 DORA -Exhibit A - 072026

Request to Approve Chapter 120 DORA - CAF - 072026

13. 072026B – Request to Amend Chapter 91 of the Fishers Code of Ordinances (Animals) – 2nd & Final Reading

Request to Amend Chapter 91 Animals - Ordinance - 072026B - Final Reading

Request to Amend Chapter 91 Animals - CAF - 072026B - Final Reading

14. 081726 – Request to Amend Chapter 71 of the Fishers Code of Ordinances (Traffic Rules) – 1st Reading

Request to Amend Chapter 71 Traffic - Ordinance - 081726

Request to Amend Chapter 71 Traffic - CAF - 081726

Regular Agenda - Planning & Zoning

15. 051826G - Consideration of a rezone of 11.54 acres from R2 Residential to PUD-R for a 23-lot for sale single-family residential neighborhood to be known as Buckhaven (RZ-26-5) – Final Reading

RZ-26-5 Buckhaven PUD - Ordinance - 051826G - Final Reading

RZ-26-5 Buckhaven PUD - Council Action Form - 051826G - Final Reading

16. 051826H - Request to Approve a Text Amendment to the Nickel Plate District Code (NPDC) to Section 1. Zone Regulations, Section 4. Parking Regulations, Section 8. Administration, and Section 9. Definitions (TA-26-5) – Final Reading

TA-26-5 Nickel Plate District Code - Ordinance - CLEAN - 051826H - Final Reading

TA-26-5 Nickel Plate District Code - Ordinance - 051826H - Final Reading

TA-26-5 Nickel Plate District Code - Council Action Form - 051826H - Final Reading

17. 072026C - Consideration of a rezone of .83 acres from the Drive Planning PUD to the Citizens State Bank PUD to allow for a bank with a common address of 13562 E 116th Street (RZ-26-4) – Final Reading

RZ-26-4 Citizens State Bank PUD - Ordinance - 072026C - Final Reading

RZ-26-4 Citizens State Bank PUD - Petitioner Packet - 072026C - Final Reading

RZ-26-4 Citizens State Bank PUD - Engineering Memo - 072026C- Final Reading

RZ-26-4 Citizens State Bank PUD - Council Action Form - 072026C - Final Reading

18. 081726A - Consideration of a rezone of 3.51 acres from Exit 5 / Sunbeam PUD to The Yard Phase II PUD, Parcel ID: 15-15-06-00-00-001.101 & 15-15-06-00-00-001.201 (RZ-26-7) – 1st Reading

RZ-26-7 - The Yard Phase II PUD - Draft Ordinance - 081726A - First Reading

RZ-26-7 - The Yard Phase II PUD - Council Action Form - 081726A - First Reading

19. 081726B - Consideration of a rezone of 18.66 acres from the Lake Meadows

PUD and R5 Residential to the *Heart and Soul* Community Campus PUD to allow for a place of worship, outdoor recreation, and small-scale commercial with a common address of 11616 E 126th St (RZ-26-8) – 1st Reading

RZ-26-8 - Heart and Soul PUD - Draft Ordinance - 081726B - First Reading

RZ-26-8 - Heart and Soul PUD - Petitioner Packet - 081726B - First Reading

RZ-26-8 - Heart and Soul PUD - Project Description - 081726B - First Reading

RZ-26-8 - Heart and Soul PUD - Concept Plan - 081726B - First Reading

RZ-26-8 - Heart and Soul PUD - Council Action Form - 081726B - First Reading

Bralley Annexation:

20. R081726E - Request to approve a resolution adopting the Fiscal Plan for the Bralley property located at 16103 Southeastern Parkway (ANX-25-9)

ANX-25-9 Bralley Annexation - Fiscal Plan - Resolution - R081726E

ANX-25-9 Bralley Annexation - Fiscal Plan - R081726E

ANX-25-9 Bralley Annexation - Fiscal Plan - Council Action Form - R081726E

21. 072026F - Request to approve a voluntary annexation of 1.37 acres, known as the Bralley property. Subject site has a common address of 16103 Southeastern Pkwy (ANX-25-9) – Final Reading

ANX-25-9 Bralley Annexation - Ordinance - 072026F - Final Reading

ANX-25-9 Bralley Annexation - Council Action Form - 072026F - Final Reading

Buckhaven Annexation:

22. R081726F - Request to approve a resolution adopting the Fiscal Plan for the Buckhaven property located at 11798 & 11842 E 131st Street (ANX-26-2)

ANX-26-2 Buckhaven Annexation - Fiscal Plan - Resolution - R081726F

ANX-26-2 Buckhaven Annexation - Fiscal Plan - R081726F

ANX-26-2 Buckhaven Annexation - Fiscal Plan - Council Action Form - R081726F

23. 072026G - Request to approve a voluntary annexation of 11.54 acres known as the Buckhaven property. Subject site has a common address of 11798 & 11842 E 131st Street (ANX-26-2) – Final Reading

ANX-26-2 Buckhaven Annexation - Ordinance - 072026G - Final Reading

ANX-26-2 Buckhaven Annexation - Council Action Form - 072026G - Final Reading

Brooks Annexation:

24. R081726G - Request to approve a resolution adopting the Fiscal Plan for the Brooks property located at 13518 Promise Road (ANX-26-3)

ANX-26-3 Brooks Annexation Fiscal Plan - Resolution - R081726G

ANX-26-3 Brooks Annexation Fiscal Plan - R081726G

ANX-26-3 Brooks Annexation Fiscal Plan - Council Action Form - R081726G

25. 072026H - Request to approve a voluntary annexation of 1.0 acre, known as the Brooks property. Subject site has a common address of 13518 Promise Road (ANX-26-3) – Final Reading

ANX-26-3 Brooks Annexation - Draft Ordinance - 072026H

ANX-26-3 Brooks Annexation - CAF - 072026H

26. 081726C - Request to approve a voluntary annexation of .78 acres known as the Dillahay property. Subject site has a common address of 15106 E 136th Street (ANX-26-4) – 1st Reading & Public Hearing

ANX-26-4 Dillahay Annexation - Draft Ordinance - 081726C - First Reading

ANX-26-4 Dillahay Annexation - Council Action Form - 081726C - First Reading

27. Regular Items - Any other Unfinished / New Business

28. Regular Items - Community Comment

29. Items - Meeting Adjournment

[MEET_FOOT]



Fishers Health Department Update – 8/17/2026

Health First Indiana

- HFI information available here <https://www.in.gov/healthfirstindiana/your-community-info/>.

Strategic Planning and Annual Report

- Three pillars of focus: Mental Health, Healthy Living, and Aging Well.
- Community Health Assessment and report adopted by Health Board.
- 2026 – 2028 Strategic plan framework in use. 2027 strategic planning Sept-Nov.
- Annual report available here <https://health.fishersin.gov/about-us/annual-reports/>

Core Services:

- Clinical Services: 405 clinical appointments in June. Vaccines available for all ages, travel consults with travel vaccines and preventative medication prescriptions, sports physicals, and testing and treatment for conditions such as TB, STIs, lead and others. Wellness Screening services for glucose, cholesterol, and BMI down. [Schedule an appointment](#) with us or visit Walk-In Wednesdays from 8:30-4:30 when many services are available without an appointment. Clinic hours expanded 8:30 am – 4:30 pm Monday, Wednesday, Friday.
- Health Education: 2026/2027 school education ramping up and third grade field trips began 8/14. Teen Public Health Academy completed with largest cohort (20 students). Two Mental Health and four Aging Well health education sessions in August. Two *Tiny Taste* healthy eating for children and parents at AgriPark success with 360 participants. More information on scheduled education sessions [here](#).
- Environmental Health: Check the [Food Grade and Inspection Dashboard](#) for inspection reports. Mosquito, open water, and pool surveillance ongoing. Next Certified Pool Operator Course scheduled for September ([Schedule online](#)).
- Mental Health: [Stigma Free Fishers \(SFF\)](#) platform & [Community Resource List](#) remain active resources for community.
- Community Support: Expanded service to cover medical follow-up for EMS runs utilizing a public health nurse. All emergency detentions referred to social worker. In-home fall prevention program ongoing. Third *SteppingOn* course started with fourth scheduled at Britton Falls this fall. Fall Prevention Program won national [Model Practice Award](#) from the National Association of City and County Health Officials (NACCHO) at the 2026 NACCHO360 annual conference in July. Team members Brittany Cheviron-Smith and Daniel Sterling awarded the [2026 Indiana Suicide Prevention & Awareness](#) Summit award on August 5th.

Community Outreach and Social Media

- Follow us on Facebook, X and Instagram to help us get the word out on the great work we are doing, or sign up [here](#) to receive monthly updates in your inbox.
- Engage with us at upcoming events and education sessions in July and August. More information [here](#).

Grants and Funding:

- School-based club grants for 2026/2027 now open. Apply [here](#).
- FHD secured \$149,000 in grant funding to support 2026-2027 FDA standardization efforts, the Health Issues and Challenges social worker grant supporting social worker, and Mobile Integrated Health expansion. Unsuccessful on \$350,000 proposal as sub-grantee for Patient Safety Prize to expand MIH services for high complexity, frequent users of emergency medical services.
- All health department contracts and positions are posted [here](#). Currently hiring for Assistant Director of Health Operations and part-time clinic support staff and public health nurse positions.



Table 1. Select Metrics

Services Overview		
	July 2026	Jan-July 2026
Health Services		
Communicable Disease Investigations	48	214
Routine Vaccination Appointments	238	952
Testing & Screening Appointments	139	624
Travel Clinic Appointments	28	186
Fee Services		
Birth Certificates (copies)	210	1,195
Death Certificates (copies)	836	5,914
Food Inspections	71	608
Pool Inspections	30	68
Other Environmental Inspections	33	76
Health Education		
Community Members Reached	1,863	12,795
Number of Sessions	28	355
Community Support		
Unique Residents Supported	165	909
Encounters for Service	269	1,427
Referrals to Community Resources	162	1,023
Emergency Detentions Supported	14	71
Fall Prevention In-Home Assessments	3	42
Medication Safety	3	70
Stigma Free Fishers Users	653	3,820

City of Fishers City Council
Meeting Minutes
July 20, 2026

THE PUBLIC MAY STREAM THE MEETING BY GOING TO: <http://tinyurl.com/CityOfFishers>

BOARD/COMMISSION: City Council Meeting

DATE: 7/20/2026

DIRECTIONS: City Hall, 1 Municipal Drive, Fishers, IN 46038

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

1. Meeting Called to Order with the Pledge of Allegiance

- President John DeLucia called the meeting to order. Present were Tiffanie Ditlevson, Brad DeReamer, Selina Stoller, Todd Zimmerman, and Cecilia Coble. Bill Stuart was present remotely. John Weingardt and Pete Peterson were absent.
- Others present were Mayor Scott Fadness, Elliott Hultgren, Ami Webb, Whitney Wampler, Ross Hilleary, Chief Ed Gephart, Megan Baumgartner, Ried Pittard, Jake Reardon-McSoley, Lisa Bradford, Jordin Alexander, Ashley Elrod, Lelia Kheing, Nancy Jerrell, Elliott Summers, Brad Yarger, Bill French, Jennifer Knepp, Kevin Buchheit, Ross Reinhardt, Kelly Morehouse, Brett Anderson, Mark Walker, Sue Follmar, Becky McNichols, Michael Mercho, Tim and Kristen Morehead, Matthew Branz, Doug Allman, Dan Maddox, Chris Cooke, and Elizabeth Cooke.

2. Announcements: NONE

3. Proclamations: NONE

4. Presentations: NONE

5. Council Committee Reports

- a. Finance Committee Report

6. Department Reports

- a. Health Department Report

7. Consent Agenda:

- a. Request to approve the previous meeting minutes of the June 15, 2026, Fishers City Council meeting.
- b. Ro72026 - A Resolution of the Common Council Authorizing the City Controller to Transfer Certain Funds.
 - Todd Zimmerman made a motion to approve the Consent Agenda. Tiffanie Ditlevson seconded the motion. There were no remonstrance and all members voted yay. The motion passed.

REGULAR AGENDA

Business/ Financial

NONE

Economic Development

NONE

Government/Miscellaneous

8. 072026 - Request to Create and Add Chapter 120 of Fishers Code of Ordinances (Designated Outdoor Refreshment Areas (DORAs) within the Nickel Plate District and Fishers District - 1st Reading
 - Reid Pittard presented ordinance 072026 to the council.
 - Todd Zimmerman made a motion to have the 1st Reading.
9. 072026A - Request to Amend Chapter 72 (Standing, Stopping and Parking) and Chapter 75 (Parking Schedules) of the Fishers Code of Ordinances - 1st Reading
 - Whitney Wampler presented this item to the council
 - Todd Zimmerman made a motion to have the 1st Reading on ordinance 072026A.
10. 072026B – Request to Amend Chapter 91 (Animals) of the Fishers Code of Ordinances - 1st Reading
 - Whitney Wampler presented this item to the council
 - Todd Zimmerman made a motion to have the 1st Reading on ordinance 072026B.

Planning & Zoning

11. 072026C - Consideration of a rezone of .83 acres from the Drive Planning PUD to the Citizens State Bank PUD to allow for a bank with a common address of 13562 E 116th Street (RZ-26-4) – 1st Reading
 - Ross Hilleary presented this item to the council.
 - Kevin from Krieg Devault came forward to answer any questions.
 - Bill Stuart made a motion to have 1st Reading on ordinance 072026C.
12. 072026D - Consideration of a rezone of 10.45 acres from Legends at Geist PUD to the One Sixteen PUD for a 32-lot for-sale single-family residential neighborhood to be known as One Sixteen with a common address of 10401 E 116th Street (RZ-26-6) – 1st Reading
 - Ross Hilleary presented this item to the council.
 - Michael Mercho from Integra Builders came forward to answer any questions.
 - Todd Zimmerman made a motion to have 1st Reading on ordinance 072026D.

Bralley Annexation:

13. 072026F - Request to approve a voluntary annexation of 1.37 acres, known as the Bralley property. Subject site has a common address of 16103 Southeastern Pkwy (ANX-25-9) - 1st Reading & Public Hearing
 - Ross Hilleary presented this item to the council.
 - President John DeLucia opened the meeting for a Public Hearing. No one came forward and the Public Hearing was closed.
 - Todd Zimmerman made a motion to have 1st Reading on ordinance 072026F.

Buckhaven Annexation:

14. 072026G - Request to approve a voluntary annexation of 11.54 acres known as the Buckhaven property. Subject site has a common address of 11798 & 11842 E 131st Street (ANX-26-2) - 1st Reading & Public Hearing
 - Ross Hilleary presented this item to the council.
 - President John DeLucia opened the meeting for a Public Hearing. No one came forward and the Public Hearing was closed.
 - Bill Stuart made a motion to have 1st Reading on ordinance 072026G.

Brooks Annexation:

15. 072026H - Request to approve a voluntary annexation of 1.0 acre, known as the Brooks property. Subject site has a common address of 13518 Promise Road (ANX-26-3) - 1st Reading & Public Hearing
- Ross Hilleary presented this item to the council.
 - President John DeLucia opened the meeting for a Public Hearing. No one came forward and the Public Hearing was closed.
 - Todd Zimmerman made a motion to have 1st Reading on ordinance 072026H.

REGULAR ITEMS

16. Any other Unfinished / New Business - NONE

17. Community Comment

Brett Anderson came forward.

- Brett doesn't like FLOCK cameras due to lack of privacy.
- On 106th east bound you cannot see people crossing the Nickle Plate Trail due to overgrown trees.
- Parking at King Jugg is a problem. Lantern Road visibility is not good.
- Brett spoke with Lucas and stated that Lucas had a tone with him and when he calls him, he can't get an answer and voicemail is full.

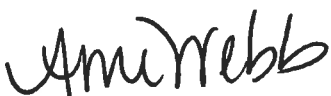
Nancy Jarrell came forward.

- Thanks for finally finishing 141st street done after almost 4 years.
- 141st from Harrison Pkwy, trucks have all been and need taken care of.
- How fast is 116th & Allisonville getting done?
- Who does the plants around town?
- Why are you re-doing Cumberland between 106th & 116th there isn't any problems there?
- The problem is 96th to 106th, it's awful.
- Lantern 131st & 126th is really narrow and has no shoulder.

18. Adjournment

- Todd Zimmerman made a motion to adjourn the meeting. Tiffanie Ditlevson seconded the motion.
- There were no remonstrance and all members voted yay. The motion passed.
- The meeting was adjourned at 8:01p.m.

Respectfully Submitted,



Ami Webb
Paralegal

19. Meeting Adjournment

Motion: Todd 2nd: Tiffanie

Time Adjourned: 8:01

RESOLUTION NO. R081726

**A RESOLUTION AUTHORIZING THE CITY CONTROLLER
TO TRANSFER CERTAIN CITY OF FISHERS BUDGET FUNDS
INTO CERTAIN BUDGET CATEGORIES**

WHEREAS, the City of Fishers, Hamilton County, Indiana (“City”) has budgeted certain amounts of funds that are used for general municipal operational purposes of the City;

WHEREAS, the certain funds as described in Exhibit A, which is attached hereto and incorporated herein (“Transfers”) are in need of various transfers in order to continue their intended purposes and operations; and

WHEREAS, the Common Council for the City of Fishers, Hamilton County, Indiana (“City Council”) now desires to authorize the City Controller to transfer said funds into said accounts, all is further described in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Common Council for the City of Fishers, Hamilton County, Indiana meeting in regular session as follows:

Section 1. The Council hereby authorizes the City Controller to make all transfers as described in Exhibit A (“Transfers”) and execute them in a timely and orderly fashion.

Section 2. This Resolution shall be in full force and effect from and upon its passage and in accordance with Indiana law.

ALL OF WHICH IS RESOLVED by the Common Council for the City of Fishers, Hamilton County, Indiana this 17th day of August, 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

R081726

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the 17th day of August **2026**, at _____p.m.

ATTEST: _____
Kimberly Greiner, Deputy Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

_____**August 17, 2026**_____
DATE



MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument is prepared by: Lindsey M. Bennett, Corporation Counsel, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey M. Bennett

BUDGET AMENDMENTS JOURNAL ENTRY PROOF

LN	ORG	OBJECT	PROJ	ORG DESCRIPTION	ACCOUNT DESCRIPTION	EFF DATE	PREV BUDGET	BUDGET CHANGE	AMENDED BUDGET	ERR
ACCOUNT					LINE DESCRIPTION					
YEAR-PER	JOURNAL	EFF-DATE	REF 1	REF 2	SRC JNL-DESC	ENTITY AMEND				
2026 07	1116	07/29/2026	BSG	Noncouncil	BUA BSG travel	1 1				
1	10101012	43100		General Fund - BSG	Professional Services		1,809,346.37	-1,500.00	1,807,846.37	
	1010.101.12.000.43100.				to travel/train		07/29/2026			
2	10101012	43200		General Fund - BSG	Comms And Transportation		14,500.00	1,500.00	16,000.00	
	1010.101.12.000.43200.				to travel/train		07/29/2026			
** JOURNAL TOTAL								0.00		
YEAR-PER	JOURNAL	EFF-DATE	REF 1	REF 2	SRC JNL-DESC	ENTITY AMEND				
2026 08	8	08/18/2026	WQ	R081726	BUA CapEqp	1 1				
1	60609014	42200		Sewer - PW Water Quality	Operating Supplies		4,103,349.48	-254,497.00	3,848,852.48	
	6060.901.94.000.42200.				Purchase of Capital Asset		Equi 08/18/2026			
2	60609014	44500		Sewer - PW Water Quality	Machinery and Equipment		982,345.96	254,497.00	1,236,842.96	
	6060.901.94.000.44500.				Purchase of Capital Asset		Equi 08/18/2026			
** JOURNAL TOTAL								0.00		
YEAR-PER	JOURNAL	EFF-DATE	REF 1	REF 2	SRC JNL-DESC	ENTITY AMEND				
2026 08	10	08/18/2026	PD	R081726	BUA PD ProfSvc	1 1				
1	10108015	42200		General Fund - Support	Operating Supplies		260,140.00	-50,000.00	210,140.00	
	1010.801.85.000.42200.				Software Expenses		08/18/2026			
2	10108013	43100		General Fund - Investigations	Professional Services		243,029.00	50,000.00	293,029.00	
	1010.801.83.000.43100.				Software Expenses		08/18/2026			
** JOURNAL TOTAL								0.00		
YEAR-PER	JOURNAL	EFF-DATE	REF 1	REF 2	SRC JNL-DESC	ENTITY AMEND				
2026 08	11	08/18/2026	BSG	R081726	BUA BSG Supp	1 1				
1	10101012	43100		General Fund - BSG	Professional Services		1,809,346.37	-1,500.00	1,807,846.37	
	1010.101.12.000.43100.				to supplies		08/18/2026			
2	10101012	42200		General Fund - BSG	Operating Supplies		4,262.53	1,500.00	5,762.53	
	1010.101.12.000.42200.				to supplies		08/18/2026			
** JOURNAL TOTAL								0.00		
YEAR-PER	JOURNAL	EFF-DATE	REF 1	REF 2	SRC JNL-DESC	ENTITY AMEND				
2026 08	191	08/18/2026	DPW WQ	R081726	BUA WQ CapPurc	1 1				

BUDGET AMENDMENTS JOURNAL ENTRY PROOF

LN	ORG	OBJECT	PROJ	ORG DESCRIPTION	ACCOUNT DESCRIPTION	EFF DATE	PREV BUDGET	BUDGET CHANGE	AMENDED BUDGET
ACCOUNT		LINE DESCRIPTION		EFF DATE		BUDGET		CHANGE	
YEAR-PER	JOURNAL	EFF-DATE	REF 1	REF 2	SRC JNL-DESC	ENTITY	AMEND		
2026	08	191 08/18/2026	DPW WQ R081726	BUA WQ CapPurc	1	1			
1	60609014 42200	Sewer - PW Water Quality	Operating Supplies	4,103,349.48					
	6060.901.94.000.42200.		purchase of capital assets	08/18/2026				-50,983.28	4,052,366.20
2	60609014 44500	Sewer - PW Water Quality	Machinery and Equipment	982,345.96					
	6060.901.94.000.44500.		purchase of capital assets	08/18/2026				50,983.28	1,033,329.24
** JOURNAL TOTAL								0.00	

BUDGET AMENDMENT JOURNAL ENTRY PROOF

CLERK: valois1

YEAR	PER	JNL	SRC	ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT LINE DESC	T	OB	DEBIT	CREDIT
2026	7	1116												
BUA	10101012-43100									Professional Services to travel/train	5			1,500.00
	07/29/2026	BSG travel	BSG			Noncouncil								
BUA	10101012-43200									Comms And Transportation to travel/train	5		1,500.00	
	07/29/2026	BSG travel	BSG			Noncouncil								
										JOURNAL 2026/07/1116	TOTAL		.00	.00
2026	8	8												
BUA	60609014-42200									Operating Supplies	5			254,497.00
	08/18/2026	CapEqp	WQ			R081726				Purchase of Capital Asset Equi	5			
BUA	60609014-44500									Machinery and Equipment	5		254,497.00	
	08/18/2026	CapEqp	WQ			R081726				Purchase of Capital Asset Equi	5			
										JOURNAL 2026/08/8	TOTAL		.00	.00
2026	8	10												
BUA	10108015-42200									Operating Supplies	5			50,000.00
	08/18/2026	PD ProfSvc	PD			R081726				Software Expenses	5			
BUA	10108013-43100									Professional Services	5		50,000.00	
	08/18/2026	PD ProfSvc	PD			R081726				Software Expenses	5			
										JOURNAL 2026/08/10	TOTAL		.00	.00
2026	8	11												
BUA	10101012-43100									Professional Services to supplies	5			1,500.00
	08/18/2026	BSG Supp	BSG			R081726								
BUA	10101012-42200									Operating Supplies to supplies	5		1,500.00	
	08/18/2026	BSG Supp	BSG			R081726								
										JOURNAL 2026/08/11	TOTAL		.00	.00
2026	8	191												
BUA	60609014-42200									Operating Supplies	5			50,983.28
	08/18/2026	WQ CapPurc	DPW WQ			R081726				purchase of capital assets	5			
BUA	60609014-44500									Machinery and Equipment	5		50,983.28	
	08/18/2026	WQ CapPurc	DPW WQ			R081726				purchase of capital assets	5			
										JOURNAL 2026/08/191	TOTAL		.00	.00

BUDGET AMENDMENT JOURNAL ENTRY PROOF

FUND ACCOUNT	YEAR	PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
FUND TOTAL						.00	.00

** END OF REPORT - Generated by Lorena valois **



Council Action Form

MEETING DATE	August 17, 2026			
TITLE	A Resolution Authorizing the City Controller to Transfer Certain City of Fishers Budget Funds Into Certain Budget Categories			
SUBMITTED BY	Name & Title: Lisa Bradford, City Controller			
	Department:			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☒ Consent	☐ Ordinance	☒ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading ☐ Final Reading
	Ordinance #:		Resolution #: R081726	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☒ Assistant/Deputy Department Head	☒ Controller's Office
	☒ Department Head	☒ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☒ Other: Corresponding Department Heads
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	A transfer of funds from one appropriation to another means removing monies from one category such as “supplies” and moving it to another such as “contractual services”.	
	Due to various circumstances and reasons sometimes throughout the year budget appropriations in their respective funds need to be transferred to avoid drawing a negative balance. When this occurs, the respective department provides a written and signed transfer request to the Controller's Office.	
	All transfers require Department Head approval before submission to the Controller's Office, whether or not they are between categories (ex. 200's to 300's) in the same department or transfers between departments. Transfers between departments also require City Council approval in addition to Department Head approval. As such, all transfers requiring City Council approval are prepared by the Controller's Office and submitted to the City Council for approval. Upon approval they are processed by the Controller's Office. Money cannot be transferred between funds.	
	Attached is a resolution and its accompanying Exhibit A ("Transfers") requesting authorization for the City Controller to transfer all funds as outlined in the exhibit.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	See Exhibit A
	Additional Appropriation #:	N/A
	Narrative:	This action does not require an expenditure or receive a revenue, rather it is transferring funds within various City funds. See Exhibit A for all transfers and transfer detail.
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Approve this resolution and authorize the City Controller to make the transfers
	2.	Deny this resolution and request
	3.	Approve selected transfer requests
	4.	Provide alternate direction
PROJECT TIMELINE	All approved transfers will be transferred respectively immediately following approval.	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends that the City Council approve this resolution authorizing the City Controller to transfer all funds as outlined in Exhibit A and fully oversee this process and request.	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Resolution 2. Exhibit A	

RESOLUTION NO. R081726A

**A RESOLUTION OF THE COMMON COUNCIL AUTHORIZING
THE CITY CONTROLLER TO APPROPRIATE ADDITIONAL
PUBLIC SAFETY (PSAP) FUNDS TO THE CITY OF FISHERS MUNICIPAL BUDGET**

WHEREAS, the City of Fishers, Hamilton County, Indiana (“City”) has budgeted a certain amount of funds that are used for municipal operational purposes of the City of Fishers;

WHEREAS, it has been determined that it is now necessary to appropriate more money than what was appropriated in the annual budget as a certain appropriation is needed in order to continue this fund’s intended purpose and operation;

WHEREAS, the Common Council for the City of Fishers (“City Council”) is desirous to authorize the City Controller to make such appropriation; and

WHEREAS, a duly noticed public hearing has been held in accordance with Indiana law.

NOW, THEREFORE, BE IT RESOLVED by the Common Council for the City of Fishers, Hamilton County, Indiana meeting in regular session as follows:

Section 1. The following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same:

Fund Name: Public Safety (PSAP) Funds

	AMOUNT REQUESTED	AMOUNT APPROVED BY FISCAL BODY
Major Budget Classification:		
<u>Personal Services</u>	\$ _____	\$ _____
<u>Supplies</u>	\$ _____	\$ _____
<u>Other Services & Charges</u>	\$ _____	\$ _____
<u>Township Assistance</u>	\$ _____	\$ _____
<u>Debt Service</u>	\$ _____	\$ _____
<u>Capital Outlays</u>	\$ 42,170 _____	\$ 42,170 _____
 TOTAL for Public Safety (PSAP) Fund	 \$ 42,170 _____	 \$ 42,170 _____

Section 2. The City Council hereby authorizes the City Controller to complete the additional appropriation as further described herein.

Section 3. This Resolution shall be in full force and effect from and upon its adoption and in accordance with Indiana law.

ALL OF WHICH IS RESOLVED by the City Council of the City of Fishers, Hamilton County, Indiana, this 17th day of August, 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA** **R081726A**

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the 17th day of August 2026, at _____ p.m.

ATTEST: _____

Kimberly Greiner, Deputy Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

August 17, 2026
DATE



MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument is prepared by: Lindsey M. Bennett, Corporation Counsel, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey M. Bennett

**CERTIFIED COPY OF ADDITIONAL APPROPRIATION**

State Form 55819 (R2 / 12-15)

PRESCRIBED BY THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE

*NOTE: If reporting an additional appropriation of bond proceeds, complete only Sections I and III; and A, B, and C of Section II.***Section I**

UNIT NAME: City of Fishers Unit Number: _____

COUNTY NAME: Hamilton County Number: _____

Date of Publication (month, day, year): 7/31/2026 Newspaper Name: Via Indiana Gateway

Date of Publication (month, day, year): _____ Newspaper Name: _____ Date Received (month, day, year): _____

Date of Public Hearing (month, day, year): 8/17/2026

Date of Resolution/Ordinance (month, day, year): 8/17/2026 Order Number: _____

Section II

Complete for each fund from which the additional appropriations are made. Use a separate column for each fund.
Lines referred to below are on the Fund Report issued by the Department.

A. DLGF Fund Number				
B. Fund Name	Public Safety (PSAP)	Criminal Investigations	Sewer Operating	
C. Appropriation Amount Requested	\$42,170.00	\$150,000.00	\$1,150,000.00	
D. Amount by Reduction (Enter as a positive number.)	\$0.00	\$0.00	\$0.00	
E. Net Amount of Increase (C minus D)	\$42,170.00	\$150,000.00	\$1,150,000.00	\$0.00
1. Property Tax Levy (Line 16)	\$0.00	\$0.00	\$0.00	
2. Levy Excess (Line 15)	\$0.00	\$0.00	\$0.00	
3. PTRC from CAGIT (Line 13A)	\$0.00	\$0.00	\$0.00	
4. LOIT Levy Freeze Amount (Line 13B)	\$0.00	\$0.00	\$0.00	
5. Misc. Revenue (Line 8B) (If higher than 8B amount, a revised Budget Form 2 must be attached.)	\$0.00	\$20,000.00	\$17,085,536.00	
6. January 1 Cash Balance (Include investments.)	\$42,170.97	\$289,523.00	\$15,191,707.00	
7. Subtotal of Funds (Add 1 thru 6.)	\$42,170.97	\$309,523.00	\$32,277,243.00	\$0.00
8. Less Circuit Breaker	\$0.00			
9. Total Funds (7 minus 8.)	\$42,170.97	\$309,523.00	\$32,277,243.00	\$0.00
10. DLGF Approved Budget (Line 1)	\$0.00	\$20,000.00	\$17,162,623.00	
11. Encumbered Appropriations Carried Forward From Previous Year	\$0.00	\$0.00	\$6,177,817.00	
12. Temporary Loans Outstanding as of January 1	\$0.00	\$0.00	\$0.00	
13. Beginning Obligations (Add 10 thru 12.)	\$0.00	\$20,000.00	\$23,340,440.00	\$0.00
14. Surplus Funds (9 minus 13.)	\$42,170.97	\$289,523.00	\$8,936,803.00	\$0.00
15. Previous additional appropriation(s) approved since January 1, less any reductions in appropriations.				
16. Amount transferred to the Rainy Day Fund (Note #1)	\$0.00			
17. Surplus Funds Remaining (14 minus 15 minus 16.)	\$42,170.97	\$289,523.00	\$8,936,803.00	\$0.00

Note #1: Do not use this line for additional appropriations for the rainy day fund. Transfers to the rainy day fund are miscellaneous revenues in the rainy day fund.

Section III

I, LISA BRADFORD fiscal officer of CITY OF FISHERS, do hereby certify that the above information is true and correct.

Dated this 17TH day of AUGUST, 2026.

Signature	Controller
1 Municipal Drive	Title
Unit Mailing Address (number and street)	317-595-3111
Fishers, Indiana 46038	Telephone Number
City, State and ZIP	bradfordl@fishers.in.us
	Email Address

R081726A



Council Action Form

MEETING DATE	August 17, 2026			
TITLE	A Resolution of the Common Council Authorizing the City Controller to Appropriate Additional Public Safety (PSAP) Funds to the City of Fishers Municipal Budget			
SUBMITTED BY	Name & Title: Lisa Bradford, City Controller Department: Controller			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☐ Ordinance	☒ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☒ Public Hearing	☐ 3 rd Reading ☐ Final Reading
	Ordinance #:		Resolution #: R081726A	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☒ Controller's Office
	☐ Department Head	☒ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	An additional appropriation is a request from staff to move allocated funding that exists in an account or fund that has not been approved for spending, to be allocated for spending. In other words, if an account or fund has a certain amount of money in it and the fiscal body has only authorized a certain percentage or amount that can be spent; then the fiscal body must authorize funds out of the cash balance (the portion of funding that exists between the authorized amount and the total amount in the fund) before such can be used. The City of Fishers has identified a need to appropriate additional funding for capital improvements to be made by the Police Department. This additional funding of \$42,170 will utilize the remaining cash balance of the fund which was created in 2023 due to a one-time distribution of public safety LIT (local income tax) funds from Hamilton County.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	Public Safety (PSAP) Fund
	Source of Funds:	Cash Reserves
	Additional Appropriation #:	10300000 44920
	Narrative:	This item is an action of requesting that \$42,170 be added to the 2026 budget.
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Approve this resolution and request
	2.	Deny this resolution and request
	3.	Provide alternate direction
	4.	
PROJECT TIMELINE	This item is effective upon adoption and has to be reported to the Indiana Department of Local Government Finance (DLGF) which will be done immediately.	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends adoption of this resolution and authorization for the City Controller to fully oversee and execute this request	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Resolution 2. Exhibit A - Additional Appropriation Worksheet for DFLG online entry	

RESOLUTION NO. R081726B

**A RESOLUTION OF THE COMMON COUNCIL AUTHORIZING
THE CITY CONTROLLER TO APPROPRIATE ADDITIONAL
CRIMINAL INVESTIGATION FUNDS TO THE CITY OF FISHERS MUNICIPAL
BUDGET**

WHEREAS, the City of Fishers, Hamilton County, Indiana (“City”) has budgeted a certain amount of funds that are used for municipal operational purposes of the City of Fishers;

WHEREAS, it has been determined that it is now necessary to appropriate more money than what was appropriated in the annual budget as a certain appropriation is needed in order to continue this fund’s intended purpose and operation;

WHEREAS, the Common Council for the City of Fishers (“City Council”) is desirous to authorize the City Controller to make such appropriation; and

WHEREAS, a duly noticed public hearing has been held in accordance with Indiana law.

NOW, THEREFORE, BE IT RESOLVED by the Common Council for the City of Fishers, Hamilton County, Indiana meeting in regular session as follows:

Section 1. The following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same:

Fund Name: Criminal Investigation Funds

	AMOUNT REQUESTED	AMOUNT APPROVED BY FISCAL BODY
Major Budget Classification:		
<u>Personal Services</u>	\$ _____	\$ _____
<u>Supplies</u>	\$ _____	\$ _____
<u>Other Services & Charges</u>	\$ _____	\$ _____
<u>Township Assistance</u>	\$ _____	\$ _____
<u>Debt Service</u>	\$ _____	\$ _____
<u>Capital Outlays</u>	\$ 150,000	\$ 150,000
 TOTAL for Criminal Investigation Fund	 \$ 150,000	 \$ 150,000

Section 2. The City Council hereby authorizes the City Controller to complete the additional appropriation as further described herein.

Section 3. This Resolution shall be in full force and effect from and upon its adoption and in accordance with Indiana law.

ALL OF WHICH IS RESOLVED by the City Council of the City of Fishers, Hamilton County, Indiana, this 17th day of August, 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

R081726B

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the **17TH**__ day of **AUGUST**__**2026**, at _____p.m.

ATTEST: _____

Kimberly Greiner, Deputy Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

August 17, 2026

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument is prepared by: Lindsey M. Bennett, Corporation Counsel, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey M. Bennett



**CERTIFIED COPY OF ADDITIONAL APPROPRIATION**

State Form 55819 (R2 / 12-15)

PRESCRIBED BY THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE

NOTE: If reporting an additional appropriation of bond proceeds, complete only Sections I and III; and A, B, and C of Section II.**Section I**

UNIT NAME: City of Fishers Unit Number: _____

COUNTY NAME: Hamilton County Number: _____

Date of Publication (month, day, year): 7/31/2026 Newspaper Name: Via Indiana Gateway

Date of Publication (month, day, year): _____ Newspaper Name: _____ Date Received (month, day, year): _____

Date of Public Hearing (month, day, year): 8/17/2026

Date of Resolution/Ordinance (month, day, year): 8/17/2026 Order Number: _____

Section II

Complete for each fund from which the additional appropriations are made. Use a separate column for each fund.
Lines referred to below are on the Fund Report issued by the Department.

A. DLGF Fund Number				
B. Fund Name	Public Safety (PSAP)	Criminal Investigations	Sewer Operating	
C. Appropriation Amount Requested	\$42,170.00	\$150,000.00	\$1,150,000.00	
D. Amount by Reduction (Enter as a positive number.)	\$0.00	\$0.00	\$0.00	
E. Net Amount of Increase (C minus D)	\$42,170.00	\$150,000.00	\$1,150,000.00	\$0.00
1. Property Tax Levy (Line 16)	\$0.00	\$0.00	\$0.00	
2. Levy Excess (Line 15)	\$0.00	\$0.00	\$0.00	
3. PTRC from CAGIT (Line 13A)	\$0.00	\$0.00	\$0.00	
4. LOIT Levy Freeze Amount (Line 13B)	\$0.00	\$0.00	\$0.00	
5. Misc. Revenue (Line 8B) (If higher than 8B amount, a revised Budget Form 2 must be attached.)	\$0.00	\$20,000.00	\$17,085,536.00	
6. January 1 Cash Balance (Include investments.)	\$42,170.97	\$289,523.00	\$15,191,707.00	
7. Subtotal of Funds (Add 1 thru 6.)	\$42,170.97	\$309,523.00	\$32,277,243.00	\$0.00
8. Less Circuit Breaker	\$0.00			
9. Total Funds (7 minus 8.)	\$42,170.97	\$309,523.00	\$32,277,243.00	\$0.00
10. DLGF Approved Budget (Line 1)	\$0.00	\$20,000.00	\$17,162,623.00	
11. Encumbered Appropriations Carried Forward From Previous Year	\$0.00	\$0.00	\$6,177,817.00	
12. Temporary Loans Outstanding as of January 1	\$0.00	\$0.00	\$0.00	
13. Beginning Obligations (Add 10 thru 12.)	\$0.00	\$20,000.00	\$23,340,440.00	\$0.00
14. Surplus Funds (9 minus 13.)	\$42,170.97	\$289,523.00	\$8,936,803.00	\$0.00
15. Previous additional appropriation(s) approved since January 1, less any reductions in appropriations.				
16. Amount transferred to the Rainy Day Fund (Note #1)	\$0.00			
17. Surplus Funds Remaining (14 minus 15 minus 16.)	\$42,170.97	\$289,523.00	\$8,936,803.00	\$0.00

Note #1: Do not use this line for additional appropriations for the rainy day fund. Transfers to the rainy day fund are miscellaneous revenues in the rainy day fund.

Section III

I, LISA BRADFORD fiscal officer of CITY OF FISHERS, do hereby certify that the above information is true and correct.

Dated this 17TH day of AUGUST, 2026.

Signature	Controller
1 Municipal Drive	Title
Unit Mailing Address (number and street)	317-595-3111
Fishers, Indiana 46038	Telephone Number
City, State and ZIP	bradfordl@fishers.in.us
	Email Address

R081726B



Council Action Form

MEETING DATE	August 17, 2026			
TITLE	A Resolution of the Common Council Authorizing the City Controller to Appropriate Additional Criminal Investigation Funds to the City of Fishers Municipal Budget			
SUBMITTED BY	Name & Title: Lisa Bradford, City Controller Department: Controller			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☐ Ordinance	☒ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☒ Public Hearing	☐ 3 rd Reading ☐ Final Reading
	Ordinance #:		Resolution #: R081726B	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☒ Controller's Office
	☐ Department Head	☒ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	An additional appropriation is a request from staff to move allocated funding that exists in an account or fund that has not been approved for spending, to be allocated for spending. In other words, if an account or fund has a certain amount of money in it and the fiscal body has only authorized a certain percentage or amount that can be spent; then the fiscal body must authorize funds out of the cash balance (the portion of funding that exists between the authorized amount and the total amount in the fund) before such can be used. The City of Fishers has identified a need to appropriate additional funding for capital improvements to be made by the Police Department. This additional funding will assist the Police Department in creating more effective workspace for its divisions.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	Criminal Investigations Fund
	Source of Funds:	Cash Reserves
	Additional Appropriation #:	27068011 44920
	Narrative:	This item is an action of requesting that \$150,000 be added to the 2026 budget.
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Approve this resolution and request
	2.	Deny this resolution and request
	3.	Provide alternate direction
	4.	
PROJECT TIMELINE	This item is effective upon adoption and has to be reported to the Indiana Department of Local Government Finance (DLGF) which will be done immediately.	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends adoption of this resolution and authorization for the City Controller to fully oversee and execute this request	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Resolution 2. Exhibit A - Additional Appropriation Worksheet for DFLG online entry	

RESOLUTION NO. R081726C

**A RESOLUTION OF THE COMMON COUNCIL AUTHORIZING
THE CITY CONTROLLER TO APPROPRIATE ADDITIONAL
SEWER OPERATING FUNDS TO THE CITY OF FISHERS MUNICIPAL BUDGET**

WHEREAS, the City of Fishers, Hamilton County, Indiana (“City”) has budgeted a certain amount of funds that are used for municipal operational purposes of the City of Fishers;

WHEREAS, it has been determined that it is now necessary to appropriate more money than what was appropriated in the annual budget as a certain appropriation is needed in order to continue this fund’s intended purpose and operation;

WHEREAS, the Common Council for the City of Fishers (“City Council”) is desirous to authorize the City Controller to make such appropriation; and

WHEREAS, a duly noticed public hearing has been held in accordance with Indiana law.

NOW, THEREFORE, BE IT RESOLVED by the Common Council for the City of Fishers, Hamilton County, Indiana meeting in regular session as follows:

Section 1. The following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same:

Fund Name: Sewer Operating Funds

	AMOUNT REQUESTED	AMOUNT APPROVED BY FISCAL BODY
Major Budget Classification:		
<u>Personal Services</u>	\$ _____	\$ _____
<u>Supplies</u>	\$ _____	\$ _____
<u>Other Services & Charges</u>	\$ _____	\$ _____
<u>Township Assistance</u>	\$ _____	\$ _____
<u>Debt Service</u>	\$ _____	\$ _____
<u>Capital Outlays</u>	\$ 1,150,00	\$ 1,150,00
 TOTAL for Sewer Opearting Fund	 \$ 1,150,000	 \$ 1,150,000

Section 2. The City Council hereby authorizes the City Controller to complete the additional appropriation as further described herein.

Section 3. This Resolution shall be in full force and effect from and upon its adoption and in accordance with Indiana law.

ALL OF WHICH IS RESOLVED by the City Council of the City of Fishers, Hamilton County, Indiana, this 17th day of August, 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

R081726C

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the 17TH day of AUGUST 2026, at _____ p.m.

ATTEST: _____

Kimberly Greiner, Deputy Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

August 17, 2026
DATE



MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument is prepared by: Lindsey M. Bennett, Corporation Counsel, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey M. Bennett

**CERTIFIED COPY OF ADDITIONAL APPROPRIATION**

State Form 55819 (R2 / 12-15)

PRESCRIBED BY THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE

*NOTE: If reporting an additional appropriation of bond proceeds, complete only Sections I and III; and A, B, and C of Section II.***Section I**

UNIT NAME: City of Fishers Unit Number: _____

COUNTY NAME: Hamilton County Number: _____

Date of Publication (month, day, year): 7/31/2026 Newspaper Name: Via Indiana Gateway

Date of Publication (month, day, year): _____ Newspaper Name: _____ Date Received (month, day, year): _____

Date of Public Hearing (month, day, year): 8/17/2026

Date of Resolution/Ordinance (month, day, year): 8/17/2026 Order Number: _____

Section II

Complete for each fund from which the additional appropriations are made. Use a separate column for each fund.
Lines referred to below are on the Fund Report issued by the Department.

A. DLGF Fund Number				
B. Fund Name	Public Safety (PSAP)	Criminal Investigations	Sewer Operating	
C. Appropriation Amount Requested	\$42,170.00	\$150,000.00	\$1,150,000.00	
D. Amount by Reduction (Enter as a positive number.)	\$0.00	\$0.00	\$0.00	
E. Net Amount of Increase (C minus D)	\$42,170.00	\$150,000.00	\$1,150,000.00	\$0.00
1. Property Tax Levy (Line 16)	\$0.00	\$0.00	\$0.00	
2. Levy Excess (Line 15)	\$0.00	\$0.00	\$0.00	
3. PTRC from CAGIT (Line 13A)	\$0.00	\$0.00	\$0.00	
4. LOIT Levy Freeze Amount (Line 13B)	\$0.00	\$0.00	\$0.00	
5. Misc. Revenue (Line 8B) (If higher than 8B amount, a revised Budget Form 2 must be attached.)	\$0.00	\$20,000.00	\$17,085,536.00	
6. January 1 Cash Balance (Include investments.)	\$42,170.97	\$289,523.00	\$15,191,707.00	
7. Subtotal of Funds (Add 1 thru 6.)	\$42,170.97	\$309,523.00	\$32,277,243.00	\$0.00
8. Less Circuit Breaker	\$0.00			
9. Total Funds (7 minus 8.)	\$42,170.97	\$309,523.00	\$32,277,243.00	\$0.00
10. DLGF Approved Budget (Line 1)	\$0.00	\$20,000.00	\$17,162,623.00	
11. Encumbered Appropriations Carried Forward From Previous Year	\$0.00	\$0.00	\$6,177,817.00	
12. Temporary Loans Outstanding as of January 1	\$0.00	\$0.00	\$0.00	
13. Beginning Obligations (Add 10 thru 12.)	\$0.00	\$20,000.00	\$23,340,440.00	\$0.00
14. Surplus Funds (9 minus 13.)	\$42,170.97	\$289,523.00	\$8,936,803.00	\$0.00
15. Previous additional appropriation(s) approved since January 1, less any reductions in appropriations.				
16. Amount transferred to the Rainy Day Fund (Note #1)	\$0.00			
17. Surplus Funds Remaining (14 minus 15 minus 16.)	\$42,170.97	\$289,523.00	\$8,936,803.00	\$0.00

Note #1: Do not use this line for additional appropriations for the rainy day fund. Transfers to the rainy day fund are miscellaneous revenues in the rainy day fund.

Section III

I, LISA BRADFORD fiscal officer of CITY OF FISHERS, do hereby certify that the above information is true and correct.

Dated this 17TH day of AUGUST, 2026.

Signature	Controller
1 Municipal Drive	Title
Unit Mailing Address (number and street)	317-595-3111
Fishers, Indiana 46038	Telephone Number
City, State and ZIP	bradfordl@fishers.in.us
	Email Address

R081726C



Council Action Form

MEETING DATE	August 17, 2026			
TITLE	A Resolution of the Common Council Authorizing the City Controller to Appropriate Additional Sewer Operating Funds to the City of Fishers Municipal Budget			
SUBMITTED BY	Name & Title: Lisa Bradford, City Controller Department: Controller			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☐ Ordinance	☒ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☒ Public Hearing	☐ 3 rd Reading ☐ Final Reading
	Ordinance #:		Resolution #: R081726C	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☒ Controller's Office
	☐ Department Head	☒ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	An additional appropriation is a request from staff to move allocated funding that exists in an account or fund that has not been approved for spending, to be allocated for spending. In other words, if an account or fund has a certain amount of money in it and the fiscal body has only authorized a certain percentage or amount that can be spent; then the fiscal body must authorize funds out of the cash balance (the portion of funding that exists between the authorized amount and the total amount in the fund) before such can be used. The City of Fishers has identified a need to appropriate additional funding for capital improvements to be made regarding sewer infrastructure to create restroom facilities at the Fishers Sports Complex and the Plateau. This additional funding of \$1,150,000 will help construct a 4-season restroom with 4 separate unisex ADA compliant restrooms at each location.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	Sewer Operating Fund
	Source of Funds:	Cash Reserves
	Additional Appropriation #:	60601013 44920
	Narrative:	This item is an action of requesting that \$1,150,000 be added to the 2026 budget.
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Approve this resolution and request
	2.	Deny this resolution and request
	3.	Provide alternate direction
	4.	
PROJECT TIMELINE	This item is effective upon adoption and has to be reported to the Indiana Department of Local Government Finance (DLGF) which will be done immediately.	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends adoption of this resolution and authorization for the City Controller to fully oversee and execute this request	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Resolution 2. Exhibit A - Additional Appropriation Worksheet for DFLG online entry	

RESOLUTION NO: R081726D

**CONFIRMATORY RESOLUTION DESIGNATING CERTAIN PROPERTY AS AN
ECONOMIC REVITALIZATION AREA AND AUTHORIZING A REAL PROPERTY
TAX ABATEMENT - 9786 MASTERS ROAD**

WHEREAS, founded in 2019, Patch Development, a Fishers-based, Indiana commercial real estate development firm that specializes in land development, built-to-suit projects, site selection and consulting, is the sister company of Patch Metro Park Building 4 LLC (“Patch”);

WHEREAS, Patch has advised the City of Fishers, Hamilton County, Indiana (the “City”) that it desires to construct an approximately 22,000 sq. ft. office building on property generally known as 9786 Masters Road and depicted on **Exhibit A** (the “Site”) and locate its new permanent headquarters and operational hub for development on the Site, if the City will satisfy certain obligations including authorizing a five (5)-year real property tax abatement for the Site in the amount of 75% of real property taxes on the office building and Site (the “Abatement”);

WHEREAS, Patch has additionally agreed to meet or cause to be met certain hiring and investment thresholds at the Site;

WHEREAS, Patch filed the Statement of Benefits for the Abatement that is attached hereto as **Exhibit B** (“Statements of Benefits”);

WHEREAS, at its May 18, 2026 meeting, the City’s Common Council (the “Council”) approved R051826C - Declaratory Resolution Designating Certain Property as an Economic Revitalization Area (Patch Development - 9786 Masters Road) (“ERA”);

WHEREAS, pursuant to Ind. Code §§ 6-1.1-12.1-2.5 and 5-3-1 *et. seq.*, the City provided notice that during its August 17, 2026, duly noticed and regularly scheduled meeting, it will hold a hearing on the ERA designation and will receive and hear all remonstrances and objections from interested persons; and

WHEREAS, following the hearing, the Council is authorized, pursuant to Ind. Code § 6-1.1-12.1 *et. seq.*, to authorize the establishment of the ERA and grant the Abatement.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Fishers, Hamilton County, Indiana meeting in regular session as follows:

Section 1. The Site is found to be an area within the Council’s jurisdiction that meets the statutory criteria of an ERA and is hereby declared an ERA.

Section 2. After review of information provided by Patch, including without limitation, the scope of Patch’s planned project, the Council has determined the following:

- (a) The estimate of the value of the use of the Site is reasonable for projects of that nature;
- (b) The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the project;
- (c) The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the project;
- (d) There are additional benefits that can be reasonably expected to result from project;
and
- (e) The totality of benefits is sufficient to justify the deduction.

Section 3. The Council has held a public hearing on this Confirmatory Resolution, and the Council hereby confirms the Declaratory Resolution and approves this Confirmatory Resolution.

Section 4. The Council hereby additionally authorizes the Abatements.

Section 5. The City shall cause this Resolution to be filed in the Offices of the Hamilton County Auditor and Assessor.

ALL OF WHICH IS RESOLVED by the City Council for the City of Fishers, Hamilton County, Indiana this ____ day of August, 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

R081726D

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor
Scott Fadness on the 17th day of August 2026 at _____ p.m.

ATTEST: _____

Kimberly Greiner, Deputy Clerk



MAYOR'S APPROVAL

Scott A. Fadness, Mayor

August 17, 2026
DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive,
Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this
document, unless required by law." Lindsey Bennett

Exhibit A
Site

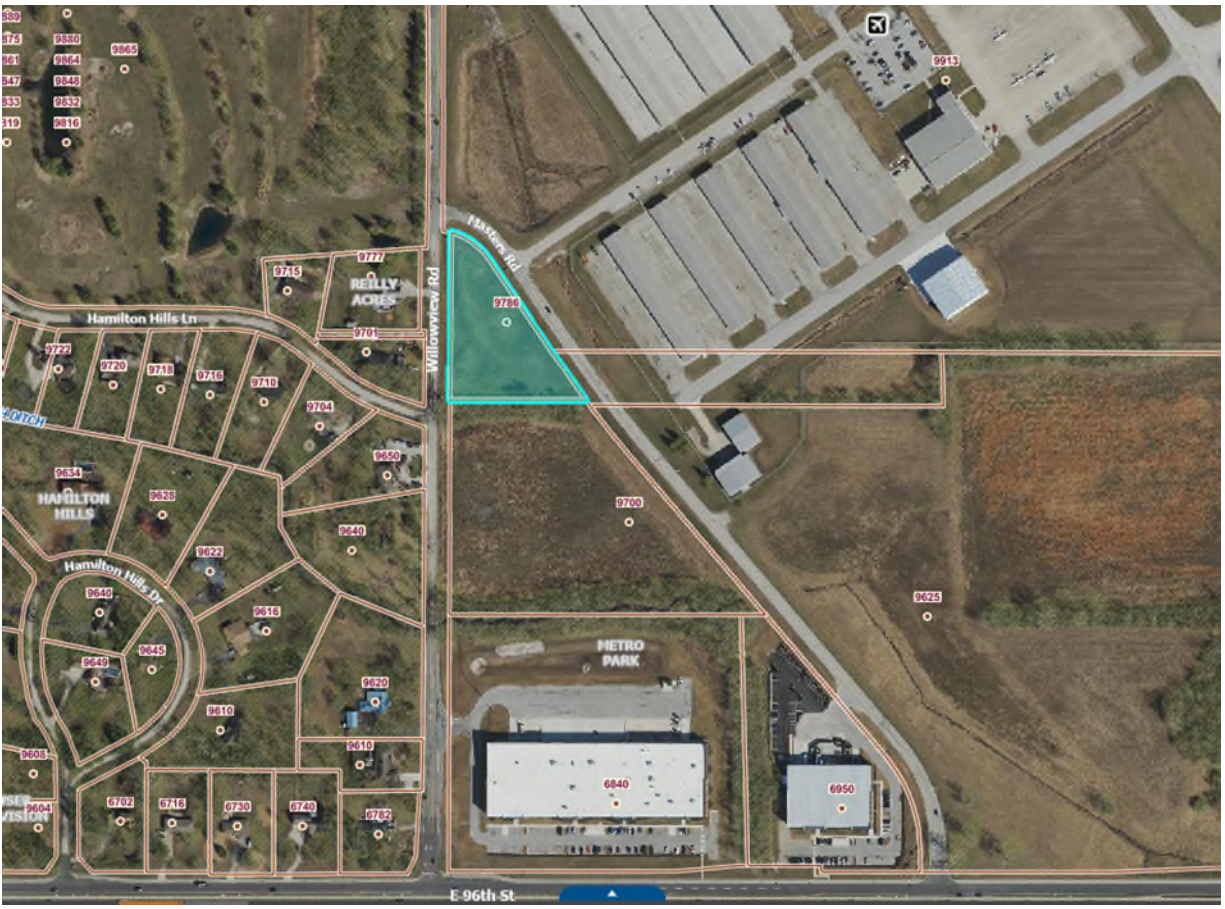


Exhibit B Statement of Benefits



STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51757 (RS / 10-14)

Prescribed by the Department of Local Government Finance

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☐ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
3. To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
4. A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
5. For a Form 38-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form 38-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

20 <u> </u> PAY 20 <u> </u>
FORM SB-1 / Real Property
PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer Patch Metro Park Building 4 LLC					
Address of taxpayer (number and street, city, state, and ZIP code) 6950 E 96th St, Suite 200, Fishers, IN 46038					
Name of contact person Andrew Greenwood		Telephone number (317) 412-4298		E-mail address andrew@patch-development.com	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body City of Fishers					
Location of property 9786 Masters Rd, Fishers, IN 46038		County Hamilton		Resolution number 006	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) Develop the 1.72 acre Lot at the corner of Masters Road and Willowview Road into a 22,000 SF flex office headquarter building				Estimated start date (month, day, year) 4/20/2026	
				Estimated completion date (month, day, year) 1/01/2027	
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number 13.00	Salaries \$70.00	Number retained 13.00	Salaries \$70.00	Number additional 5.00	Salaries \$70.00
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
REAL ESTATE IMPROVEMENTS					
COST			ASSESSED VALUE		
Current values			\$21,100.00		
Plus estimated values of proposed project			7,000,000.00		
Less values of any property being replaced			0.00		
Net estimated values upon completion of project			7,000,000.00		
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER					
Estimated solid waste converted (pounds) _____			Estimated hazardous waste converted (pounds) _____		
Other benefits _____					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative 				Date signed (month, day, year) 5/7/2026	
Printed name of authorized representative ANDREW GREENWOOD				Title EXECUTIVE VP General Counsel	

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed _____ calendar years* (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
 1. Redevelopment or rehabilitation of real estate improvements ☐ Yes ☐ No
 2. Residentially distressed areas ☐ Yes ☐ No
- C. The amount of the deduction applicable is limited to \$ _____.
- D. Other limitations or conditions (specify) _____
- E. Number of years allowed: ☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5 (* see below)
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10
- F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
☐ Yes ☐ No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (signature and title of authorized member of designating body)	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by (signature and title of attester)	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
 - (2) The number of new full-time equivalent jobs created.
 - (3) The average wage of the new employees compared to the state minimum wage.
 - (4) The infrastructure requirements for the taxpayer's investment.
- (b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
- (c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.



Council Action Form

MEETING DATE	August 17, 2026			
TITLE	Confirmatory Resolution Designating Certain Property (9786 Masters Road) As An Economic Revitalization Area And Authorizing Abatement			
SUBMITTED BY	Name & Title: Megan Baumgartner, Economic Development Director Department: Economic Development			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☐ Ordinance	☒ Resolution	☒ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☒ Public Hearing	☒ 3 rd Reading ☐ Final Reading
	Ordinance #:		Resolution #: R081726D	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office Document must be recorded in the Auditor & Assessor's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☒ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – Name of Reviewer: Jennifer C. Messer	
BACKGROUND (Includes description, background, and justification)	Founded in 2019, Patch Development, a Fishers-based, Indiana commercial real estate development firm that specializes in land development, built-to-suit projects, site selection and consulting, is the sister company of Patch Metro Park Building 4 LLC ("Patch"). Patch has advised the City that it desires to construct an approximately 22,000 sq. ft. office building on property generally known as 9786 Masters Road (the "Site") and locate its new, permanent headquarters and operational hub for development on the Site, if the City will satisfy certain obligations including authorizing a five (5)-year real property tax abatement for the Site in the amount of 75% of real property taxes on the office building and Site (the "Abatement"). Patch has additionally agreed to meet or cause to be met certain hiring and investment thresholds at the Site. Patch filed its Statement of Benefits for the Abatement, and pursuant to Ind. Code § 6-1.1-12.1-2.5, the Site qualifies for an economic revitalization area ("ERA") designation. A public hearing on this matter was noticed, and the Council is authorized to approve the subject Confirmatory Resolution.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	Not an additional budget item- Abatement
	Expenditure \$:	None
	Source of Funds:	None
	Additional Appropriation #:	
	Narrative:	
OPTIONS (Include Deny Approval Option)	1.	Approve the Resolution
	2.	Reject the Resolution
	3.	
	4.	
PROJECT TIMELINE		
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Approve the Resolution.	

SUPPLEMENTAL INFORMATION (List all attached documents)	- Confirmatory Resolution
--	---------------------------

ORDINANCE NO. 702026

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FISHERS, INDIANA, ESTABLISHING A DESIGNATED OUTDOOR REFRESHMENT AREA AND CREATING CHAPTER 120 OF THE FISHERS CODE OF ORDINANCES

WHEREAS, IC §7.1-3-31 provides authority to a municipality to enact an ordinance establishing a designated outdoor refreshment areas (“DORAs”) within the territorial boundaries of the municipality;

WHEREAS, IC §7.1-3-31 allows a municipality to have not more than seven (7) DORAs within the territorial boundaries of the municipality;

WHEREAS, the Common Council of the City of Fishers has determined that it is in the best interest of the City of Fishers (“City”) to establish two (2) DORAs within the territorial boundaries as authorized by IC §7.1-3-31 to encourage vibrant social activities, an inviting atmosphere, and economic development, whether during regular business hours or as part of a festival or special event;

WHEREAS, the Common Council of the City of Fishers wishes to establish the Nickel Plate Designated Outdoor Refreshment Area (“Nickel Plate DORA”) and the Fishers District Designated Outdoor Refreshment Area (“Fishers District DORA”) in the City pursuant to IC §7.1-3-31, which is located within the territorial boundaries of the City;

WHEREAS, the City analyzed the proposed location of the Nickel Plate DORA and the Fishers District DORA and determined the location to be consistent with the economic development pattern for the area, the Fishers Code of Ordinances (“Code of Ordinances”), and the Uniform Development Ordinance (“UDO”); and

WHEREAS, the City believes it is in the best interest of its residents to establish the Nickel Plate DORA and the Fishers District DORA, as well as general rules and regulations for any DORA, as required by IC §7.1-3-31.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Fishers, Hamilton County, Indiana, meeting in regular session as follows:

Section 1. The foregoing Recitals are fully incorporated herein by this reference. Chapter 120 is hereby created and added to the City of Fishers Code of Ordinances as follows:

CHAPTER 120 DESIGNATED OUTDOOR REFRESHMENT AREAS

120.01 DEFINITIONS.

All definitions under IC §7.1-3-31 and any applicable definitions of the Fishers Code of Ordinances (“Code of Ordinances”) and the Uniform

Development Ordinance (“UDO”) are fully incorporated herein by this reference.

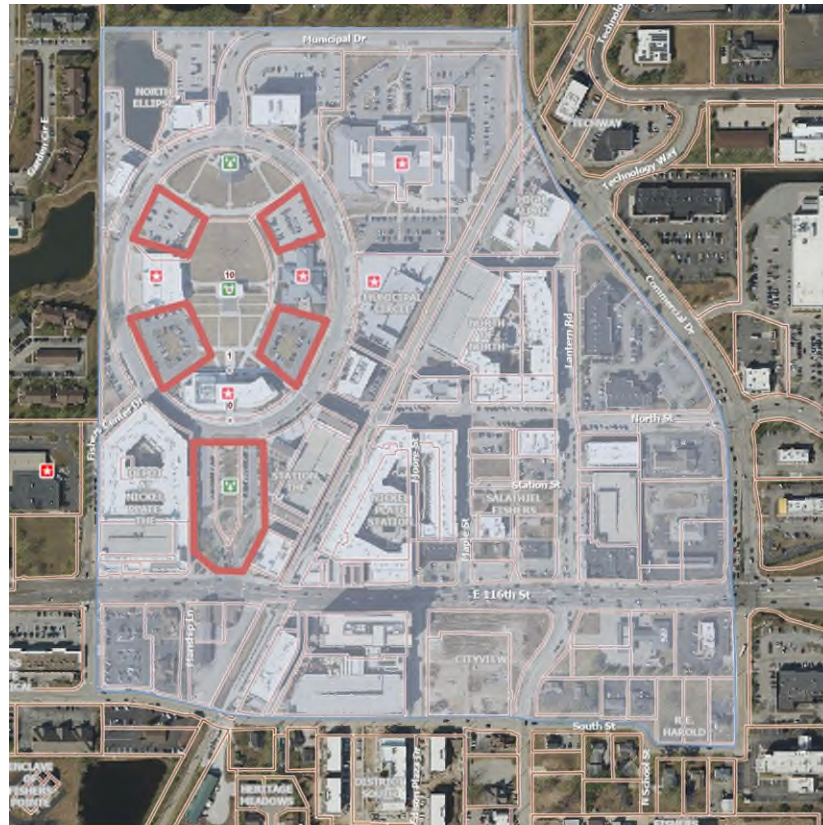
120.02. DORA ESTABLISHED.

(A) The Common Council for the City of Fishers establishes the Nickel Plate Designated Outdoor Refreshment Area (“Nickel Plate DORA”) pursuant to IC §7.1-3-31, and consistent with all applicable state and local laws, rules, and regulations. The Nickel Plate DORA is consistent with the zoning ordinances for the City under the UDO.

(B) The Common Council for the City of Fishers establishes the Fishers District Designated Outdoor Refreshment Area (“Fishers District DORA”) pursuant to IC §7.1-3-31, and consistent with all applicable state and local laws, rules, and regulations. The Fishers District DORA is consistent with the zoning ordinances for the City under the UDO

120.03 MAP FOR THE NICKEL PLATE DORA.

The area contained in the map below is identified and established as a Nickel Plate DORA under IC §7.1-3-31 as follows:



120.04 BOUNDARIES OF NICKEL PLATE DORA.

The boundaries of the Nickel Plate DORA are defined by street address, parcel number, and direction as follows:

With the Southern border beginning at the corner South Street and Commercial Drive at 8936 South Drive, Fishers, Indiana 46038 (Parcel Number 15-15-06-01-01-009.000) and heading West along South Street toward Fishers Center Drive, across the Nickel Plate Trail until South Street becomes Fishers Center Drive; with the Southern border ending where Fishers Center Drive forks North at 8593 E. 116th Street, Fishers, Indiana 46038 (Parcel Number 15-14-01-02-01-001.000).

With the Western border beginning at 8593 E. 116th Street, Fishers, Indiana 46038 (Parcel Number 15-14-01-02-01-001.000) and traveling North across East 116th Street along Fishers Center Drive and heading North from 8593 E. 116th Street, Fishers, Indiana 46038 (Parcel Number 15-14-01-02-01-001.000) to 8594 E. 116th Street, Unit 449, Fishers, Indiana 46038 and continuing North to 8594 E. 116th Street, Apt. 422, and 8594 E. 116th Street, Apt. 414, Fishers, Indiana 46038; continuing north along the West side of 1 Municipal, Fishers, Indiana 46038 (Parcel Number 15-10-36-04-02-017.001), North to the West side of 14 Municipal Drive, Fishers, Indiana 46038 (Parcel Number 15-10-36-04-02-023.000), and ending at 0 Municipal Drive, Fishers, Indiana 46038 (Parcel Number 15-10-36-04-02-017.301).

With the Northern border beginning at 0 Municipal Drive, Fishers, Indiana 46038 (Parcel Number 15-10-36-04-02-017.301) and traveling directly East along Municipal Drive to the Nickel Plate Trail at 0 Lantern Road, Fishers, Indiana 46038 (Parcel Number 14-11-31-03-01-018.000).

With the Eastern border beginning along the Nickel Plate Trail at 0 Lantern Road, Fishers, Indiana 46038 (Parcel Number 14-11-31-03-01-018.000) and moving South along Commercial Drive to 11787 Lantern Road, Fishers, Indiana 46038 (Parcel Number 15-11-31-03-10-001.000); 11680 Commercial Drive, Fishers, Indiana 46038 (Parcel Number 15-11-31-03-08-001.000); and 11662 Commercial Drive, Fishers, Indiana 46038 (Parcel Number 15-11-31-03-05-001.001); and toward East 116th Street, across East 116th Street and ending at 8936 South Drive, Fishers, Indiana 46038 (Parcel Number 15-15-06-01-01-009.000) at the corner of Commercial Drive and South Street.

All residential properties are excluded.

120.05 MAP FOR THE FISHERS DISTRICT DORA.

The area contained in the map below is identified and established as a Fishers District DORA under IC §7.1-3-31 as follows:



120.06 BOUNDARIES OF FISHERS DISTRICT DORA.

The boundaries of the Nickel Plate DORA are defined by street address, parcel number, and direction as follows:

With the Northern border beginning at the intersection of East 116th Street and Ikea Way at 9701 E. 116th Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-12-001.000) traveling East along East 116th Street to 11595 Whistle Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-13-040.000) and the Northeast corner of 0 District North Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-13-039.000).

With the Eastern border beginning at the corner of East 116th Street and 11595 Whistle Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-13-040.000) and the Northeast corner of 0 District North Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-13-039.000); South to the Southeast corner of 115500 Whistle Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-13-038.000) and West along District North Drive to the Southwest corner of 0 District North Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-13-039.000) then directly South to the Southeast corner of 11455 Ikea Way, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-12-005.000); directly West to 9229 Gritstone Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-14-006.000) to the Southeast corner of the same parcel along Union Point Drive and West to 11313 USA Parkway, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-002.002); South to Forum Way and West to the Northeast corner of

0 Stockdale Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-002.313) and South along Hopper Avenue around 0 Stockdale Street, Fishers, Indiana 46037 to the Southeastern edge of 0 Stockdale Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-013.000).

With the Southern border beginning at the Southeast corner of 0 Stockdale Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-013.000) and moving West along the Southern border of 0 Stockdale Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-013.000) and along the Southern border of 0 Stockdale Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-014.000) and ending at the Southwest corner of the same.

With the Western border beginning at the Southwest corner of 0 Stockdale Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-014.000); North to USA Drive at 0 USA Parkway, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-001.103); North along USA drive at 0 Stockdale Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-002.313), 11313 USA Parkway, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-002.002), and 9229 Gritstone Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-14-006.000) to the intersection at USA Parkway and IKEA Way; North along IKEA Way at 11455 IKEA Way, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-12-005.000) and 9705 Fishers District Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-12-004.000); and ending at the intersection of IKEA Way and East 116th Street at 9701 E. 116th Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-12-001.000).

All residential properties are excluded.

120.07 HOURS OF OPERATION.

Unless otherwise approved by a festival or special event permit, or limited by IC §7.1-3-1-14, the hours of operation for a DORA shall be as follows:

- (1) Monday through Thursday, 4:00 PM to 10:00 PM.
- (2) Friday through Sunday, 8:00 AM to 11:00 PM.

120.08. DESIGNATED PERMITTEES

(A) Designated Permittees. Businesses located at the following locations, that may be updated before submission to the Alcohol and Tobacco Commission, have submitted completed applications to the City to participate as designated permittees within a DORA, and the City has approved these businesses to participate in their respective DORAs,

subject to approval by the Alcohol and Tobacco Commission. Schedule 120.06 below provides the designated permittees for each DORA:

Schedule 120.08 Designated Permittees

<i>Nickel Plate District DORA Designated Permittee</i>	<i>Address</i>
Parks Place Pub	8594 E. 116 Street, Ste. 70, Fishers, IN 46038
Four Day Ray Brewing	11671 Lantern Road, Fishers, IN 46038
Café Patachou Nickel Plate	8654 E. 116 th Street, Fishers, IN 46038
Another Broken Egg Café	8626 E. 116 th Steet, #175, Fishers, IN 46038
Derailed	8651 E. 116 th Street, Fishers, IN 46038
Tiburon	8701 E. 116 th Street, Ste. 160, Fishers, IN 46038
Cooper & Cow	8626 E. 116 th Street, Fishers, IN 46038

<i>Fishers District DORA Designated Permittee</i>	<i>Address</i>
Sun King Fishers	9713 District N. Drive, Ste. 1220, Fishers, IN 46037
Sangiovese Ristorante	9708 District, North Street, Ste. 920, Fishers, IN 46037
RIZE Fishers	9705 Fishers District Drive, Ste. 760, Fishers, IN 46037
Sangrita Grill & Cantina	11547 Yard Street, Apt. 810, Fishers, Indiana 46037
101 Craft Kitchen	9708 District N. Drive, Ste. 910, Fishers, IN 46037
Peace Water Winery	11547 Yard Street, Apt. 830, Fishers, IN 46037
Havana Cigar Lounge	9707 District N. Drive, Ste. 1110, Fishers, IN 46037
Torchy's Tacos	11595 Whistle Drive, Ste. 101-A, Fishers, IN 46037

(B) Additional Designated Permittees. The Board of Public Works & Safety is authorized to approve requests for additional designated permittees, subject to Indiana law. Any additional business located within a DORA that wishes to become a designated permittee shall submit an application attached hereto to the Board of Public Works & Safety for

approval. Once approved, the applicant may proceed to apply for the designated permittee status with the Alcohol and Tobacco Commission.

120.09 TEMPORARY VENDORS.

(A) Approval by the Alcohol and Tobacco Commission. Any business or entity may seek approval from the Alcohol and Tobacco Commission for a Temporary Beer and Wine Event or Supplemental Catering approval and as a Temporary Vendor Designation to operate as a vendor within a DORA during a special event, festival, or other time.

(B) Approval by the City. The Board of Public Works & Safety is authorized to approve temporary vendors to participate in a DORA. A business or entity seeking to temporarily participate in a DORA shall obtain approval from the City through the Board of Public Works & Safety.

(C) Temporary Vendor Locations within the DORA. Temporary Vendors may locate in the DORA as shown on a DORA map for “Temporary Vendors” or as otherwise approved or designated by the City for special events.

120.10 CONTAINERS AND ALCOHOL CONSUMPTION.

(A) Use of Non-breakable Containers. Designated permittees and Temporary Vendors shall use only non-breakable containers, including plastic bottles, aluminum cans or bottles, plastic cups, or paper cups. Glass containers are not permitted to be used in a DORA.

(B) DORA Logo. A container under this Section must be affixed with the approved DORA logo for alcoholic beverages sold and consumed within a DORA. Each designated permittee and vendor shall be responsible for procuring containers affixed with the approved DORA logo.

(C) Drink Limitations. A designated permittee or a vendor may allow a person to exit their premises into a DORA with not more than two (2) open alcoholic beverages. The contents of an open container may not exceed the following:

- (1) Beer or flavored malt beverage of not more than sixteen (16) ounces.
- (2) Wine, cider, or hard seltzer of not more than twelve (12) ounces.
- (1) A mixed drink of not more than ten (10) ounces containing not more than two (2) ounces of liquor.

(D) Consumption of Alcoholic Beverage Outside a DORA.

- (1) A person may consume an alcoholic beverage purchased from a designated permittee or temporary vendor anywhere within the DORA, subject to the right of a business within the DORA to refuse to allow individuals to enter the licensed premises or business with an alcoholic beverage.
- (2) A person may not consume an alcoholic beverage in public areas of a DORA that was purchased outside of a DORA.
- (3) A person may exit the licensed premises of a designated permittee or temporary vendor with not more than two (2) open containers of alcoholic beverage at a time and consume the alcoholic beverage within a DORA.

(E) Volume Enforcement. Designated permittees and temporary vendors are responsible for enforcing the volumes served as statutorily required and to ensure compliance with state law and regulations of their permits.

120.11 SIGNS; TYPE; NUMBER; SPACING.

(A) Sign Requirements. A sign must be posted at each exit of the licensed premises of a designated permittee or at the exit of a temporary vendor that informs the public of the following:

- (1) Any open alcoholic beverage containers purchased within a DORA must remain within a DORA.
- (2) Possessing an open container of alcoholic beverages in a motor vehicle may constitute a Class C infraction under IC §9-30-15.
- (3) The dates the refreshment area will be open if the refreshment area has date restrictions.
- (4) A patron may not enter a DORA with a container of beverage alcohol purchased from outside a DORA.
- (5) A patron may exit the premises of a designated permittee or temporary vendor with no more than two (2) open containers of beverage alcohol.
- (6) A patron may not enter the premises with beverage alcohol purchased from another premises within a DORA if the retailer chooses to exercise that right.
- (7) Any other notices required by the Alcohol and Tobacco Commission or state law.

(B) Compliance with UDO. All signs must comply with the requirements of the UDO.

120.12. TRASH RECEPTACLES REQUIRED.

All businesses participating in a DORA shall continuously maintain at least one (1) trash receptacle outside all main entrances to the premises at their sole cost and expense.

120.13 PUBLIC SAFETY PLAN AND SANITATION PLAN.

The City currently conducts regular monitoring of each DORA. The Department of Community and Economic Development and the Fishers Police Department shall develop and implement a public safety plan and a sanitation plan to address public safety and sanitation needs of each DORA.

120.14 RESTRICTION OR SUSPENSION OF OPERATION OF THE DORA.

The Mayor and Chief of Police are authorized to restrict days and hours or operation and/or suspend the operation of any DORA on a temporary basis, as necessary to preserve the public health and safety of the public.

120.99 ENFORCEMENT.

Citations for violation of this chapter may be issued by the Fishers Police Department or the Department of Planning, Community and Economic Development. Each person in violation of this chapter shall pay a fine to the city's Ordinance Violations Bureau in the sum and amount set forth in § 36.08. If the violation is not paid, an enforcement action may be filed by the City Attorney's office in the Fishers City Court.

Section 2. Section 36.08 SCHEDULE OF FINES, is hereby amended to add the following fines:

§36.08 SCHEDULE OF FINES

VIOLATION - DORA	CODE SECTION	FINE	IF NOT PAID AFTER 30 DAYS
All sections	120.99	\$250	\$500

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

ALL OF WHICH IS SO ORDAINED by the Common Council of the City of Fishers this
17th day of _August_, 2026.

CHAPTER 120 DESIGNATED OUTDOOR REFRESHMENT AREAS

120.01 DEFINITIONS.

All definitions under IC §7.1-3-31 and any applicable definitions of the Fishers Code of Ordinances (“Code of Ordinances”) and the Uniform Development Ordinance (“UDO”) are fully incorporated herein by this reference.

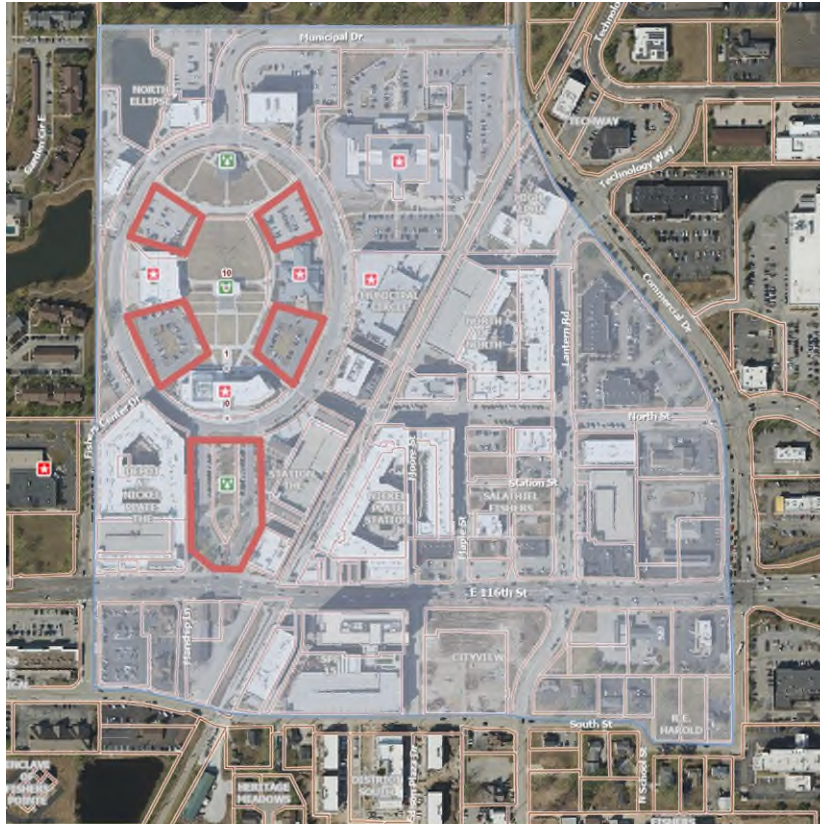
120.02. DORA ESTABLISHED.

(A) The Common Council for the City of Fishers establishes the Nickel Plate Designated Outdoor Refreshment Area (“Nickel Plate DORA”) pursuant to IC §7.1-3-31, and consistent with all applicable state and local laws, rules, and regulations. The Nickel Plate DORA is consistent with the zoning ordinances for the City under the UDO.

(B) The Common Council for the City of Fishers establishes the Fishers District Designated Outdoor Refreshment Area (“Fishers District DORA”) pursuant to IC §7.1-3-31, and consistent with all applicable state and local laws, rules, and regulations. The Fishers District DORA is consistent with the zoning ordinances for the City under the UDO

120.03 MAP FOR THE NICKEL PLATE DORA.

The area contained in the map below is identified and established as a Nickel Plate DORA under IC §7.1-3-31 as follows:



120.04 BOUNDARIES OF NICKEL PLATE DORA.

The boundaries of the Nickel Plate DORA are defined by street address, parcel number, and direction as follows:

With the Southern border beginning at the corner of South Street and Commercial Drive at 8936 South Drive, Fishers, Indiana 46038 (Parcel Number 15-15-06-01-01-009.000) and heading West along South Street toward Fishers Center Drive, across the Nickel Plate Trail until South Street becomes Fishers Center Drive; with the Southern border ending where Fishers Center Drive forks North at 8593 E. 116th Street, Fishers, Indiana 46038 (Parcel Number 15-14-01-02-01-001.000).

With the Western border beginning at 8593 E. 116th Street, Fishers, Indiana 46038 (Parcel Number 15-14-01-02-01-001.000) and traveling North across East 116th Street along Fishers Center Drive and heading North from 8593 E. 116th Street, Fishers, Indiana 46038 (Parcel Number 15-14-01-02-01-001.000) to 8594 E. 116th Street, Unit 449, Fishers, Indiana 46038 and continuing North to 8594 E. 116th Street, Apt. 422, and 8594 E. 116th Street, Apt. 414, Fishers, Indiana 46038; continuing north along the West side of 1 Municipal, Fishers, Indiana 46038 (Parcel Number 15-10-36-04-02-017.001), North to the West side of 14 Municipal Drive, Fishers, Indiana 46038 (Parcel Number 15-10-36-04-02-023.000),

and ending at 0 Municipal Drive, Fishers, Indiana 46038 (Parcel Number 15-10-36-04-02-017.301).

With the Northern border beginning at 0 Municipal Drive, Fishers, Indiana 46038 (Parcel Number 15-10-36-04-02-017.301) and traveling directly East along Municipal Drive to the Nickel Plate Trail at 0 Lantern Road, Fishers, Indiana 46038 (Parcel Number 14-11-31-03-01-018.000).

With the Eastern border beginning along the Nickel Plate Trail at 0 Lantern Road, Fishers, Indiana 46038 (Parcel Number 14-11-31-03-01-018.000) and moving South along Commercial Drive to 11787 Lantern Road, Fishers, Indiana 46038 (Parcel Number 15-11-31-03-10-001.000); 11680 Commercial Drive, Fishers, Indiana 46038 (Parcel Number 15-11-31-03-08-001.000); and 11662 Commercial Drive, Fishers, Indiana 46038 (Parcel Number 15-11-31-03-05-001.001); and toward East 116th Street, across East 116th Street and ending at 8936 South Drive, Fishers, Indiana 46038 (Parcel Number 15-15-06-01-01-009.000) at the corner of Commercial Drive and South Street.

All residential properties are excluded.

120.05 MAP FOR THE FISHERS DISTRICT DORA.

The area contained in the map below is identified and established as a Fishers District DORA under IC §7.1-3-31 as follows:



120.06 BOUNDARIES OF FISHERS DISTRICT DORA.

The boundaries of the Nickel Plate DORA are defined by street address, parcel number, and direction as follows:

With the Northern border beginning at the intersection of East 116th Street and Ikea Way at 9701 E. 116th Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-12-001.000) traveling East along East 116th Street to 11595 Whistle Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-13-040.000) and the Northeast corner of 0 District North Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-13-039.000).

With the Eastern border beginning at the corner of East 116th Street and 11595 Whistle Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-13-040.000) and the Northeast corner of 0 District North Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-13-039.000); South to the Southeast corner of 115500 Whistle Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-13-038.000) and West along District North Drive to the Southwest corner of 0 District North Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-13-039.000) then directly South to the Southeast corner of 11455 Ikea Way, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-12-005.000); directly West to 9229 Gritstone Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-14-006.000) to the Southeast corner of the same parcel along Union Point Drive and West to 11313 USA Parkway, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-002.002); South to Forum Way and West to the Northeast corner of 0 Stockdale Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-002.313) and South along Hopper Avenue around 0 Stockdale Street, Fishers, Indiana 46037 to the Southeastern edge of 0 Stockdale Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-013.000).

With the Southern border beginning at the Southeast corner of 0 Stockdale Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-013.000) and moving West along the Southern border of 0 Stockdale Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-013.000) and along the Southern border of 0 Stockdale Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-014.000) and ending at the Southwest corner of the same.

With the Western border beginning at the Southwest corner of 0 Stockdale Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-014.000); North to USA Drive at 0 USA Parkway, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-001.103); North along USA drive at 0 Stockdale Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-002.313), 11313 USA Parkway, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-00-002.002), and 9229 Gritstone Drive, Fishers, Indiana 46037 (Parcel

Number 15-15-06-00-14-006.000) to the intersection at USA Parkway and IKEA Way; North along IKEA Way at 11455 IKEA Way, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-12-005.000) and 9705 Fishers District Drive, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-12-004.000); and ending at the intersection of IKEA Way and East 116th Street at 9701 E. 116th Street, Fishers, Indiana 46037 (Parcel Number 15-15-06-00-12-001.000).

All residential properties are excluded.

120.07 HOURS OF OPERATION.

Unless otherwise approved by a festival or special event permit, or limited by IC §7.1-3-1-14, the hours of operation for a DORA shall be as follows:

(1) Monday through Thursday, 4:00 PM to 10:00 PM.

Friday through Sunday, 8:00 AM to 11:00 PM.**120.08. DESIGNATED PERMITTEES**

(A) Designated Permittees. Businesses located at the following locations, that may be updated before submission to the Alcohol and Tobacco Commission, have submitted completed applications to the City to participate as designated permittees within a DORA, and the City has approved these businesses to participate in their respective DORAs, subject to approval by the Alcohol and Tobacco Commission. Schedule 120.06 below provides the designated permittees for each DORA:

Schedule 120.08 Designated Permittees

<i>Nickel Plate District DORA Designated Permittee</i>	<i>Address</i>
Parks Place Pub	8594 E. 116 Street, Ste. 70, Fishers, IN 46038
Four Day Ray Brewing	11671 Lantern Road, Fishers, IN 46038
Café Patachou Nickel Plate	8654 E. 116 th Street, Fishers, IN 46038
Another Broken Egg Café	8626 E. 116 th Steet, #175, Fishers, IN 46038
Derailed	8651 E. 116 th Street, Fishers, IN 46038
Tiburon	8701 E. 116 th Street, Ste. 160, Fishers, IN 46038
Cooper & Cow	8626 E. 116 th Street, Fishers, IN 46038

<i>Fishers District DORA Designated Permittee</i>	<i>Address</i>
Sun King Fishers	9713 District N. Drive, Ste. 1220, Fishers, IN 46037
Sangiovese Ristorante	9708 District, North Street, Ste. 920, Fishers, IN 46037
RIZE Fishers	9705 Fishers District Drive, Ste. 760, Fishers, IN 46037
Sangrita Grill & Cantina	11547 Yard Street, Apt. 810, Fishers, IN 46037
101 Craft Kitchen	9708 District N. Drive, Ste. 910, Fishers, IN 46037
Peace Water Winery	11547 Yard Street, Apt. 830, Fishers, IN 46037
Havana Cigar Lounge	9707 District N. Drive, Ste. 1110, Fishers, IN 46037
Torchy's Tacos	11595 Whistle Drive, Ste. 101-A, Fishers, IN 46037

(B) Additional Designated Permittees. The Board of Public Works & Safety is authorized to approve requests for additional designated permittees, subject to Indiana law. Any additional business located within a DORA that wishes to become a designated permittee shall submit an application attached hereto to the Board of Public Works & Safety for approval. Once approved, the applicant may proceed to apply for the designated permittee status with the Alcohol and Tobacco Commission.

120.09 TEMPORARY VENDORS.

(A) Approval by the Alcohol and Tobacco Commission. Any business or entity may seek approval from the Alcohol and Tobacco Commission for a Temporary Beer and Wine Event or Supplemental Catering approval and as a Temporary Vendor Designation to operate as a vendor within a DORA during a special event, festival, or other time.

(B) Approval by the City. The Board of Public Works & Safety is authorized to approve temporary vendors to participate in a DORA. A business or entity seeking to temporarily participate in a DORA shall obtain approval from the City through the Board of Public Works & Safety.

(C) Temporary Vendor Locations within the DORA. Temporary Vendors may locate in the DORA as shown on a DORA map for "Temporary Vendors" or as otherwise approved or designated by the City for special events.

120.10 CONTAINERS AND ALCOHOL CONSUMPTION.

(A) Use of Non-breakable Containers. Designated permittees and Temporary Vendors shall use only non-breakable containers, including plastic bottles, aluminum cans or bottles, plastic cups, or paper cups. Glass containers are not permitted to be used in a DORA.

(B) DORA Logo. A container under this Section must be affixed with the approved DORA logo for alcoholic beverages sold and consumed within a DORA. Each designated permittee and vendor shall be responsible for procuring containers affixed with the approved DORA logo.

(C) Drink Limitations. A designated permittee or a vendor may allow a person to exit their premises into a DORA with not more than two (2) open alcoholic beverages. The contents of an open container may not exceed the following:

- (1) Beer or flavored malt beverage of not more than sixteen (16) ounces.
- (2) Wine, cider, or hard seltzer of not more than twelve (12) ounces.
- (1) A mixed drink of not more than ten (10) ounces containing not more than two (2) ounces of liquor.

(D) Consumption of Alcoholic Beverage Outside a DORA.

- (1) A person may consume an alcoholic beverage purchased from a designated permittee or temporary vendor anywhere within the DORA, subject to the right of a business within the DORA to refuse to allow individuals to enter the licensed premises or business with an alcoholic beverage.
- (2) A person may not consume an alcoholic beverage in public areas of a DORA that was purchased outside of a DORA.
- (3) A person may exit the licensed premises of a designated permittee or temporary vendor with not more than two (2) open containers of alcoholic beverage at a time and consume the alcoholic beverage within a DORA.

(E) Volume Enforcement. Designated permittees and temporary vendors are responsible for enforcing the volumes served as statutorily required and to ensure compliance with state law and regulations of their permits.

120.11 SIGNS; TYPE; NUMBER; SPACING.

(A) Sign Requirements. A sign must be posted at each exit of the licensed premises of a designated permittee or at the exit of a temporary vendor that informs the public of the following:

- (1) Any open alcoholic beverage containers purchased within a DORA must remain within a DORA.

- (2) Possessing an open container of alcoholic beverages in a motor vehicle may constitute a Class C infraction under IC §9-30-15.
- (3) The dates the refreshment area will be open if the refreshment area has date restrictions.
- (4) A patron may not enter a DORA with a container of beverage alcohol purchased from outside a DORA.
- (5) A patron may exit the premises of a designated permittee or temporary vendor with no more than two (2) open containers of beverage alcohol.
- (6) A patron may not enter the premises with beverage alcohol purchased from another premises within a DORA if the retailer chooses to exercise that right.
- (7) Any other notices required by the Alcohol and Tobacco Commission or state law.

(B) Compliance with UDO. All signs must comply with the requirements of the UDO.

120.12. TRASH RECEPTACLES REQUIRED.

All businesses participating in a DORA shall continuously maintain at least one (1) trash receptacle outside all main entrances to the premises at their sole cost and expense.

120.13 PUBLIC SAFETY PLAN AND SANITATION PLAN.

The City currently conducts regular monitoring of each DORA. The Department of Community and Economic Development and the Fishers Police Department shall develop and implement a public safety plan and a sanitation plan to address public safety and sanitation needs of each DORA.

120.14 RESTRICTION OR SUSPENSION OF OPERATION OF THE DORA.

The Mayor and Chief of Police are authorized to restrict days and hours or operation and/or suspend the operation of any DORA on a temporary basis, as necessary to preserve the public health and safety of the public.

120.99 ENFORCEMENT.

Citations for violation of this chapter may be issued by the Fishers Police Department or the Department of Planning, Community and Economic Development. Each person in violation of this chapter shall pay a fine to the city's Ordinance Violations Bureau in the sum and amount set forth in

§ 36.08. If the violation is not paid, an enforcement action may be filed by the City Attorney's office in the Fishers City Court.

Section 2. Section 36.08 SCHEDULE OF FINES, is hereby amended to add the following fines:

§36.08 SCHEDULE OF FINES

VIOLATION - DORA	CODE SECTION	FINE	IF NOT PAID AFTER 30 DAYS
All sections	120.99	\$250	\$500



Council Action Form

MEETING DATE	August 17, 2026			
TITLE	Request to Create and Add Chapter 120 of Fishers Code of Ordinances (Designated Outdoor Refreshment Areas (DORAs))			
SUBMITTED BY	Name & Title: Reid Pittard, Assistant Director of Economic Development Department: Community & Economic Development			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☒ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading ☒ Final Reading
	Ordinance #: 072026		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	X Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☐ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
BACKGROUND (Includes description, background, and justification)	This ordinance establishes Designated Outdoor Refreshment Areas (DORAs), the Nickel Plate District DORA and the Fishers District DORA, allowing patrons to purchase alcoholic beverages from participating, ATC-permitted businesses and consume them within clearly defined public areas. It provides another tool to strengthen our downtown districts by supporting local businesses, encouraging walkability, and creating an engaging visitor experience, while maintaining the operational controls and public safety measures necessary for responsible implementation. Amendments made from 1st Reading are attached hereto.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	None
	Expenditure \$:	None
	Source of Funds:	N/A
	Additional Appropriation #:	
	Narrative:	
OPTIONS (Include <i>Deny Approval</i> Option)	1.	
	2.	
	3.	
	4.	
PROJECT TIMELINE	Implementation will begin September 1, 2026, pending ATC review.	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	N/A	
SUPPLEMENTAL INFORMATION (List all attached documents)	N/A	

ORDINANCE NO. 072026B

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA AMENDING CHAPTER 91 (ANIMALS) OF THE
CITY OF FISHERS CODE OF ORDINANCES**

WHEREAS, Chapter 91 of the Code of Ordinances of the City of Fishers regulates animals within the City of Fishers (“Fishers”);

WHEREAS, Fishers, by and through its police department, desires to amend Chapter 91 to implement best practices regarding the conditions in which animals can safely remain outdoors;

WHEREAS, there was a printing error, and the section numbers from the passed ordinance do not match the section numbers posted to American Legal; and

WHEREAS, the Common Council for the City of Fishers (“City Council”) now desires to amend Chapter 91 as further provided in Exhibit A, which is attached hereto and incorporated herein (the “Amendment”).

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Fishers, Indiana meeting in regular session as follows:

- Section 1.** The Council hereby approves the repeal and replacement of Chapter 91 (Animals) of the Fishers Code of Ordinance as set out in the attached Exhibit A, incorporated herein.
- Section 2.** All other provisions of the City’s ordinances not in conflict with or specifically changed by the Amendment shall remain in full force and effect.
- Section 3.** This Ordinance shall be of full force and effect from and upon its adoption and in accordance with Indiana law.

SO ORDAINED by the Common Council of the City of Fishers, Hamilton County, Indiana meeting in regular session this 17th day of August, 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the ____ day of _____ **2026**, at _____ p.m.

ATTEST: _____

Jennifer L Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument is prepared by: Lindsey M. Bennett, Corporation Counsel, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey M. Bennett



Exhibit A

- 91.01 Adoption of state law
- 91.02 Definitions
- 91.03 Duties and responsibilities
- 91.04 Permanent identification of dogs and cats required
- 91.05 Restraint of animals and animals at large
- 91.06 Public nuisance animals and feral cats
- 91.07 Dangerous animals declaration
- 91.08 Animal bites and quarantine
- 91.09 Commercial animal establishments
- 91.10 Disposition of dead animals
- 91.11 Cruelty; neglect; abandonment
- 91.12 Vaccination of dogs, cats and ferrets
- 91.13 Report of vehicular collision with animal
- 91.14 Interfering with Animal Control Officer
- 91.15 Injured animals; action required
- 91.16 Animal waste
- 91.17 Lost or stray animals
- 91.18 Animals in vehicles
- 91.19 Animal sacrifice
- 91.20 Sterilization of dogs and cats required
- 91.21 Additional restrictions on owners of dangerous or nuisance animals
- 91.22 Service animals in public buildings
- 91.23 Jurisdiction
- 91.24 Enforcement procedures
- 91.25 Authority to destroy animals declared dangerous animals under §91.07

- 91.99 Penalty

§ 91.01 ADOPTION OF STATE LAW.

(A) All laws of the state which pertain to the regulation and control of animals, including but not limited to their ownership, licensing, harboring, abandonment, running at large, rabies control and quarantine, pursuit, capture, confinement, the prevention and control of diseases of domestic animals, and the active rules and regulations of the State Board of Health and unlawful acts relating thereto which are not inconsistent with this title are made a part of this chapter by reference.

(B) The sections of this chapter are not to replace state laws but are to be considered supplementary and in addition to the laws of the state and are to be fully enforced where not inconsistent with those laws. Any violation of the state statute, which is an infraction by state law, is a violation under the state statute.

§ 91.02 DEFINITIONS.

For purposes of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED. To desert an animal or to leave the animal without making provision for adequate long-term care of the animal or to leave in a place without the expressed permission of

the property owner, custodian or tenant of the property. The term does not include leaving an animal in a place that is temporarily vacated for the protection of human life during a disaster.

ACCLIMATED. The point at which an animal has adapted to a new temperature, climate, or environment. Factors such as body size and shape, hair coat, body condition, and the animal's overall health greatly influence the time required for an animal to acclimate to these high or low temperatures.

ADULT DOG/CAT. Any dog or cat that is three months of age or older for the purposes of rabies vaccinations/tags.

ANIMAL. Every living non-human vertebrate creature.

ANIMAL CONTROL OFFICER. Any person who is authorized to implement and enforce city animal care and control ordinances as defined in state statutes.

ANIMAL CRUELTY. An intentional or malicious act(s) whereby unnecessary or unjustifiable pain, suffering or death is caused.

ANIMAL HOARDING.

- (1) Collecting animals and failing to provide them with adequate shelter and care;
- (2) Collecting dead animals that are not properly disposed of; and/or
- (3) Collecting, housing or harboring animals in filthy, insanitary conditions that constitute a health hazard to the animals being kept, to the individual(s) residing at the property, or to the animals or residents of an adjacent property.

ANIMAL NEGLECT. The same definition as found in IC 35-46-3.5(4).

AUCTION. A commercial animal establishment where animals are regularly bought, sold, traded, etc., through a bidding process; i.e., a flea market.

AUTHORIZED VETERINARIAN. Any person licensed or permitted to practice veterinary medicine under the laws of the state, and having had no previous judgements related to their practice of veterinary medicine.

BAIT. Using an animal as a lure to provoke an attack upon that animal for the purpose of dog fighting or to cause the intentional harm or death of that animal.

BREEDERS.

(1) **APPROVED BREEDERS.**

(a) **HOBBY BREEDERS.** Persons who focus their efforts on the health and betterment of the breed and operate with less than 20 unaltered female dogs that are at least 12 months of age. Approved Breeders shall follow the AKC's Guidelines for Responsible Breeding including but not limited to:

- 1. Provide adequate care, shelter, space, and veterinary care to all breeding dogs and puppies as defined in this chapter;

2. Screen buyers to ensure they can afford appropriate care and provide puppies a safe home;
3. Require a purchase contract informing city residents of the mandatory spay and neuter ordinance and free breeder's permit option;
4. Require the return to breeder policy should the purchaser be unable to keep the puppy for any reason; and
5. Obtain a Breeder's Permit from the Police Department Animal Control Officer.

(2) **BACKYARD BREEDERS.**

- (a) Individuals who allow for the careless home breeding of more than one female dog at a time;
- (b) Individuals with less than 20 unaltered female dogs that are at least 12 months of age, that do not adhere to good breeding and sale practices or do not provide dogs and/or puppies adequate care as defined in this chapter;
- (c) Individuals who sell un-weaned (under eight weeks old) and/or diseased puppies;
- (d) Individuals who breed more than one female dog, for commercial reasons, that have not obtained a Breeder's Permit from the Police Department Animal Control Officer.
- (e) This definition does not apply to humane societies, rescue groups, or foster homes.

CARE (adequate and humane). Providing an animal with the following:

- (1) Adequate food and water;
- (2) Adequate shelter;
- (3) Adequate space; and
- (4) Adequate veterinary care, as defined in this chapter, necessary to maintain the health of the animal with regard to its specific age, size, species and breed.

CIRCUS. A commercial animal establishment variety show featuring animals as public entertainment.

CITY. The incorporated and unincorporated areas of the City of Fishers.

COLONY. A group of one or more feral cats.

COLONY CARETAKER. An authorized person who provides food, water and shelter for feral cats in a registered colony.

COMMERCIAL ANIMAL ESTABLISHMENT. Any pet shop, auction, flea market, riding school or stable, pet grooming shop, zoological park, circus, kennel, veterinary hospital, or puppy mill as defined in this chapter.

COMPETENT PERSON. As referenced herein means a person:

- (1) of sufficient age, maturity, and mental and physical capacity who can safely control, restrain, and care for an animal;
- (2) possessing the ability and proficiency to identify when an animal is in danger and/or exhibiting signs of suffering or distress; and
- (3) possessing the ability to adequately intervene.

DIRECT CONTROL. Immediate and continuous physical control of an animal (excluding herding dogs; dogs in the process of hunting; police dogs; dogs participating in a registered field trial, obedience trial, and confirmation show and/or match) at all time such as by means of a fence, leash, cord or chain of sufficient strength to restrain the animal.

DOMESTIC ANIMAL. A dog, cat, or any other animal such as a rabbit, guinea pig, lizard, iguana, hamster, ferret, mouse, snake (non-venomous), spider, bird, or gerbil, which may normally be held, sold, or maintained as a pet. The City Council reserves the right to amend this definition by adding or deleting animals as from time to time determine to be an animal which has been domesticated.

EXOTIC ANIMAL. A wild animal that is non-native to the State of Indiana.

FERAL CAT. Any cat that has no apparent owner or identification and is wild, untamed, unsocialized, unmanageable and unable to be approached or handled.

FOOD (adequate). Providing the appropriate quantity of non-contaminated and nutritionally adequate food, fed according to age, size, species and breed requirements, which is sufficient to prevent starvation, malnutrition or risk to the animal's health. Garbage or spoiled/rancid food is not considered adequate food.

GARBAGE. Includes, but is not limited to, animal or vegetable refuse, by-product of a restaurant, kitchen or meat-/poultry-processing establishment, spoiled/rancid food and refuse accumulation of animal, fruit or vegetable matter, liquid or otherwise that is normally discarded.

GROOMING ESTABLISHMENT. Any place of business, stationary or mobile, which accepts private pets for bathing, clipping, dipping, pedicuring or other related services, but not to include breeding, dentistry or overnight boarding.

GUARD DOG/WATCH DOG. Any dog trained by a recognized training facility, as defined in this chapter, for the purpose of protecting individuals from assault and/or preventing property loss or damage.

GUIDE DOG. A properly trained dog certified by a licensed training facility that has an expertise in training dogs for physically impaired persons and that is being used by a person to assist in that physical impairment.

HARBORER/CAREGIVER. Any person who performs acts of providing care, shelter, protection, restraint, refuge, food or nourishment in such a manner as to control an animal's activities.

HUMANE SOCIETY. An incorporated organization that has a nonprofit status with the Internal Revenue Service for which the central purpose is to provide for the protection of animals.

HUMANE TRAP. Any device used for capturing an animal without inflicting injury, pain or suffering and which provides adequate ventilation for the trapped animal.

IMPOUNDMENT. The act of taking physical possession and control of an animal by an Animal Control Officer or other officer empowered to act by law and transporting it to an animal control facility or humane society.

IMMINENT DANGER. An immediate threat of harm.

INHUMANE TRAP. Any device used for capturing an animal that may inflict injury or pain; including but not limited to snares, leg traps or similar devices.

LIVESTOCK. Includes horses, cows, goats, pigs or any other four-legged animal, excluding dogs and cats, used for pleasure or profit. Fowl are expressly included within this definition.

MANAGED COLONY. A colony of feral cats that are registered with the Humane Society, or designee and is maintained by a colony caretaker using trap, neuter, return methodology.

MONITORED. The animal is controlled by means of a leash or other device held by a competent person, or is sufficiently near the owner or handler as to be under his or her direct control as defined in the chapter, and is obedient to that person's command; is on or within a vehicle being driven or parked; or is confined to the owner or handler's property and within visual range of a competent person.

OWNER. Any person who owns, harbors, keeps, feeds, maintains, has lawful possession of, or knowingly causes or knowingly permits an animal to be harbored or kept or has an animal in his care or who permits an animal to remain on or about his premises for 30 consecutive days or more; provided, however, this shall not include a person hired or acting as custodian of the animal for its owner, and shall not include colony caretakers of registered colonies of feral cats.

PET SHOP. A commercial animal establishment engaging in the retail sale of animals.

POLICE OFFICER. Any law enforcement officer empowered to make arrests or cause to be issued summonses in the incorporated areas of the city.

PROPER ENCLOSURE. Securely confined indoors or in a securely enclosed and locked pen, fence or structure suitable to prevent the animal from escaping. Such pen, fence or structure shall be constructed to prevent the animal from going over, under or through. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the animal to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only obstacles that prevent the animal from exiting.

PROVOKE. To cause an occurrence or make something happen resulting in an animal becoming angry or violent.

PUPPY. Any dog that is under the age of three months for the purposes of rabies vaccinations/tags.

PUPPY MILL. Any sized commercial animal establishment that breeds more than one female dog at a time and does not adhere to good breeding, care and sale practices. Different than a **BACKYARD BREEDER**, puppy mills are commercial operations that:

- (1) Sell puppies without screening of the purchaser;
- (2) Sell un-weaned (under eight weeks of age) or diseased puppies;
- (3) Isolate breeding dogs from human interaction in unhealthy, often deplorable, conditions;
- (4) House breeding dogs in crates, kennels, trailers, garages, barns, etc., without access to light or exercise;
- (5) Do not provide adequate shelter, food, water, space, or veterinary care as defined in this chapter.

RECOGNIZED TRAINING FACILITY. Any person holding a state kennel license and a business license for either of the purposes described in this definition.

RIDING SCHOOL or STABLE. A commercial pet establishment that has available for hire, boarding and/or riding instruction any horse, burro, donkey, pony or mule.

RUNNING AT LARGE. Any animal that leaves or strays from the land owned, rented or leased by the owner or possessor of the animal or that the animal is not under direct control as defined in this section.

SERVICE ANIMAL. Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability or as otherwise defined by the Americans with Disabilities Act. A **COMFORT DOG** is not protected under the ADA.

SHELTER (adequate). Providing protective cover for a domestic animal appropriate for its species and offering adequate space to ensure the animal's safety and good health. Adequate shelter should:

- (1) Be structurally sound, maintained in good repair, and constructed with material that protects the animal from injury;
- (2) Allow the animal easy access in and out;
- (3) Have a weather resistant top, bottom, and sides;
- (4) Have an opening on no more than one side that allows the animal to remain dry and have a floor that is level, dry, and raised, if necessary, to prevent water/snow from entering the structure;
- (5) Have a solid roof sloped away from the entrance, be free from cracks, depressions, and rough areas that might be conducive to insects, parasites, and other pests;
- (6) Be of adequate size to allow the animal to stand erect with the animal's head up, turn around easily, and to sit and lie down in a comfortable and normal position;
- (7) When the temperature is 80 degrees or higher, or whenever appropriate for a particular dog's breed, age, body and health condition, offer adequate shade during daylight hours,

provided by trees, a tarp or other means, that prevents overheating or discomfort to the animal; and

(8) When the temperature is 40 degrees or lower, or whenever appropriate for a particular dog's breed, age, body and health condition, include sufficient, dry bedding material or other means of protection from the weather that will allow the animal to retain body heat when the weather is colder than what an animal of that breed and condition can comfortably tolerate.

SPACE (ADEQUATE). Any area in which an animal is confined should be suitable for the animal's species, size, age, and breed, allowing the animal to turn about freely, stand, sit, lie, and move comfortably and in a normal position. Sick and injured animals should be confined as directed by a veterinarian.

TUFTS ANIMAL CARE AND CONDITION SCALES (TACC). Developed for use by veterinarians, animal control officers, police, and cruelty investigators by Tufts Center for Animals and Public Policy for the purpose of assessing body condition, weather and environmental safety, and physical care in dogs.

UNSANITARY CONDITIONS. Animal housing or quarters, including exercise areas, that are contaminated by health hazards, irritants, items or conditions that endanger or pose a risk to an animal's health, including but not limited to:

- (1) Excessive animal waste, garbage and trash;
- (2) Standing water or mud;
- (3) Rancid/contaminated food or water;
- (4) Fumes, foul or noxious odor, air, hazardous chemicals or poisons;
- (5) Decaying material;
- (6) Uncontrolled parasite or rodent infestation; or
- (7) Areas that contain nails, screws, broken glass, broken boards, pits, poisons, sharp implements or other items that could cause injury, illness or death to an animal.

VENTILATION (adequate). Fresh air sufficient to provide for the health of an animal.

VETERINARY CARE (adequate). Care provided under the direction of a licensed veterinarian and includes medical care necessary to maintain an animal's health and prevent unnecessary suffering. Adequate care is based on age, species and breed, and the potential for a disease or condition to spread to other animals or humans, including but not limited to:

- (1) Ongoing infections;
- (2) Infestation of parasites;
- (3) Any disease; or
- (4) Any medical condition or injury where withholding or neglecting to provide such care would endanger the health or welfare of the animal.

VETERINARY HOSPITAL. A commercial animal establishment maintained and operated by a licensed veterinarian for surgery, disease diagnosis, treatment of disease and injuries of animals.

WATER (adequate). Water that is clean, fresh, potable water sufficient to prevent dehydration, properly sustain health, and prevent significant risk to the animal's health. Snow, ice, rancid or contaminated water are excluded from the definition of adequate water.

WILD ANIMAL. Animal that lives in the wild or is not domesticated (excluding feral cats). This chapter is not intended to regulate wild and or exotic animal. Regulation of wild and or exotic animals is governed through the State of Indiana, 312 IAC, Article 9, Fish and Wildlife.

ZOOLOGICAL PARK. A commercial animal establishment displaying or exhibiting, without the primary purpose of selling, one or more species of non-domesticated animals operated by a person or governmental agency.
(Ord. 092120C, passed 10-19-20)

§ 91.03 DUTIES AND RESPONSIBILITIES.

(A) Any owner of an animal, including livestock, kept in the city shall see that such animal has access to adequate food, water, and space as defined in this chapter, and that the following conditions; if applicable; are met:

(1) Animals are kept in a safe, clean, sanitary and healthy manner and are not confined so as to be forced to stand, sit or lie in its own excrement. The person responsible for the animal shall regularly, and as often as necessary, maintain all animal areas or areas of animal contact to prevent odor or health and sanitation problems.

(2) Dog and cat owners must ensure their pets have access to adequate shelter as defined in this chapter.

(3) Dog and cat owners must ensure their pets are current on all required vaccinations including rabies as well as distemper and parvovirus inoculations.

(4) Animals are protected against abuse, cruelty, neglect, or any other mistreatment.

(5) Animals receive adequate veterinary care as defined in this chapter, and if diseased or exhibiting symptoms of disease, receives proper medical care and is segregated from other animals so as to prevent transmittal of the disease.

(6) Animals are maintained in compliance with all applicable federal, state and local laws and all regulations respecting animal care and control as are adopted by the city.

(7) Every owner of every animal kept in the city shall see that such animal shall have proper and adequate food that is nutritionally appropriate for the species in adequate amounts to maintain good health, fresh potable drinking water, shelter and ventilation, including quarters that are protected from excessive heat and cold and are of sufficient size to permit the animal to exercise and move about freely.

(8) Shall not be tethered by use of a choke collar.

(B) In addition to the general requirements of the duties and responsibilities of animal owners in this section, every owner or keeper of an animal kept in the city (excluding livestock) shall see that:

(1) Animals kept outdoors have access to adequate shelter, food, water, and space, as defined in this chapter, in all weather conditions.

(2) In accordance to the Tufts Animal Care and Condition Scales, when the temperature is:

(a) 40 degrees or lower, or whenever appropriate for a particular dog's breed, age, body and health condition, include sufficient, dry bedding material or other means of protection from

the weather that will allow the animal to retain body heat when the weather is colder than what an animal of that breed and condition can comfortably tolerate; and

(b) 80 degrees or higher, or whenever appropriate for a particular dog's breed, age, body and health condition, offer adequate shade during daylight hours, provided by trees, a tarp or other means, that prevents overheating or discomfort to the animal.

(3) In extreme weather conditions and temperatures, including a heat advisory, wind chill warning, or tornado warning that has been issued by local, state, or national authority, animals must be monitored by a competent person and have access to adequate shelter, food, water, and space, including adequate bedding and/or shade as described in this section, or, continued and uninterrupted access to a climate controlled facility.

(4) Cases will be investigated by law enforcement on an individual basis using the Tufts Animal Care and Condition Scales to determine the proper resources and care necessary to ensure each animal's safety and well-being based on its breed, age, body and health condition, and acclimation to the environment and weather conditions.

(C) Nothing in this section shall prohibit or restrict the use of livestock guard dogs, livestock working dogs, or dogs that are engaged in lawful hunting activities, if the dogs are accompanied and monitored by the owner or custodian of the dogs.

(D) Nothing in this section shall restrict an owner/keeper from allowing an animal to be outside for reasonable amounts of time during extreme temperatures to relieve itself and exercise if the animal is being monitored by a competent person.

§ 91.04 PERMANENT IDENTIFICATION OF DOGS AND CATS REQUIRED.

(A) A person who owns a dog or cat in the city shall ensure that each dog or cat owned by that person bears a permanent means of identification at all times, such that the owner of a lost or stolen dog or cat can be ascertained quickly and easily.

(B) The means of identification required by this section shall be in addition to any tags required to be worn by animals by state law or other provision of this code, and shall be either by means of:

(1) A microchip implanted in the dog or cat or animal which bears a registered identification number, and which can be read by a standard microchip scanner; or

(2) A permanent tag attached to a durable collar worn at all times by the dog or cat and bearing the owner's current name and telephone number.

(3) Each veterinarian or other person in the county who implants microchips as contemplated in this section shall give to any requesting law enforcement officer or animal care and control division the names, addresses, and phone numbers of the owners of any animal, and the corresponding microchip identification numbers without court order.

(C) It shall be unlawful for a person to own a dog or cat three months of age or older which is kept in the city, and which does not bear a permanent means of identification as provided in this section.

(D) Prior to the return to its owner of an impounded dog or cat which at the time of impoundment did not bear a permanent means of identification as required in this Code, the Humane Society shall cause a microchip with a registered identification number to be implanted in the animal with the cost to be paid by the animal owner.

(E) A person violating this section may be fined per § 91.99.

§ 91.05 RESTRAINT OF ANIMALS AND ANIMALS AT LARGE.

(A) It shall be unlawful for any owner or possessor of any animal to allow such animal to run at large, whether wearing a collar and tag or not, within the incorporated or unincorporated areas of the city. Any and all such animals found running at large, whether wearing a collar and tag or not, shall be immediately impounded by officers of the Animal Control Unit or any police officer. The officers may pursue the animal onto private property to effect capture of such animal.

(B) It shall be the duty of every owner or custodian of any animal to exercise reasonable care and take all necessary steps and precautions to protect other people, property, and animals from injuries or damage which might result from the animal's behavior. If the owner or custodian of any animal is a minor, the parent or guardian of such minor shall be jointly responsible for the minor's violation of this chapter.

(C) It shall be the duty of every owner or custodian of any animal to ensure that the animal is kept under restraint and that reasonable care and precautions are taken to prevent the animal from leaving the real property limits of its owner, possessor, or custodian, and ensure that it is:

(1) Securely and humanely enclosed within a house, building, fence, pen or other enclosure out of which it cannot climb, dig, jump, or otherwise escape on its own volition; and that such enclosure is securely locked at any time the animal is left unattended;

(2) Securely and humanely restrained by chain, cable or trolley, or other tether of sufficient strength to prevent escape;

(3) On a leash and under the direct control of a competent person while on public property or property open to the public; or off a leash and obedient to that person's command and that person is present with the animal any time it is not restrained as provided for in divisions (C)(1) or (2) above while on the owner's property or areas designated as dog parks.

(D) The owners or keeper of any female dog or cat in heat kept in the city shall confine the animal within a secure enclosure and in such a manner as to prevent it from becoming a nuisance and in such a manner so as to prevent conception except during planned breeding; or tether any unsterilized dog for any period of time unless the dog is in visual range of a competent person who is outside with the dog and done so in accordance with § 91.05.

(E) The chaining of dogs is discouraged, but if it is done, the following is required:

(1) The animal must have shelter from the weather, yet free from becoming entangled with the tether. The animal must have access to the shelter for the duration it is tethered. Adequate shelter must be kept and maintained in accordance with the definition provided in this chapter.

(2) The tether must be at least 12 feet in length with operational swivels on both ends. If the dog is attached to a trolley system, the running line must be at least 12 feet in length and the tether length must be greater than the height of the running line.

(3) The animal shall not be tethered by use of a choke collar nor by any rope, chain or cord directly attached to the animal's neck. The tether must be not of a weight heavy enough to cause physical damage to the animal's neck or body.

(4) The tether must be attached in a manner so that it cannot wrap around vertical items such as a barrel, pole or tree. It must be able to move freely in all directions.

(5) It shall be unlawful for any animal to be permanently tethered between the hours of 11:00 p.m. and 6:00 a.m.; or to tether or confine an animal at a vacant structure or premises for any purpose or time when it is not monitored by a competent person who is present at the property for the duration of such tethering or confinement.

(F) The owner or custodian of any guard dog or watchdog must confine such dog within a perimeter fence and meet the following conditions:

(1) The fence shall be sufficient to prevent the dog's escape, with all points of ingress and egress securely locked at all times.

(2) A Beware of Dog sign shall be conspicuously displayed on each exterior side of the enclosure for each 50 feet of enclosure, with a minimum of two, as well as a sign on each ingress or egress point to the enclosure. Signs shall be a minimum of 10 inches high and 14 inches long.

(G) Exceptions to this section include:

(1) Animal is involved in a scheduled dog show or obedience demonstration or trial, or is legally involved in hunting or retrieving game animals; or

(2) Animal is a certified service animal providing assistance to its handler; or

(3) Animal is a public safety K-9 unit working in an official capacity.

(H) Restraint and enclosure of animals declared dangerous animals under §91.07 required. The owner of an animal declared dangerous animals under §91.07 shall take additional precautions by restraining the dangerous animal, as required herein, immediately upon being notified that said animal has been declared dangerous under §91.07 by an Animal Control Officer, regardless of the owner's intent to request a hearing or file any appeal. An animal declared to be a dangerous animal under §91.07 shall be restrained as follows:

(1) While on the owner's property, an animal declared a dangerous animal under §91.07 shall be securely confined indoors or outside in a proper enclosure, as defined in § 91.02, with all points of ingress and egress securely locked at all times.

(2) When the animal declared a dangerous animal under §91.07 is outside of its proper enclosure but on the owner's property, it must be attended by the owner and restrained by a secure collar and leash of sufficient strength to prevent escape. The leash shall be no longer than ten feet, and the animal declared a dangerous animal under §91.07 must be kept at least 15 feet within the perimeter boundaries of the property unless the perimeter boundary is securely fenced. An animal declared a dangerous animal under §91.07 shall be muzzled while outside of its enclosure. Upon impounding an animal declared a dangerous animal under §91.07 for any reason, the animal control officer may, for reasons of public safety, retain the dangerous animal at the impoundment facility until disposition by the appropriate court.

(3) No animal declared a dangerous animal under §91.07 shall be chained, tethered, or otherwise tied to any inanimate object such as a tree, post or building, outside of its own proper enclosure as provided for in this chapter.

(4) The owner shall post the premises with a clearly visible warning sign that displays a brightly-colored and clearly visible warning symbol that informs children of the presence of an animal declared a dangerous animal under §91.07.

(5) While restrained on the owner's property, an animal declared a dangerous animal under §91.07 shall be provided with the same care as provided by in § 91.07.

§ 91.06 PUBLIC NUISANCE ANIMALS AND FERAL CATS.

(A) A public nuisance animal shall mean and include any animal that:

(1) Is repeatedly found at large;

(2) Damages the property of anyone other than the owner;

(3) Is declared a dangerous animal under §91.07;

(4) Attacks without provocation;

(5) Excessively makes disturbing noises, including but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable disturbance or discomfort to neighbors or others in close proximity to the premises where the animal is kept;

(6) Creates unsanitary conditions or offensive and objectionable odors in enclosures or surroundings and thereby creates unreasonable disturbance or discomfort to neighbors or others in close proximity to the premises where the animal is kept; or

(7) Is not being kept in conformity with city zoning ordinances.

(B) Any such public nuisance animal may be impounded and/or the owner charged for a violation of this chapter. The city's zoning requirements are found in Title XV of this Code of Ordinances.

(C) *Feral cats.*

(1) The city may establish a fund, provide services, or an approved assistance program to offset the costs of trapping, neutering, and vaccinating captured feral cats that can be returned to an appropriate, controlled, protected and registered colony site. Caregivers for such colonies, whether one or several animals, may be aided by the city or county or the approved assistance program in providing traps for the capture of the cat, transportation to a spay/neuter facility and offsetting costs, to the extent that funding is available.

(2) Each feral cat colony will be registered by the caregivers with Low Cost Spay Neuter Clinic, Inc. which will maintain current and historical information on caregivers, education for new caregivers, and assistance for persons found in violation of this chapter.

(3) Approved assistance programs for feral cat colonies within the county will exist only with the approval of the home owner or neighborhood association, if applicable, in which the colonies are to exist.

(4) It shall be unlawful for a person to provide food, water or shelter to a colony of feral cats, unless:

(a) The colony is an approved managed colony, registered with Low Cost Spay Neuter Clinic, Inc.;

(b) The food, water or shelter is provided in conjunction with the implementation of trap, neuter, and return methodology as set forth below; and

(c) The caregiver is using ear tipping on feral cats in order to be identified as a spayed or neutered and a vaccinated member of a managed colony.

(5) An approved feral cat colony caretaker, in order to obtain control of the feral cat population in the county shall:

(a) Humanely trap and sterilize (spay/neuter) and left ear-tip all cats that can be captured by an authorized veterinarian.

(b) Vaccinate, as required by law, all cats that can be captured:

1. Against rabies, preferably with a three-year vaccine; and

2. Any other infectious disease as mandated by law.

(c) Colony caretakers shall have a licensed veterinarian evaluate the health of all trapped feral cats. Seriously ill or injured cats with no reasonable prognosis for humane rehabilitation for survival outdoors will be humanely euthanized.

(d) Release all non-feral cats to animal control or humane society for adoption or placement in accordance with the law.

(e) Make every attempt to remove kittens from the colony by eight weeks of age for domestication, spay/neuter, and placement.

(f) Make every attempt to remove sick or injured cats from the colony for immediate veterinary care or humane euthanasia.

(6) Colony caretakers shall:

(1) Abide by the standard guidelines devised by this chapter, animal control or its designee, regarding the provisions of food, water, and shelter and veterinary care for the cats within the managed colony.

(2) Ensure responsibility and arrangements for feeding the cat colony regularly throughout the year, including weekends, holidays and vacations of the feral cat caregiver.

(3) Maintain proof of sterilization, vaccination, tattoo or implant and medical records from a licensed veterinarian at all times. These records must be provided to the Humane Society, Low Cost Spay Neuter Clinic Inc., or law enforcement upon request.

(7) Any law enforcement authority may impound feral cats in violation of this section. Any feral cats impounded by law enforcement authority that bears an appropriate eartipping indicating it belongs to a managed colony may, at the discretion of law enforcement be returned to its managed colony unless illness or injury present an imminent danger to public health or safety.

(8) Any person or caregiver determined to be in violation of division (C)(4), (5) or (6) shall be issued a written warning and be allowed a period of time to come into compliance or provide satisfactory evidence of working to achieve compliance. Failure to comply shall result in a violation of this chapter.

§ 91.07 DANGEROUS ANIMALS DECLARATION.

(A) It shall be unlawful for any person to cause, permit, or be responsible for the presence of any dangerous animal on the streets or public places of the city or allow the animal to run on the premises of another at any time. Upon impounding an animal declared to be a dangerous animal under this Section for any reason, the Animal Control Officer may, for reasons of public safety, retain the animal at the Hamilton County Humane Society until disposition by the appropriate court.

(B) The following additional precautions shall be taken by the owners, possessors, or custodians of animals deemed dangerous. In addition to the requirements in § 91.05, the owner of a dog deemed dangerous who maintains said dog out-of-doors shall provide a proper enclosure by fencing a portion of the property with a second perimeter or area fence. Within this perimeter or area fence, said animal must be humanely confined inside a pen or kennel of adequate size. The pen or kennel may not share common fencing with the area or perimeter fence. The kennel or pen must have secure sides and a secure top attached to all sides. The sides must either be buried two feet into the ground, sunken into a concrete pad, or securely attached to a wire bottom. The gate to the kennel shall be of the inward-opening type and shall be kept locked except when tending to the animal's needs such as cleaning the kennel or providing food and water.

(C) An Animal Control Officer has authority and may declare as dangerous any animal that is not part of a governmental organization or a trained guard dog in performance of its duties that:

- (1) Attacks, bites, or injures a human being, pet, companion animal, or livestock;
- (2) Has inflicted severe injury or multiple minor injuries on a human being;
- (3) Has killed or inflicted severe injury to a privately owned animal while the animal is off its owner's property;
- (4) Has been previously found to be dangerous, the owner having received notice of such and the animal again bites, attacks, or endangers the safety of humans or privately owned animals; or

(5) Has been declared dangerous by any other governmental jurisdiction for violations of state statutes or local ordinances that meet the standards set forth in this section.

(6) Except that animals shall not be declared dangerous if the threat, injury, or damage was sustained by someone committing a willful trespass or other tort upon the premises occupied by the owner of the animal; was or has been observed tormenting, abusing, or assaulting the animal; or was committing or attempting to commit a crime.

(D) Declaration of dangerous animal; notice, hearing and appeal.

(1) If an Animal Control Officer determines an animal should be declared dangerous, the Animal Control Officer shall prepare a notice, and serve it upon the owner of the animal by U.S. certified mail, personal service, or by posting notice at residence. The notice shall contain the following:

- (a) The name and address of the owner of the animal being declared dangerous;
- (b) The breed, color, sex, registration number and Microchip number (if known) of said animal;
- (c) The facts upon which the determination of dangerous animal is based;
- (d) That the animal shall immediately be restrained as required in § 91.05;
- (e) That the animal shall be registered within ten days of receiving the notice unless a hearing is requested as provided for in division (D)(2) of this section;
- (f) A statement explaining if additional violations occur, the animal may be declared a dangerous animal pursuant to this division (D), and required to be registered; and
- (g) A statement that the notice constitutes a final determination that the animal is dangerous, unless the owner requests a hearing within ten days, as provided in division (D)(2).

(2) In the event an owner receiving a notice requests a hearing, the owner must submit the request in writing to the City Court within ten days after notice is given. The written request shall be sent to the City of Fishers, Attn: Fishers City Court, 3 Municipal Drive, Fishers, Indiana 46038. The City Court shall hold a hearing within ten days of receiving the written request. The City Court shall notify the owner of the date, time and place of the hearing, as well as the right to present evidence as to why the dog should not be declared dangerous.

(3) The City Court Judge shall rule at the time of the hearing or notify, in writing, the owner of the dog animal of the Court's decision within ten days of the hearing.

(4) The Court's decision and or civil penalty may be appealed as provided under the laws of the State of Indiana.

(5) If the dangerous animal declaration is upheld, the owner has ten days from the notification date to comply with the registration requirements.

(6) Any animal who has been the subject of a prior judgement in which a court made a finding that the animal was dangerous, violent, or vicious will be considered an animal deemed dangerous for purposes of this section.

(7) A finding that an animal is not a dangerous animal shall not prevent the Animal Control Officer from seeking to have the animal declared dangerous as the result of any subsequent action by the animal.

(E) This section shall not apply to law enforcement dogs.

§ 91.08 ANIMAL BITES AND QUARANTINE.

(A) All animal bites shall be reported to the Police Department by the person bitten or the owner of the animal bitten, and by the owner of the animal which has bitten someone. The person owning any animal reported to have bitten any person or another animal shall keep such

animal quarantined not less than ten days. Any animal showing signs of illness must be taken to a veterinarian or the Humane Society of Hamilton County for quarantine and notification to the City Health Officer must be made by the custodian of the signs of illness.

(B) It is the duty of the person bitten, the person's parent or guardian, or the owner of the bitten animal to make the report in conformance with Indiana law. Law enforcement K-9 dogs are exempted from this section.

(C) An owner or keeper of an animal commits a violation of this chapter if that animal chases or approaches in an aggressive manner and/or attacks a person or another domestic animal resulting in injury who did not provoke the animal prior to the attack.

(1) It shall be a defense to prosecution under this section if:

(a) The violation occurred in an enclosure in which the animal was confined without means of escape, there was posted at the main entrance of the enclosure a notice to beware of the animal, or the person or animal attacked entered the enclosure without invitation; or

(b) The violation occurred during the commission or attempted commission of, or escape from, a criminal act on the property of the owner or keeper of the animal.

(D) A person violating this section may be fined as set forth in § 91.99. If a judgement is entered under this section the Court, in its discretion, may enter a finding that the animal is declared a dangerous animal for purposes of § 91.07. If the violation results in the animal causing serious injury or death to any person or animal, the Court upon request, may order the animal forfeited or destroyed.

(E) The liability imposed by this section shall not reduce, substitute for or in any manner be deemed to be in derogation of the rights accorded victims of dog bite injury or property damages as provided for at IC 15-20-1-3 et seq. or by common law.

§ 91.09 COMMERCIAL ANIMAL ESTABLISHMENTS.

Standards for commercial establishments and animal care facilities are as follows:

(A) The establishment must be operated in such a manner as not to constitute a public nuisance.

(B) The establishment shall provide an isolation area for animals that are sick or diseased to be placed in so as not to spread disease to healthy animals.

(C) All animals must be kept caged, within a secure enclosure or under the control of the owner/operator at all times.

(D) The establishment must provide the level of care provided for in the city's animal care ordinances to all animals kept on the premises.

(E) The establishment will not sell animals which are unweaned or diseased.

(F) The establishment will not engage in any forms of cruelty, mistreatment or neglect.

(G) The establishment shall permit the Animal Control Officer to inspect at any and all times the premises where the animals are kept.

(H) The establishment must provide each animal with sufficient space to stand up, lie down and turn around in a natural position without touching the sides or top of the enclosure.

(I) An animal care facility and/or commercial animal establishments are defined by, but not limited to, the following:

- (1) Shelter, kennel or animal daycare;
- (2) Breeding or boarding facility;
- (3) Pet store;
- (4) Pet grooming shop;

- (5) Humane society;
- (6) Animal training facility;
- (7) Auction;
- (8) Flea market;
- (9) Circus;
- (10) Riding school or stable;
- (11) Veterinary clinic or hospital; and
- (12) Zoological park.

(J) All animal care facilities, other than a circus temporarily located within the city for less than ten days per year, shall be located at a permanent building or facility and shall be permitted at that location by the applicable zoning and breeder permit requirements/laws.

(K) The city adopts the Code of Federal Regulations, 9 CFR 3.1 through 3.19 as the standards for operation and inspection of kennels.

(L) Puppy mills, as defined in § 91.02, will not be permitted in the city. No person shall engage in, participate in, or assist with those activities defined as a backyard breeder or puppy mill in accordance with this chapter.

§ 91.10 DISPOSITION OF DEAD ANIMALS.

(A) A person finding a dead domestic animal or the surviving young within the city shall call the Animal Control Officer or Police Department. A person finding a dead undomesticated animal on public property within the city may call the city or the Police Department.

(B) It shall be unlawful for a person to allow the body, or parts thereof, of any dead animal to be kept, held, or disposed of in violation of this section, as follows:

(1) No person who operates a slaughterhouse, butcher shop or other place in the city shall permit any parts of dead animals that are not fit and intended for use as food to accumulate or be kept on such premises for over 24 hours after being received, or after the death of such animal;

(2) No person shall skin, dismember, dissect, cut up or dispose of the body of a dead animal, or any parts thereof in the city, unless the person is regularly engaged in such business of killing and disposing of such animals for use as food or otherwise, and is so authorized by law, or does so for the person's own use; and

(3) No person shall possess, keep, use or dispose of anywhere in the city, a dead animal or parts thereof, or offal of a live animal in any manner that creates offensive odors or sights, or constitutes a public nuisance which affects health and comfort in any respect.

(C) Nothing in this section shall prohibit the legal handling and processing of game harvested under legal hunting or fishing practices, as permitted by the law of the state and the rules and regulations of the State Department of Natural Resources

§ 91.11 CRUELTY; NEGLECT; ABANDONMENT.

(A) *Animal cruelty.* A person who does any of the following commits animal cruelty under this section:

(1) Willfully or maliciously kills, abuses, maims, tortures, or disfigures any animal or willfully or maliciously administers poison to any animal or exposes any poisonous substance with the intent that the poisonous substance shall be taken and swallowed by such animal;

(2) Overloads, overworks, torments, or intentionally deprives an animal of its necessary food, water or shelter resulting in preventable suffering or death;

(3) Beats, mutilates, uses for the purposes of bait as defined in this chapter, or causes said actions to occur; or

(4) Engages in any of the following:

(a) Owns, possesses, keeps or trains any animal with the intent that such animal shall be engaged in an exhibition of fighting;

(b) Builds, makes, maintains, or keeps a pit on premises owned or occupied by the animal owner or allows a pit to be built, made, maintained or kept on said premises for the purposes of an exhibition of animal fighting;

(c) Encourages, instigates, promotes or assists in an exhibition of animal fighting or intentional combat; or

(d) Charges admission; is an assistant, umpire or participant; or is present as a spectator to any exhibition of animal fighting or combat.

(B) *Animal neglect.* A person who owns or confines any animal and fails to supply it with adequate shelter, food, water, space or veterinary care, as defined in this chapter, with such acts committed without malicious or punitive intent commits animal neglect under this section.

(C) *Animal abandonment.* A person who abandons an animal in a residence or other owned property or confines an animal outside for the purposes of abandonment at a residence, place of business, or the Humane Society for Hamilton County commits animal abandonment under this section.

(D) Any Animal Control Officer or other officer empowered to act by law may impound any animal found to be the victim of animal cruelty, animal neglect or animal abandonment.

(E) Nothing in the section shall be deemed to prohibit the humane slaughter of livestock or poultry in conformance with all applicable rules and regulations of the State Board of Health and the United States Food and Drug Administration.

(F) Nothing in this section shall prohibit hunting or fishing, as permitted by the law of the state and the rules and regulations of the State Department of Natural Resources.

(G) Nothing in this section shall prohibit the use of commercially sold poisons for the control of rats, mice, groundhogs, moles or other similar rodents as long as the person using the poisons uses reasonable care to ensure that neither domestic animals nor livestock are exposed to the poisons.

(H) A person violating this section of may be fined per § 91.99. If the Court finds that a person has violated this section the Court may, in its discretion, order other owned pets be seized by law enforcement with ownership relinquished to the Humane Society for Hamilton County, order the forfeiture of future pet ownership within city, order counseling or order the animal owner to pay restitution.

§ 91.12 VACCINATION OF DOGS, CATS AND FERRETS.

(A) See IAC Title 345: Indiana State Board of Animal Health.

(B) All dogs and cats three months of age and older must be vaccinated against rabies. The rabies vaccination of a dog, cat, or ferret shall be maintained by ongoing revaccination of the animal as follows:

(1) Ferrets shall be revaccinated within 12 months of the prior vaccination.

(2) Dogs and cats that are vaccinated with a rabies vaccine the label of which recommends annual boosters shall be revaccinated within 12 months of the prior vaccination.

(3) Dog and cats that are vaccinated with a rabies vaccine the label of which recommends a booster one year later and triennially thereafter shall be revaccinated within 36 months of each vaccination thereafter.

(C) The owner of the animal is responsible for procuring the vaccinations required by this section.

§ 91.13 REPORT OF VEHICULAR COLLISION WITH ANIMAL.

A person whose vehicle causes injury or death to a domestic or wild animal in the city shall immediately notify the animal's owner, if known, or a local law enforcement agency, together with a description of the animal struck, the location of the striking and an estimate as to the condition of the animal after being struck. Such person shall not be required to report his or her name, as the only purpose of this requirement is to aid the stricken animal and notify its owner, if any.

§ 91.14 INTERFERING WITH ANIMAL CONTROL OFFICER.

It shall be unlawful to interfere with any Animal Control Officer or other officer empowered to act by law, to take or attempt to take any animal from the city official vehicle used to transport the animal, or to take or attempt to take any animal from the Animal Control Shelter or impounding area.

(Ord. 092120C, passed 10-19-20)

§ 91.15 INJURED ANIMALS; ACTION REQUIRED.

(A) It shall be unlawful for any person injuring any animal by any means to fail to notify immediately the owner of the animal or the Police Department.

(B) Notification shall include the location and description of the animal and the condition of the animal if known.

§ 91.16 ANIMAL WASTE.

The owner of every animal shall be responsible for the removal of any feces deposited by his or her animal on public property, public walks, public parks, beaches, recreation areas or private property of others. Owners of service dogs may be exempted from this section.

§ 91.17 LOST OR STRAY ANIMALS.

A person finding a stray animal is to notify the Humane Society within 48 hours. At the discretion of the Humane Society, the animal may be kept by the finder and a found pet report left with the department, to enable the finder an opportunity to return the animal to its rightful owner. Upon demand by the Humane Society, any found animal will be surrendered and held for a minimum of seven days before a disposition is made. The Humane Society is then required to hold the animal for a period of seven days beginning the day the animal is brought to the facility. If after the seven-day period the animal remains unclaimed by its rightful owners, the animal becomes the property of the Humane Society. A person finding an animal is obligated to comply with all rules and regulations of this chapter pertaining to humane care and treatment of animals, while the animal is in custody awaiting return to its actual owner. With the exception of the Humane Society for the city, the finder will be considered the found animal's owner for the purpose of this section only after the animal is in the finder's custody for 30 continuous days.

§ 91.18 ANIMALS IN VEHICLES.

No animal shall be left unattended in a vehicle when the conditions in that vehicle would constitute a health hazard to the animal (extreme heat or cold). No animal shall be transported in any non-passenger compartment of any vehicle on public property unless confined in an appropriate manner intended to prevent the animal from jumping from the vehicle or being thrown from the vehicle in an accident or rapid stop or other use of the vehicle which could cause injury to the pet, any person, or property. No animal shall be transported in the trunk of any vehicle.

§ 91.19 ANIMAL SACRIFICE.

(A) No person shall engage in, participate in, assist in or perform animal sacrifice. No person shall own, keep, possess or harbor any animal with the purpose or intention of using such animal for animal sacrifice. No person shall knowingly sell, offer for sale, give away or transfer any animal to any person when he or she knows or believes that person intends to use such animal for animal sacrifice. This section does not prohibit slaughter of animals for agriculture purposes.

(B) Nothing in this section shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group. Notwithstanding any other provision of this act, in order to protect freedom of religion, ritual slaughter and the handling or other preparation of livestock for ritual slaughter are exempted from the terms of this section.

§ 91.20 STERILIZATION OF DOGS AND CATS REQUIRED.

(A) Each dog and cat over the age of six months which is kept in the city shall be sterilized and rendered incapable of reproducing by a licensed veterinarian, with the following exceptions as long as the requirements noted herein are met:

- (1) A free breeder's permit has been secured according to the process noted in this section;
- (2) Current pets are receiving adequate care, shelter, and veterinary care as defined in this chapter;
- (3) The animal's health or a special medical condition puts them at risk for complications due to surgery according to an authorized veterinarian;
- (4) Owner is considered an approved breeder as defined in § 91.02 or has obtained the appropriate special use permit from the Zoning Board; or
- (5) Owner has not surrendered an animal(s) to the Humane Society for Hamilton County or allowed an animal to run at large.

(B) A free breeder's permit shall be obtained by the following individuals:

- (1) Any person who intentionally causes or accidentally allows the breeding of a dog or cat they own;
- (2) An approved breeder commercial animal establishment as defined in § 91.02;
- (3) Any person owning or having custody of a dog or cat which is older than six months of age, which has not been sterilized for any reason other than the exceptions noted herein.

(C) Such breeder's permit shall:

- (1) Allow the non-sterilization of animals owned by the permittee for one 12-month period after the date of issuance;
- (2) Allow the non-sterilization of animals owned by the permittee for the life of the pet with the issuance of a letter from an authorized veterinarian stating the animal's health or a special medical condition puts them at risk for complications due to surgery.

(D) The holder of a breeder's permit shall:

(1) Transmit to the new owner or buyer the litter number of the animal acquired and the breeder's permit number in order that the new owner has assurance and proof that the animal was legally bred;

(2) Immunize all dogs and cats offered for sale, trade, or other compensation or for free give away against the most common contagious diseases; for dogs against canine distemper, hepatitis, and parvovirus and for cats against feline rhinotracheitis, calicivirus, and panleukopenia;

(3) Not offer a puppy or kitten under the age of eight weeks for sale, trade or other compensation or for free giveaway;

(4) Furnish a warrant of health for a period of not less than one week with the recommendation to have the animal examined by a licensed veterinarian for each animal sold, traded, or given away.

(E) Each holder of a valid breeder's permit shall register additional litters with the humane officer. Each additional litter registration shall comply with the same requirements as the original breeder's permit. Failure to register each litter shall be considered a violation of this section.

(F) Each breeder's permit shall be obtained from the Animal Control Officer at no cost to the pet owner or approved breeder on an annual basis.

§ 91.21 ADDITIONAL RESTRICTIONS ON OWNERS OF DANGEROUS OR NUISANCE ANIMALS.

(A) It shall be unlawful for any person who has been found in violation of §§ 91.03, 91.05, 91.06, 91.07, 91.08, or 91.11 to own or keep more than two animals in the city or to own or keep any animal:

(1) That has not been spayed or neutered by a veterinarian; or

(2) That has not been implanted with a microchip with a registered identification number.

(B) A person who violates §§ 91.03, 91.05, 91.06, 91.07, 91.08, or 91.11 shall keep any animal owned or kept by that person outside in a proper enclosure sufficient to confine the animal without means of escape, unless the animal is on a leash and under the control of a competent person.

(C) A person who is under additional restrictions that commits subsequent violations of §§ 91.03, 91.05, 91.06, 91.07, 91.08, or 91.11 shall be subject to forfeiture of their animal to the enforcement authority and may be prohibited by a Court from owning.

§ 91.22 SERVICE ANIMALS IN PUBLIC BUILDINGS.

(A) No person may enter a city building when accompanied by an animal unless authorized by this section.

(B) Before a person accompanied by an animal is permitted into the city buildings, any authorized security person or other city department head or his/her designee, shall make inquiry as to:

(1) Whether the animal is required because of a disability; and

(2) Whether the animal has been trained to perform specific work or tasks to assist the person with his/her disability.

(C) Upon receiving a satisfactory affirmative answer to the above questions, the animal may accompany its handler into the part of the city building available to the general public.

(D) The animal must be under the handler's control by a harness, leash, or other tether.

(E) If the individual is unable to use a harness, leash, or tether because use would interfere with the safe and effective performance or task by the handler, the animal must otherwise be

under the control by voice control signals or other effective means of the disabled individual, as approved by the city department head or his/her designee.

(F) An animal which an individual uses solely for emotional support, therapy, comfort, or companionship shall not [be] permitted to enter city buildings, unless expressly authorized by court order issued by a city or Hamilton County court or building security.

(G) Under no circumstance shall this section permit any incarcerated person to possess an animal in any city building.

(H) Any person who is refused admission into a city building with an animal pursuant to this section and continues to enter the public building with the animal, may be fined.

§ 91.23 JURISDICTION.

The City Council finds that the terms and conditions of this chapter are in the best interests of all citizens of the city.

§ 91.24 ENFORCEMENT PROCEDURES.

(A) Police Department and Animal Control Officers shall be charged with and have authority to enforce all provisions of this chapter.

(B) The city may pursue any or a combination of the following remedies as they deem most appropriate:

(1) Taking into custody and impounding any animal found to be kept in violation of this chapter; any animal that constitutes a safety or health hazard; any animal left without care as a result of death, injury, arrest, detention, or other incapacitation of the owner or keeper.

(2) If the violation is only an ordinance violation under this chapter, and is not concurrently a state infraction, citing the owner of the animal for a city ordinance violation, subject to a fine as set forth in § 91.99;

(3) If the violation constitutes an infraction or crime under statute, citing or arresting the owner of the animal for such state offense, subject to penalties as provided by law; and/or

(4) Seeking an injunction in a court of competent jurisdiction to require the compliance of the owner of the animal under the provisions of IC 36-1-6-4 or any other law entitling public authorities to enjoin the violation of ordinances or statutes and including an action to recover all cost to the city of bringing the action for injunction.

§ 91.25 AUTHORITY TO DESTROY DANGEROUS ANIMALS.

Notwithstanding any other provision of this chapter, Police Department personnel are authorized to immediately destroy an animal declared a dangerous animal under §91.07 which cannot be safely captured or kept in custody by usual and available means, or which is observed to be attacking a person or livestock.

§ 91.99 PENALTY.

(A) Any person violating referenced sections of this chapter shall be considered to be committing a city ordinance violation and may be fined under the fee schedule in § 36.08.

(B) Any other violation that falls within this chapter is punishable by a minimum fine of up to \$500.

(C) Any violation of this chapter is subject to the Ordinance Violations Bureau. A person in violation may admit their violation and pay their civil penalty to the city's Ordinance Violations Bureau or may appear and deny their violation and request a trial. If the person in violation

denies the violation, fails to satisfy the penalty assessed after having entered an admission of violation or fails to deny or admit the violation, the case will be filed in the City Court.

(D) Violations of any offense listed in this chapter, not covered under penalty as a city ordinance violation, are punishable under Indiana Code, either as an infraction or misdemeanor.

(E) In the event that an animal is impounded by animal control pursuant to this chapter, and in addition to any other penalty set out in division (A) of this section or court costs, the owner shall be responsible to reimburse the city for the cost associated with providing shelter for each impounded animal at an animal control facility or the Hamilton County Humane Society. The money shall be deposited in the General Fund of the city subject to appropriation to Animal Control Fund. To recover an animal impounded under this Chapter, the animal shall not be released to the owner until the owner has paid all expenses associated with impounding and caring for the animal.

(F) The sections of this chapter are intended to encourage the humane treatment of animals. Therefore, any court having jurisdiction of violations of this chapter is encouraged to use the court's deferral procedures to assist the public to conform the treatment of animals within the city to the terms of this chapter.

(G) A violation of a section of this chapter shall be cited by adding the appropriate section or subsection to the citation.

§ 36.08 SCHEDULE OF FINES

CODE SECTION	VIOLATION – GENERAL REGULATIONS	FINE	IF NOT PAID AFTER 30 DAYS
91.03	Duties and responsibilities	Up to \$250 per occurrence	\$500
91.04	Permanent identification	Up to \$250 per occurrence	\$500
91.05	Restraint of animals	Up to \$250 per occurrence	\$500
91.06	Public nuisance animal	Up to \$250 per occurrence and the animal may be impounded	\$500
91.06	Feral cats	Up to \$250 per occurrence	\$500
91.07	Dangerous animals	Up to \$250 per occurrence	\$500
91.08	Animal bites and quarantine	Up to \$250 per occurrence	\$500
91.09	Commercial animal establishments	Up to \$250 per occurrence	\$500

91.10	Disposition of deal animals	Up to \$250 per occurrence	\$500
91.11	Cruelty; neglect; abandonment	Up to \$250 per occurrence and the animal may be impounded	\$500
91.12	Vaccinations	Up to \$250 per occurrence	\$500
91.13	Vehicular collision	Up to \$250 per occurrence	\$500
91.14	Interfering with Animal Control/ Humane Officer	Up to \$250 per occurrence	\$500
91.16	Animal waste	Up to \$250 per occurrence	\$500
91.18	Animals in vehicles	Up to \$250 per occurrence	\$500
91.19	Animal sacrifice	Up to \$250 per occurrence	\$500
91.20	Sterilization of dogs and cats	Up to \$250 per occurrence	\$500
91.22	Service animals in public buildings	Up to \$250 per occurrence	\$500



Council Action Form

MEETING DATE	August 17, 2026			
TITLE	Request to Approve Amendments to Chapter 91 (Animals) of the Fishers Code of Ordinances			
SUBMITTED BY	Name & Title: Whitney Wampler, Assistant City Attorney Department: Law Department			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☒ 1 st Reading	☒ 2 nd Reading	☐ Public Hearing	☒ 3 rd Reading ☒ Final Reading
	Ordinance #: 072026B		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	X Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☐ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☒ Other: Corporation Counsel
BACKGROUND (Includes description, background, and justification)	Chapter 91 of the Code of Ordinances of the City of Fishers regulates animals within the City of Fishers ("Fishers"). Fishers, by and through its police department, desires to amend Chapter 91 to implement best practices regarding the conditions in which animals can safely remain outdoors. There was a printing error, and the section numbers from the passed ordinance do not match the section numbers posted to American Legal. There were no amendments from First Reading.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Approve
	2.	Reject
	3.	
	4.	
PROJECT TIMELINE		
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends approving the recommendations.	
SUPPLEMENTAL INFORMATION (List all attached documents)	Ordinance No. 072026B	

ORDINANCE NO. 081726

AN ORDINANCE AMENDING CHAPTER 71 (TRAFFIC RULES) OF THE CITY OF FISHERS CODE OF ORDINANCES

WHEREAS, pursuant to Ind. Code § 36-9-2-1 *et seq.*, the City of Fishers (“City”) has authority to maintain, operate, and regulate public ways, including sidewalks, multi-use trails, public rights of way and public roadways;

WHEREAS, pursuant to Ind. Code § 36-8-2-4, the City may regulate conduct or the use or possession of property that might endanger the public health, safety, or welfare; and

WHEREAS, for the public’s health and safety, it is essential to establish regulations for maintaining pedestrian safety on and within public roadways, crosswalks, multi-use trails, sidewalks, and public right of way.

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Fishers, Hamilton County, Indiana, meeting in a regular meeting as follows:

Section 1. Chapter 71 is hereby amended by adding the following sections:

Pedestrian Safety on Public Roadways, Sidewalks and Multi-Use Trails

§71.50 Purpose and Findings.

The Common Council finds that:

(A) The City's roadways are intended for the safe movement of vehicles, sidewalks and multi-use trails are intended for safe movement of pedestrians, and certain activities may impede both the safe, efficient movement of vehicles and pedestrians.

(B) Certain pedestrian activities occurring within travel lanes, medians, or other portions of roadways present a substantial risk of injury to pedestrians, motorists, bicyclists, emergency responders, and construction personnel, as well as substantial risk of property damage.

(C) This Chapter shall be interpreted and enforced in a content-neutral manner and shall apply equally to all persons regardless of the nature of any message, expression, or activity.

§ 71.51 Definitions.

For purposes of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CONSTRUCTION ZONE. Any area temporarily restricted by cones, barricades, fencing, signage, flaggers, or other traffic control devices due to construction, maintenance, repair, or utility work.

CROSSWALK. A part of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

MEDIAN. The area separating opposing lanes of vehicular traffic.

MULTI-USE TRAIL. A paved or unpaved path at least eight feet (8') in width and indicated with signage by the City of Fishers as a trail.

ROADWAY. The portion of a street or highway improved, designed, or ordinarily used for vehicular travel.

SIDEWALK. The part of a street between the curb lines or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians, usually five feet (5') to six feet (6') in width.

TRAVEL LANE. Any lane designated for the movement of motor vehicles.

§ 71.52. Occupancy of Travel Lanes.

(A) Where a sidewalk or multi-use trail is present adjacent to the roadway, it shall be unlawful for any person to walk along and upon the adjacent roadway. Where a sidewalk or multi-use trail is not present, any person walking along or upon a roadway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

(B) Except as otherwise authorized by law, a person shall not stand, remain, sit, kneel, or occupy any travel lane of a roadway except:

1. while lawfully crossing the roadway;
2. while crossing the roadway in a crosswalk;
3. while entering or exiting a legally parked vehicle;
4. as otherwise directed by a law enforcement officer or authorized traffic control personnel; or
5. as otherwise authorized by permit issued by the City.

§ 71.53 Occupancy of Medians.

(A) No person shall stand or remain upon a median that:

1. is less than six (6) feet in width at its narrowest point;
2. is located on a roadway with a posted speed limit greater than thirty-five (35) miles per hour;
3. is located on or directly adjacent to a roadway that has an average daily traffic volume of at least 15,000 vehicles; or
4. has been temporarily closed or restricted by traffic control devices.

(B) This section shall not apply to:

1. pedestrians lawfully crossing the roadway in a crosswalk and waiting on traffic to pass before continuing to cross;
2. emergency responders;
3. public employees acting within the scope of their employment; or
4. persons acting pursuant to a permit issued by the City.

§71.54 Temporary Structures on Sidewalks, Multi-Use Trails and Public Right of Way

- (A) No person shall erect, install, place, maintain, or cause to be erected, installed, placed, or maintained any booth, tent, canopy, table, stand, kiosk, or other temporary structure on or within a public sidewalk, multi-use trail, or other pedestrian portion of the public right of way without first obtaining a permit from the City.
- (B) Any temporary structure permitted under this section shall be installed and maintained in accordance with the terms and conditions of the permit and shall not obstruct or unreasonably interfere with pedestrian travel, accessibility, public safety, or access to adjoining property.
- (C) This section shall not apply to temporary structures placed or authorized by the City or otherwise expressly authorized under another provision of the Fishers Code of Ordinances or Unified Development Ordinance.
- (D) In addition to a citation, any temporary structure placed or maintained in violation of this section may be removed from the sidewalk, multi-use trail, or public right of way by the Fishers Police Department, Engineering Department, Department of Public Works or Code Enforcement.

§ 71.55 Occupancy of Construction Zones.

No person shall enter or remain within any construction zone that has been restricted to public access by barricades, fencing, cones, signs, flaggers, or other traffic control devices unless authorized by the contractor, utility, governmental entity responsible for the work, or law enforcement.

§ 71.56 Obstruction of Traffic Movement.

No person shall intentionally obstruct or interfere with the movement of pedestrians or vehicles upon any public street, sidewalk, crosswalk, or roadway.

§ 71.57 Compliance with Traffic Control Devices.

No person shall cross, move, remove, ignore, or bypass any barricade, cone, temporary barrier, or traffic control device erected to protect the public or workers unless authorized to do so.

§ 71.58 Exceptions.

Nothing in this Chapter shall prohibit:

- (A) pedestrian movement on a multi-use trail, sidewalk or crosswalk;
- (B) participation in a demonstration or permitted parade, race, festival, or other event authorized by the City or otherwise authorized by law;
- (C) emergency activities;
- (D) maintenance or construction activities authorized by the City;
- (E) lawful activities of public utilities; or
- (F) activities expressly authorized by permit or law.

Section 2. Section 71.99 is repealed and replaced, as follows:

§ 71.99 PENALTY.

(A) Any violation of §§ 71.16, 71.17, 71.18 or 71.19 is a Class C Infraction punishable by a fine up to \$500 for each such violation. All such violations shall be immediately docketed in the City Court of Fishers and made subject to the costs imposed thereon for Class C infractions in addition to the fine imposed by the court having jurisdiction thereof, in accordance with this provision.

(B) Citations for a violation of §§ 71.20, 71.30, 71.52, 71.53, 71.54, 71.55, 71.56, and 71.57 may be issued by the Fishers Police Department. Each violator shall pay a fine and any applicable penalties to the City's Ordinance Violation Bureau in the sum and amount set forth in §36.08.

Section 3. Section 36.08 **SCHEDULE OF FINES**, is hereby amended to add the following fines:

§ 36.08 SCHEDULE OF FINES

Violation-Traffic	Code Section	Fine	If not paid after 30 days
Occupancy of Travel Lanes	71.52	\$50	\$100
Occupancy of Medians	71.53	\$50	\$100
Temporary Structures on Sidewalks, Multi-Use Trails and Public Rights of Way	71.54	\$50	\$100
Occupancy of Construction Zones	71.55	\$50	\$100
Obstruction of Traffic Movement	71.56	\$50	\$100
Compliance with Traffic Control Devices	71.57	\$50	\$100

Section 4. All other ordinances or provisions thereof not specifically changed herein shall remain in full force and effect.

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 the same can be given the same effect.

Section 6. This Ordinance is and shall be effective as of the date of passage and upon publication, if required by Indiana law.

ALL OF WHICH IS SO ORDAINED by the Common Council of the City of Fishers, Indiana on this _17th_ day of _August_, 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Brad DeReamer, Member		
	Cecilia Coble, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2026, at _____ m.

ATTEST: _____
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, Corporation Counsel, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey Bennett



Council Action Form

MEETING DATE	August 17, 2026			
TITLE	Request to Amend Chapter 71 of the Fishers Code of Ordinances			
SUBMITTED BY	Name & Title: Lindsey Bennett, Corporation Counsel Department: Law			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☒ 1 st Reading	☐ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading ☐ Final Reading
	Ordinance #: 081726		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	X Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☐ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
BACKGROUND (Includes description, background, and justification)	This ordinance amends Chapter 71 of the Fishers Code of Ordinances to establish pedestrian safety regulations for public roadways, sidewalks, multi-use trails, medians, construction zones, and public rights-of-way. The ordinance • regulates pedestrian occupancy of travel lanes and certain medians • requires a City permit for booths, tents, canopies, tables, kiosks, and other temporary structures placed on public sidewalks, multi-use trails, or pedestrian portions of the public right-of-way • restricts unauthorized entry into construction zones and interference with traffic movement or traffic-control devices • Violations are subject to enforcement by the Fishers Police Department and fines through the Ordinance Violations Bureau.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	None
	Expenditure \$:	None
	Source of Funds:	N/A
	Additional Appropriation #:	
	Narrative:	
OPTIONS (Include <i>Deny Approval</i> Option)	1.	
	2.	
	3.	
	4.	
PROJECT TIMELINE		
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	N/A	
SUPPLEMENTAL INFORMATION (List all attached documents)	N/A	

ORDINANCE NO. 051826G

**AN ORDINANCE OF THE COMMON COUNCIL
OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA
AMENDING THE OFFICIAL ZONING MAP TO REZONE 11.54 +/- ACRES
FROM R2 TO PUD-R FOR A PROJECT KNOWN AS
BUCKHAVEN PLANNED UNIT DEVELOPMENT.**

WHEREAS, this is an ordinance to amend the Official Zoning Map incorporated into Unified Development Ordinance, (“UDO”), for the City of Fishers (the “City”), previously enacted pursuant to Ind. Code § 36-7-4 *et seq.* as amended.

WHEREAS, the Advisory Plan Commission for the City of Fishers (“Plan Commission”) has conducted a public hearing on Docket No. RZ-26-5 as required by law in regard to the Rezone; and

WHEREAS, the Plan Commission at its August 5, 2026 meeting sent a favorable recommendation to the Common Council by a vote of seven (7) in favor and zero (0) opposed.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, THE SUCESSOR IN INTEREST TO THE TOWN OF FISHERS, PURSANT TO IND. CODE 36-4-1 ET. SEQ., THAT THE ZONING ORDINANCE, A PART OF THE COMPREHENSIVE PLAN AND ORDINANCES – 2018, ORDINANCE NO. 071618F, AS AMENDED, IS HEREBY AMENDED AS FOLLOWS:

- Section 1.** **Amendment.** The City’s Official Zoning Map is hereby amended to designate the Real Estate, as described and shown in **Exhibit A**, to PUD-R, Buckhaven Planned Unit Development.
- Section 2.** This Ordinance shall be in full force and effect from and upon its adoption and in accordance with Indiana law.
- Section 3.** The specific zoning standards, concept plans, and illustrative architectural exhibits shall be approved as shown in **Exhibit B** (“Petitioner’s Packet”), attached.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ALL OF WHICH IS ORDAINED by the Common Council of Fishers, Indiana, this 17th day of August 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY		NAY	ABSTAIN
	John DeLucia, Member		
	Tiffanie Ditlevson, Member		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2026, at _____ m.

ATTEST: _____
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey Bennett

Exhibit A:
Legal Description and Depiction

AS-SURVEYED LAND DESCRIPTION
Combined Subject Tracts 1 & 2

A part of the Southwest Quarter of the Northwest Quarter of Section 27, Township 18 North, Range 5 East of the Second Principal Meridian, Fall Creek Township, Hamilton County, Indiana, based on an ALTA/NSPS Land Title Survey prepared by Michael G. Judt, Professional Surveyor #21500017, HWC Engineering Job #2600-291-A, dated April 23, 2026, more particularly described as follows:

BEGINNING at the Southwest corner of the Southwest Quarter of said Quarter Section, being marked by railroad spike; thence North 00 degrees 18 minutes 14 seconds West (grid bearing, Indiana State Plane, East Zone, NAD 83, 2011, EPOCH 2010.0000) along the west line of the Southwest Quarter of the Northwest Quarter a distance of 947.46 feet to the southwest corner of Limestone Springs, Section 2A, the plat of which is recorded in Instrument Number 200500049682 in the Office of the Hamilton County Recorder, being marked by a 5/8-inch diameter rebar with cap stamped "HWC Engineering Firm #0114"; thence North 89 degrees 25 minutes 31 seconds East along said south line of Limestone Springs, Section 2A a distance of 530.73 feet to the northwest corner of Jogene Pines, Secondary Plat, the plat of which is recorded in Instrument Number 200300069595 in said Recorder's Office; thence South 00 degrees 18 minutes 15 seconds East along the west line of said plat and the southerly extension thereof a distance of 946.84 feet to the south line of the Southwest Quarter of the Northwest Quarter of said Section 27; thence South 89 degrees 21 minutes 30 seconds West along said south line a distance of 530.74 feet to the POINT OF BEGINNING, containing 11.540 acres, more or less.



11798 E 131st Street & 11842 E 131st Street
Parcel No. 13-11-27-00-00-022-004 & 13-11-27-00-00-022.002

Exhibit B:
Petitioner Packet

2026

Buckhaven PUD



Planning & Zoning Department

City of Fishers

Ordinance: 051826G



A. Declaration, Purpose and Intent, Applicability, and Allowed Uses

1. Declaration

- a. Ordinance No. 051826G (this "Ordinance")
- b. Adopted: _____

2. Purpose and Intent

The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 071618F, as amended, and the Official Zoning Map of the City of Fishers, Indiana, as amended, which accompanies and is a part of the Zoning Code of the City of Fishers, Indiana, are hereby amended as follows:

The zoning classification of the real estate legally described in Exhibit B.1, attached hereto and incorporated herein (the "Real Estate"), is hereby designated as Planned Unit Development - Residential District (PUD-R) and shall hereafter be known as the "Buckhaven PUD".

Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and those provisions of the UDO specifically referenced in this Ordinance. All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

3. Applicability

The standards of the UDO applicable to the *R5 Residential District* shall apply to the development of the Real Estate, except as modified, revised, or expressly made inapplicable by this Ordinance. Cross-references to "Chapter", "Article", and "Section" in this Ordinance shall refer to the corresponding Chapter, Article and Section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein and are defined in the UDO shall have the meaning ascribed to them in the UDO. An amendment to the UDO shall apply to this Ordinance unless (i) this Ordinance has specified an alternative development or design standard, or (ii) the amendment prevents the application of a specified, alternative development or design standard of this UDO amendments to *Sec. 1.3.6. Transition Ordinance* also shall apply to this Ordinance.

4. Allowed Uses

All uses, including accessory uses, permitted in the *R5 Residential District* shall be permitted in the Real Estate.

B. Concept Plan

The Concept Plan, attached hereto as Exhibit B.2, is hereby incorporated. The Real Estate's Development Plan shall be substantially consistent with the Concept Plan and shall be reviewed and approved based upon compliance with the development and design standards set forth herein. If the Director determines that a Development Plan is not substantially consistent with the Concept Plan (the "Director's Determination"), then the Director shall notify the applicant in writing within ten (10) business days of receipt of the submitted Development Plan of: (1) the Director's Determination; and (2) whether the Development Plan is (a) approved; or (b) not approved (the "Director's Decision"). The Director's Decision shall be based upon the Development Plan's compliance with (i) the provisions of this Ordinance, and (ii) the applicable requirements in the UDO, and the Development Plan's compatibility and consistency with the intended quality and character of the Buckhaven PUD. If the Director's Decision does not approve the Development Plan, then the applicant may submit the Development Plan to the City Council for review and approval. The City Council's decision shall be made at a public meeting, but no additional public hearing shall be required.

C. Standards for the District

1. Introductory Provisions

The regulations of *CHAPTER 1. INTRODUCTORY PROVISIONS* shall apply.

2. Administration

The regulations of *CHAPTER 2. ADMINISTRATION* shall apply.

3. Zoning Districts

The regulations of *CHAPTER 3. ZONING DISTRICTS* shall apply, except as modified by this Ordinance. The total maximum number of lots within the Buckhaven PUD shall not exceed 23 lots.

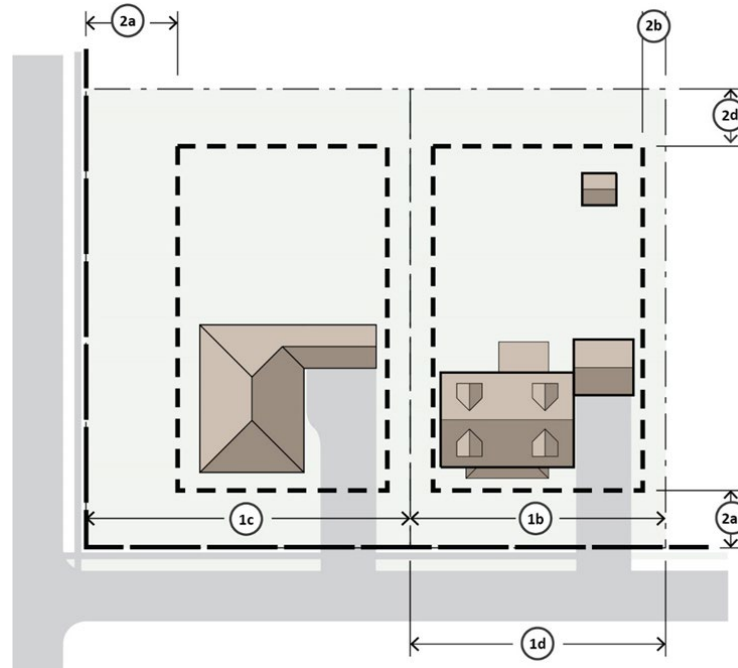
a. Article 3.1. Establishment of Zoning Districts: Shall apply.

b. Article 3.2. Residential Districts: Shall apply, except as modified below:

(1) *Sec. 3.2.6. R5 Residential District:* Shall not apply. Instead the following shall apply to the District:

District Development Standards

1. Minimum Lot Dimensions	
1a. Lot area	8,750 sf
1b. Lot width at building line – standard	70'
1c. Lot width at building line – corner	Shall not apply
1d. Lot frontage	35'
2. Minimum Building Setbacks	
2a. Front - local street / other street type	20' (min. 3' offset on adjacent lots)
2b. Side	3'
2c. Side, Aggregate	14'
2d. Rear	20'
3. Maximum Building Height	
3a. Primary structure	35'
4. Building Floor Area	
4a. Living unit area, 1-story (min)	N/A
4b. Living unit area, 2-story (min)	2,600 sf
5. Other	
5a. Requires municipal water and sewer hookup	
5b. Impervious area of lot (max)	60%
5d. Accessory structures	Article 6.2. Accessory Structure Standards
5e. Total structures per lot	Sec. 6.8.1.G. Structures Per Lot
6. Maximum Lots Permitted	
6a. Maximum Number of Lots	23



c. **Article 3.3. Nonresidential Districts:** Shall not apply.

d. **Article 3.4. Other Districts:** Shall apply.

4. Overlay Zoning Districts

The regulations of *CHAPTER 4. OVERLAY ZONING DISTRICTS* shall apply.

5. Use Regulations

The regulations of *CHAPTER 5. USE REGULATIONS* shall apply.

6. Development Standards

The regulations of *CHAPTER 6. DEVELOPMENT STANDARDS* shall apply, except as modified by this Ordinance.

a. **Article 6.1. General Provisions:** Shall apply.

b. **Article 6.2. Accessory Structure Standards:** Shall apply.

c. **Article 6.3. Architectural Design Standards:** Shall apply, except as modified below:

- (1) The Illustrative Architectural Exhibit, attached hereto as **Exhibit B.3**, is hereby incorporated to conceptually illustrate the elements and anticipated character of and to establish a benchmark for the architecture and design of the residential dwellings on the Real Estate. The final dwelling designs may vary from the Illustrative Architectural Exhibit; provided however, the dwellings shall be substantially similar in quality and character to the dwellings shown in the Illustrative Architectural Exhibit.
- (2) *Section 6.3.4.A.2.e. Residential Design; Standards:* Shall apply.
- (3) *Section 6.3.4.B.2.b. Residential Building Form; Façade Standards:* Shall not apply. Instead, the following shall apply:
 - (i) Homes on lots designated with a black circle on the Additional Architecture Exhibit, attached hereto as **Exhibit B.4**, shall satisfy this requirement provided that these homes incorporate both of the following features:

- i. A minimum of three (3) materials, colors, and/or patterns, one of which shall be a masonry wainscot a minimum of thirty inches (30") in height or the bottom of the lowest window sill, on the home's side elevation façade facing a Public View.
 - ii. A rear façade offset (a minimum of 4' wide and 4' feet deep), which may be selected from but not limited to the following:
 - 1. sunroom;
 - 2. covered porch;
 - 3. screened in porch;
 - 4. rear pergola;
- (4) *Section 6.3.4.B.2.c. Residential Building Form; Facade Standards:* Shall apply, except as modified below:
 - (i) Homes on lots designated with a black circle on the Additional Architecture Exhibit, attached hereto as **Exhibit B.4**, shall be exempt from the 50% visibility over a permanent barrier provision.
- (5) *Section 6.3.4.B.3.a. Residential Building Form; Roof Standards:* Shall apply, except as modified below:
 - (i) Side façade elevations facing a Public View for homes on lots designated with a black circle on the Additional Architecture Exhibit, attached hereto as **Exhibit B.4**, shall be exempt from this requirement. Instead, Section 6.3.c above shall apply.
- (6) *Section 6.3.4.B.4.a. Residential Building Form; Automobile Storage Standards:* Shall not apply, all homes must have a two-car side loaded garage; however, an additional 3rd car garage bay may be front loaded.
- (7) *Section 6.3.4.B.4.c. Residential Building Form; Automobile Storage Standards:* Shall apply, except as modified below:
 - (i) A 3rd car garage bay shall qualify as additional storage area.
- (8) *Section 6.3.4.B.4.d. Residential Building Form; Automobile Storage Standards:* Shall apply, except as modified below:
 - (i) A third car garage bay shall have a separate door and shall have a 2' plane separation from adjacent garage door(s). Plane separation as noted in this section shall not apply to side load garages.
- (9) *Section 6.3.4.B.4.e. Residential Building Form; Automobile Storage Standards:* Shall apply. Decorative garage doors shall be substantially similar in quality and character as illustrated in the Garage Door Exhibit, attached hereto as **Exhibit B.5**.
- (10) *Section 6.3.4.D.2.d. Residential Building Form; Residential Materials Standards:* Shall apply, except as modified below:
 - (i) Façades facing a Public View shall use a cohesive color scheme featuring a minimum of two (2) field materials, colors, or patterns, plus (one) accent material, color, or pattern, plus one (1) trim color. Garage door colors must coincide with the scheme or other accents.
 - (ii) Side facades shall include a masonry wainscot with a minimum of two feet (2') in length measured from the front corner of the dwelling, or to the garage, whichever is less.
- (11) *Section 6.3.4.D.2.e. Residential Building Form; Residential Materials Standards:* Shall apply.
- d. Article 6.4. Entrance & Driveway Standards:** Shall apply.
- e. Article 6.5. Exterior Lighting Standards:** Shall apply.
- f. Article 6.6. Height Standards:** Shall apply.
- g. Article 6.7. Landscaping Standards:** Shall apply, except as modified below:
 - (1) The required landscaping in all common areas/open spaces shall be native species selected from the City of Fishers Planting Guide list of Approved Species, and emphasis shall be given to selecting drought tolerant varieties, at the discretion of the developer and/or property owner. This shall not

apply to foundation plantings nor other on-lot landscaping. However, the initial installation of street trees planted in a front yard of an individual homeowner's property shall be required to be native species.

- (2) *Subsection 6.7.5.B. Lot & Foundation Plantings; Foundation Planting:* Shall apply, except B.2 and B.3 shall not apply. Instead, the following shall apply: All lots shall have a minimum of six (6) shrubs planted along the foundation facing a street.
- (3) All boundaries of the Property shall provide a common area strip a minimum of ten (10) feet in width. The west, north, and east common areas where adjacent to the proposed lots shall consist of three (3) Canopy Trees a minimum of two inches (2") caliper (DHB) at planting, and four (4) Evergreen Trees a minimum of six feet (6') in height at planting, per one hundred (100) lineal feet. Any existing trees within these required common areas which are healthy, non-invasive, and a minimum of three inches (3") caliper (DBH) may be preserved, and if preserved, shall qualify toward the planting requirements set forth above.
- (4) New and existing tree plantings may overlap with other utilities and easements along the Property boundary.

h. Article 6.8. Lot Standards: Shall apply, except as modified by this Ordinance.

- (1) Minimum Front Setback: The minimum front setback shall be twenty (20) feet, but there shall be a minimum three (3) foot offset on all adjacent lots.

i. Article 6.9. Non-Residential Open Space: Shall not apply.

j. Article 6.10. Outdoor Display & Storage Standards: Shall apply.

k. Article 6.11. Parking & Loading Standards: Shall apply.

l. Article 6.12. Pedestrian Accessibility Standards: Shall apply.

m. Article 6.13. Permitted Non-residential Structure Standards: Shall apply.

n. Article 6.14. Property Identification Standards: Shall apply.

o. Article 6.15. Public Art Standards: Shall not apply.

p. Article 6.16. Setback Standards: Shall apply, except as modified by this Ordinance.

q. Article 6.17. Signage Standards: Shall apply.

r. Article 6.18. Wall & Fence Standards: Shall apply.

s. Article 6.19. Water & Sewer Standards: Shall apply.

t. Article 6.20. Vision Clearance Standards: Shall apply.

7. Subdivision Regulations

The regulations of *CHAPTER 7. SUBDIVISION DISTRICTS* shall apply.

8. Subdivision & Planned Unit Development Design Standards

The regulations of *CHAPTER 8. SUBDIVISION & PLANNED UNIT DEVELOPMENT DESIGN STANDARDS* shall apply, except as modified by this Ordinance.

a. Article 8.1. General Provisions: Shall apply.

- (1) **Article 8.2. Block, Lot & Access Standards:** Shall apply. *Section 8.2.6. Pedestrian Network:* Shall apply.

b. Article 8.3. Street & Alley Standards: Shall apply.

c. Article 8.4. Open Space, Common Area & Amenity Standards: Shall apply, except as modified below:

- (1) *Section 8.4.6. Open Space:* Shall not apply. Instead, Open Space shall be provided as generally shown on the Concept Plan.

(2) *The southwest common area shall include a community-focused feature which shall include a seating area and corn hole that shall be substantially similar to that shown in **Exhibit B.6.***

d. Article 8.5. Other Design Standards: Shall apply.

9. Floodplain Standards

The regulations of *CHAPTER 9. FLOODPLAIN STANDARDS* shall apply.

10. Procedures & Permits

The regulations of *CHAPTER 10. PROCEDURES & PERMITS* shall apply.

11. Enforcement & Penalties

The regulations of *CHAPTER 11. ENFORCEMENT & PENALTIES* shall apply.

12. Definitions

The regulations of *CHAPTER 12. DEFINITIONS* shall apply.

13. Impact Fees

Regardless of the Real Estate's annexation status at the time a building permit is issued, all applicable road, bridge and park impact fees shall be paid, subject to any applicable credits.

Exhibit B.1 – Real Estate Description and Depiction

**Buckhaven Property Legal Description
(per ALTA dated 04.23.2026)**

AS-SURVEYED LAND DESCRIPTION

Combined Subject Tracts 1 & 2

A part of the Southwest Quarter of the Northwest Quarter of Section 27, Township 18 North, Range 5 East of the Second Principal Meridian, Fall Creek Township, Hamilton County, Indiana, based on an ALTA/NSPS Land Title Survey prepared by Michael G. Judt, Professional Surveyor #21500017, HWC Engineering Job #2600-291-A, dated April 23, 2026, more particularly described as follows:

BEGINNING at the Southwest corner of the Southwest Quarter of said Quarter Section, being marked by railroad spike; thence North 00 degrees 18 minutes 14 seconds West (grid bearing, Indiana State Plane, East Zone, NAD 83, 2011, EPOCH 2010.0000) along the west line of the Southwest Quarter of the Northwest Quarter a distance of 947.46 feet to the southwest corner of Limestone Springs, Section 2A, the plat of which is recorded in Instrument Number 200500049682 in the Office of the Hamilton County Recorder, being marked by a 5/8-inch diameter rebar with cap stamped "HWC Engineering Firm #0114"; thence North 89 degrees 25 minutes 31 seconds East along said south line of Limestone Springs, Section 2A a distance of 530.73 feet to the northwest corner of Jogene Pines, Secondary Plat, the plat of which is recorded in Instrument Number 200300069595 in said Recorder's Office; thence South 00 degrees 18 minutes 15 seconds East along the west line of said plat and the southerly extension thereof a distance of 946.84 feet to the south line of the Southwest Quarter of the Northwest Quarter of said Section 27; thence South 89 degrees 21 minutes 30 seconds West along said south line a distance of 530.74 feet to the POINT OF BEGINNING, containing 11.540 acres, more or less.



REAL ESTATE

11798 E 131st Street & 11842 E 131st Street
Parcel No. 13-11-27-00-00-022-004 & 13-11-27-00-00-022.002

Exhibit B.2 – Concept Plan



Exhibit B.3 – Illustrative Architectural Exhibit



Exhibit B.4 – Additional Architecture Exhibit



[Exhibit B.5](#) – Garage Door Exhibit



[Exhibit B.6 – Amenities](#)





Council Action Form

MEETING DATE	August 17, 2026			
TITLE	Consideration of a rezone of 11.54 acres of from R2 Residential to PUD-R for a 23-lot for sale single-family residential neighborhood to know as Buckhaven (RZ-26-5)			
SUBMITTED BY	Name & Title: Ross Hilleary, Assistant Director of Planning Department:			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading ☒ Final Reading
	Ordinance #: 051826G		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☒ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	Consideration of a rezone of 11.54 acres of from R2 Residential to PUD-R for a 23-lot for sale single-family residential neighborhood to know as Buckhaven PUD. The property is located at 11798 E 131st Street & 11842 E 131st Street. Parcel No. 13-11-27-00-00-022-004 & 13-11-27-00-00-022.002. Pulte Homes of Indiana is requesting this rezone for a 23-lot single-family for sale side-loaded garage neighborhood with the R5 Residential District has the base zoning district. Plan Commission held a public hearing on August 5, 2026 and sends a favorable recommendation, 7-0.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Hold 1st Reading
	2.	Continue
	3.	
	4.	
PROJECT TIMELINE	May 18, 2026- 1st Reading - City Council June 11, 2026 - Neighborhood Meeting (Billericay Park Building, 5 PM) August 5, 2026 - Public Hearing - Plan Commission August 17, 2026 - Proposed Final Reading - City Council	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends that Council hold Final Reading.	
SUPPLEMENTAL INFORMATION (List all attached documents)	- Ordinance	

ORDINANCE NO. 051826H

AN ORDINANCE OF THE COMMON COUNCIL AMENDING THE NICKEL PLATE DISTRICT CODE OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA.

This is an ordinance to amend the text of the Nickel Plate District Code, Ordinance No. 11813A, (“Nickel Plate Code”), as amended, previously enacted by the City of Fishers, Hamilton County Indiana (“City”) pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, The City of Fishers (the “Petitioner”) seeks to amend the Standards of the Nickel Plate Code, as further specified herein in Section 3;

WHEREAS, the Advisory Plan Commission for the City of Fishers (“Plan Commission”) has conducted a public hearing on Docket No. TA-26-5 as required by law in regard to the Text Amendment; and WHEREAS, the Plan Commission, at its meeting on the August 5, 2026 sent No Recommendation to the Common Council by a vote of seven (7) in favor and zero (0) opposed.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, THE SUCESSOR IN INTEREST TO THE TOWN OF FISHERS, PURSANT TO IND. CODE 36-4-1 ET. SEQ., THAT THE ZONING ORDINANCE, A PART OF THE COMPREHENSIVE PLAN AND ORDINANCES – 2018, ORDINANCE NO. 071618F, AS AMENDED, IS HEREBY AMENDED AS FOLLOWS:

Section 1. Amendment. This Text Amendment amends certain sections of the Unified Development Ordinance.

Section 2. Purpose Statement. The purpose of this ordinance is to refine certain regulatory language for the allowance of Accessory Dwelling Units (“ADUs”) within the VC Village Center Zoning District to Section 1. Zone Regulations, Section 4. Parking Regulations, Section 8. Administration, and Section 9. Definitions as set forth herein.

Section 3. Changes to the Nickel Plate District Code. The following sections of the Nickel Plate District Code shall be amended, as follows:

Nickel Plate Code Figure 1.2: Zone Descriptions

Village Center
The Village Center is the population center to support downtown. Connectivity to the Downtown Core is critical for pedestrians, cyclists and vehicles. This connectivity is to be achieved through pedestrian activity on a network of trails and sidewalks. Civic functions such as schools, community centers, and churches are possible uses to help enrich the overall character and experience. To maximize the resident population surrounding downtown, the Village Center will consist of residential building types including multifamily developments, townhouses, accessory dwelling units, and single-family dwellings. These building types provide a character of a tightly knit community that is ‘in town’, with building pulled close to primary streets while creating frontages that promote interaction of neighbors.

Nickel Plate Code Figure 1.3: Development Standards

	DC Downtown Core	MC Municipal Center	HC Highway Center	VC Village Center	TC Technology Center
Structure Height:					
Accessory Maximum:	Not Permitted	Not Permitted	Not Permitted	15 feet	35 feet
ADU Minimum:	Not Permitted	Not Permitted	Not Permitted	N/A	Not Permitted
ADU Maximum:	Not Permitted	Not Permitted	Not Permitted	25 feet (detached) 42 feet (over garage)	Not Permitted
Structure Size:					
Minimum Accessory Area:	Not Permitted	Not Permitted	Not Permitted	N/A	N/A
Maximum Accessory Area:	Not Permitted	Not Permitted	Not Permitted	600 SF	N/A
Minimum ADU Area:	Not Permitted	Not Permitted	Not Permitted	N/A	N/A
Maximum ADU Area:	Not Permitted	Not Permitted	Not Permitted	800 SF	N/A

Nickel Plate Code Figure 1.4: Building Types

	DC Downtown Core	MC Municipal Center	HC Highway Center	VC Village Center	TC Technology Center
ADU Accessory Dwelling Unit: A residential living unit on the same parcel as a single-family dwelling. The ADU provides complete independent living facilities for one or more persons. It may take various forms: a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled dwelling.				●	

ADU: Accessory Dwelling Unit

Type-Specific Standards	
Required Features	Desired Features
Paved egress route to driveway/alley	Stoop/front porch
Owner occupation in either ADU or primary	
One (1) ADU per lot	
Separate address/unit number	

Nickel Plate Code Section 4 – Parking Regulations

4.3.9: Accessory Dwelling Units shall not be considered a separate dwelling for the purpose of required parking space ratios in Figure 4.1.

Nickel Plate Code Section 8 – Administration

8.2: Review

8.2.10: Waivers Review Process

5. Minor waivers eligibility: Minor waivers are modest changes to design standards that are determined to meet the goals and intent of the Nickel Plate District and achieve substantial, though not complete, compliance with the Nickel Plate District Code. Minor waivers shall not compromise the project's ability to meet the goals and intent of the district as stated in the Nickel Plate District Code. Minor waivers may be approved administratively by the Mayor or Mayor's Designee or the Director's designee. The following design standards are eligible for a minor waiver: (Ord. 081715F)

- q. Accessory Dwelling Units: Approval of alternate architecture for an Accessory Dwelling Unit (ADU) that meets the overall intent and character of Section 2 – Architecture Regulations.

Nickel Plate Code Section 9 – Definitions

Accessory Dwelling Unit: A residential living unit on the same parcel as a single-family dwelling. The ADU provides complete independent living facilities for one or more persons. It may take various forms: a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled dwelling.

Accessory Structure: A non-dwelling structure that is subordinate in both purpose and size that is incidental to and customarily associated with any principal structure or principal use that is located on the same lot. This definition does not include Accessory Dwelling Units.

Section 4. All other provisions of Fishers' Code of Ordinance or policies not in conflict with or specifically changed by this amendment shall remain in full force and effect.

Section 5. This Ordinance shall be in full force and effect after its adoption by Council, approval by the Mayor, and publication, if required, in accordance with Indiana law.

ALL OF WHICH IS ORDAINED by the Common Council of Fishers, Indiana, this 17th day of August 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson, Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ **2026**, at _____ p.m.

ATTEST: _____
Jennifer L. Kehl, Fishers City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument is prepared by: Lindsey M. Bennett, Corporation Council, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey M. Bennett



ORDINANCE NO. 051826H

AN ORDINANCE OF THE COMMON COUNCIL AMENDING THE NICKEL PLATE DISTRICT CODE OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA.

This is an ordinance to amend the text of the Nickel Plate District Code, Ordinance No. 11813A, (“Nickel Plate Code”), as amended, previously enacted by the City of Fishers, Hamilton County Indiana (“City”) pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, The City of Fishers (the “Petitioner”) seeks to amend the Standards of the Nickel Plate Code, as further specified herein in Section 3;

WHEREAS, the Advisory Plan Commission for the City of Fishers (“Plan Commission”) has conducted a public hearing on Docket No. TA-26-5 as required by law in regard to the Text Amendment; and WHEREAS, the Plan Commission, at its meeting on the August 5, 2026 sent No Recommendation to the Common Council by a vote of seven (7) in favor and zero (0) opposed.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, THE SUCESSOR IN INTEREST TO THE TOWN OF FISHERS, PURSANT TO IND. CODE 36-4-1 ET. SEQ., THAT THE ZONING ORDINANCE, A PART OF THE COMPREHENSIVE PLAN AND ORDINANCES – 2018, ORDINANCE NO. 071618F, AS AMENDED, IS HEREBY AMENDED AS FOLLOWS:

Section 1. Amendment. This Text Amendment amends certain sections of the Unified Development Ordinance.

Section 2. Purpose Statement. The purpose of this ordinance is to refine certain regulatory language for the allowance of Accessory Dwelling Units (“ADUs”) within the VC Village Center Zoning District to Section 1. Zone Regulations, Section 4. Parking Regulations, Section 8. Administration, and Section 9. Definitions as set forth herein.

Section 3. Changes to the Nickel Plate District Code. The following sections of the Nickel Plate District Code shall be amended, as follows, with additions shown in blue and deletions shown in red-strikeout:

Nickel Plate Code Figure 1.2: Zone Descriptions

Village Center
The Village Center is the population center to support downtown. Connectivity to the Downtown Core is critical for pedestrians, cyclists and vehicles. This connectivity is to be achieved through pedestrian activity on a network of trails and sidewalks. Civic functions such as schools, community centers, and churches are possible uses to help enrich the overall character and experience. To maximize the resident population surrounding downtown, the Village Center will consist of residential building types including multifamily developments, townhouses, accessory dwelling units, and single-family

dwelling. These building types provide a character of a tightly knit community that is 'in town', with building pulled close to primary streets while creating frontages that promote interaction of neighbors.

Nickel Plate Code Figure 1.3: Development Standards

	DC Downtown Core	MC Municipal Center	HC Highway Center	VC Village Center	TC Technology Center
Structure Height:					
Accessory Maximum:	Not Permitted	Not Permitted	Not Permitted	15 feet /600 SF	35 feet
ADU Minimum:	Not Permitted	Not Permitted	Not Permitted	N/A	Not Permitted
ADU Maximum:	Not Permitted	Not Permitted	Not Permitted	25 feet (detached) 42 feet (over garage)	Not Permitted
Structure Size:					
Minimum Accessory Area:	Not Permitted	Not Permitted	Not Permitted	N/A	N/A
Maximum Accessory Area:	Not Permitted	Not Permitted	Not Permitted	600 SF	N/A
Minimum ADU Area:	Not Permitted	Not Permitted	Not Permitted	N/A	N/A
Maximum ADU Area:	Not Permitted	Not Permitted	Not Permitted	800 SF	N/A

Nickel Plate Code Figure 1.4: Building Types

	DC Downtown Core	MC Municipal Center	HC Highway Center	VC Village Center	TC Technology Center
ADU Accessory Dwelling Unit: A residential living unit on the same parcel as a single-family dwelling. The ADU provides complete independent living facilities for one or more persons. It may take various forms: a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled dwelling.					

ADU: Accessory Dwelling Unit

Type-Specific Standards	
Required Features	Desired Features
Paved egress route to driveway/alley	Stoop/front porch
Owner occupation in either ADU or primary	
One (1) ADU per lot	
Separate address/unit number	

Nickel Plate Code Section 4 – Parking Regulations

4.3.9: Accessory Dwelling Units shall not be considered a separate dwelling for the purpose of required parking space ratios in Figure 4.1.

Nickel Plate Code Section 8 – Administration

8.2: Review

8.2.10: Waivers Review Process

5. Minor waivers eligibility: Minor waivers are modest changes to design standards that are determined to meet the goals and intent of the Nickel Plate District and achieve substantial, though not complete, compliance with the Nickel Plate District Code. Minor waivers shall not compromise the project's ability to meet the goals and intent of the district as stated in the Nickel Plate District Code. Minor waivers may be approved administratively by the Mayor or Mayor's Designee or the Director's designee. The following design standards are eligible for a minor waiver: (Ord. 081715F)

- q. Accessory Dwelling Units: Approval of alternate architecture for an Accessory Dwelling Unit (ADU) that meets the overall intent and character of Section 2 – Architecture Regulations.

Nickel Plate Code Section 9 – Definitions

~~Accessory Unit: an Apartment not greater than 440 square feet sharing ownership and utility connections with a Primary Building; it may or may not be within an Outbuilding.~~

Accessory Dwelling Unit: A residential living unit on the same parcel as a single-family dwelling. The ADU provides complete independent living facilities for one or more persons. It may take various forms: a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled dwelling.

Accessory Structure: A non-dwelling structure that is subordinate in both purpose and size that is incidental to and customarily associated with any principal structure or principal use that is located on the same lot. This definition does not include Accessory Dwelling Units.

Section 4. All other provisions of Fishers' Code of Ordinance or policies not in conflict with or specifically changed by this amendment shall remain in full force and effect.

Section 5. This Ordinance shall be in full force and effect after its adoption by Council, approval by the Mayor, and publication, if required, in accordance with Indiana law.

ALL OF WHICH IS ORDAINED by the Common Council of Fishers, Indiana, this 17th day of August 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson, Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ **2026**, at _____ p.m.

ATTEST: _____
Jennifer L. Kehl, Fishers City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument is prepared by: Lindsey M. Bennett, Corporation Council, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey M. Bennett





Council Action Form

MEETING DATE	August 17, 2026			
TITLE	Consideration of a text amendment to the Nickel Plate District Code (NPDC) to Section 1. Zone Regulations, Section 4. Parking Regulations, Section 8. Administration, and Section 9. Definitions (TA-26-5)			
SUBMITTED BY	Name & Title: Lucas Smith, Zoning Administrator Department:			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading ☒ Final Reading
	Ordinance #: 051826H		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☒ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☐ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☒ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	This is a test amendment to the Fishers Nickel Plate District Code (NPDC) which includes changes to the following sections: - Section 1. Zone Regulations - Section 4. Parking Regulations - Section 8. Administration - Section 9. Definitions	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Vote on Final Reading
	2.	Continue
	3.	
	4.	
PROJECT TIMELINE	May 18, 2026 - Proposed 1st Reading - City Council June 22, 2026 - Virtual Town Hall Engineering August 5, 2026 - Public Hearing - Plan Commission August 17, 2026 - Final Reading - City Council	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends approval of the ordinance.	
SUPPLEMENTAL INFORMATION (List all attached documents)	- Ordinance	

ORDINANCE NO. 072026C

**AN ORDINANCE OF THE COMMON COUNCIL
OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA
AMENDING THE OFFICIAL ZONING MAP TO REZONE A PROPERTY TO THE
CITIZENS STATE BANK PLANNED UNIT DEVELOPMENT**

WHEREAS, this is an ordinance to amend the Official Zoning Map incorporated into Unified Development Ordinance, (“UDO”), for the City of Fishers (the “City”), previously enacted pursuant to Ind. Code § 36-7-4 *et seq.* as amended.

WHEREAS, the Advisory Plan Commission for the City of Fishers (“Plan Commission”) has conducted a public hearing on Docket No. RZ-26-4 as required by law in regard to the Rezone; and

WHEREAS, the Plan Commission at its August 5, 2026 meeting sent a favorable recommendation to the Common Council by a vote of seven (7) in favor and zero (0) opposed.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, THE SUCESSOR IN INTEREST TO THE TOWN OF FISHERS, PURSANT TO IND. CODE 36-4-1 ET. SEQ., THAT THE ZONING ORDINANCE, A PART OF THE COMPREHENSIVE PLAN AND ORDINANCES – 2018, ORDINANCE NO. 071618F, AS AMENDED, IS HEREBY AMENDED AS FOLLOWS:

- Section 1.** **Amendment.** The City’s Official Zoning Map is hereby amended to designate the Real Estate, as described and shown in **Exhibit A** and **Exhibit B**, to the Citizens State Bank Planned Unit Development.
- Section 2.** This Ordinance shall be in full force and effect from and upon its adoption and in accordance with Indiana law.
- Section 3.** The specific zoning standards, concept plans, and illustrative architectural exhibits shall be approved as shown in **Exhibit C** (“Petitioner’s Packet”), attached.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ALL OF WHICH IS ORDAINED by the Common Council of Fishers, Indiana, this 17th day of August 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY		NAY	ABSTAIN
	John DeLucia, Member		
	Tiffanie Ditlevson, Member		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2026, at _____ m.

ATTEST: _____
Jennifer L. Kehl, City Clerk

MAYOR’S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR’S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

“I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.” Lindsey Bennett

EXHIBIT A

Legal Description of Real Estate

A part of the East Half of the Southeast Quarter of Section 35, Township 18 North, Range 5 East, described as follows:

Begin at a point 208.72 feet East of the Southwest corner of the East Half of the Southeast Quarter Section 35, Township 18 North, Range 5 East, run thence North parallel with the West line of said East Half 208.72 feet to a point. Thence East parallel with the South line of said South East Quarter 208.72 feet to an iron stake. Thence South 208.72 feet to the intersection with the South line of said quarter. Thence West along this South line 208.72 feet to the place of beginning, containing 1 acre more or less.

13562 E 116th Street Fishers, IN 46037

Parcel No. 13-11-35-00-00-039.000

EXHIBIT B
Graphic Depiction of Real Estate



13562 E 116th Street Fishers, IN 46037
Parcel No. 13-11-35-00-00-039.000

EXHIBIT C
Petitioner's Packet

2026

Citizens State Bank PUD



Community & Economic Development Department

City of Fishers

Ordinance:072026C



A. Declaration, Purpose and Intent, Applicability, and Allowed Uses

1. Declaration

- a. Ordinance No. 072026C (this “Ordinance”)
- b. Adopted: _____, 2026

2. Purpose and Intent

The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 062121B, as amended, and the Official Zoning Map of the City of Fishers, Indiana, as amended, which accompanies and is a part of the Zoning Code of the City of Fishers, Indiana, are hereby amended as follows:

The zoning classification of the real estate legally described in **Exhibit B.1.**, attached hereto and incorporated herein (the "Real Estate"), is hereby designated as Planned Unit Development – Commercial District (PUD-C) and shall hereafter be known as the "**Citizens State Bank PUD**".

Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and those provisions of the UDO specifically referenced in this Ordinance. All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

3. Applicability

The standards of the UDO applicable to the *CI Commercial District* shall apply to the development, as shown on the Concept Plan, except as modified, revised, or expressly made inapplicable by this Ordinance. Cross-references to "Chapter", "Article", and "Section" in this Ordinance shall refer to the corresponding Chapter, Article and Section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein and are defined in the UDO shall have the meaning ascribed to them in the UDO. An amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and *Sec. 1.3.5. Transition Ordinance* also shall apply to amendments.

4. Allowed Uses

All uses permitted in the *CI Commercial District* shall be permitted.

B. Concept Plan

The Concept Plan, attached hereto as **Exhibit B.2.**, is hereby incorporated. The Real Estate's Development Plan shall be substantially consistent with the Concept Plan and shall be reviewed and approved based upon compliance with the development and design standards

set forth herein. If the Director determines that a Development Plan is not substantially consistent with the Concept Plan (the "Director's Determination"), then the Director shall notify the applicant in writing within ten (10) business days of receipt of the submitted Development Plan of: (1) the Director's Determination; and (2) whether the Development Plan is (a) approved; or (b) not approved (the "Director's Decision"). The Director's Decision shall be based upon the Development Plan's compatibility and consistency with the intended quality and character of the **Citizens State Bank PUD**. If the Director's Decision does not approve the Development Plan, then the applicant may submit the Development Plan to the City Council for review and approval. The City Council's decision shall be made at a public meeting, but no additional public hearing shall be required.

C. Standards for the District

1. Introductory Provisions

The regulations of *CHAPTER 1. INTRODUCTORY PROVISIONS* shall apply.

2. Administration

The regulations of *CHAPTER 2. ADMINISTRATION* shall apply.

3. Zoning Districts

The regulations of *CHAPTER 3. ZONING DISTRICTS* shall apply, except as modified by this Ordinance.

a. **Article 3.1. Establishment of Zoning Districts:** Shall apply.

b. **Article 3.2. Residential Districts:** Shall not apply.

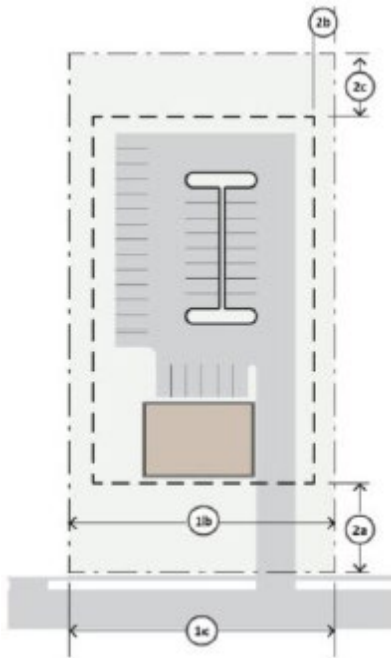
c. **Article 3.3. Nonresidential Districts:** Shall apply, except as modified below:

(1) *Sec. 3.3.1. C1 Commercial District:* Shall not apply; instead, the following shall apply:

Development Standards

Development Standards	
1. Minimum Lot Dimensions	
1a. Lot area	n/a
1b. Lot width	n/a
1c. Lot frontage	100'
2. Minimum Building Setbacks	
2a. Front ¹	40'
2b. Side ¹ / aggregate	10'
2c. Rear ¹	20'
2d. Internal	Zero
3. Maximum Building Height	
3a. Primary structure	24'
4. Building Floor Area	
4a. Main floor area (min)	n/a
4b. Floor area per unit (min)	n/a
4c. Building footprint (ground level), including garage (max)	4,500 sf
5. Other	
5a. Requires municipal water and sewer hookup	

5b. Impervious area of lot (max)	75%
Notes: 1. Additional buffer yard requirements may apply.	



d. Article 3.4. Other Districts: Shall apply.

4. Overlay Zoning Districts

The regulations of *CHAPTER 4. OVERLAY ZONING DISTRICTS* shall apply.

5. Use Regulations

The regulations of *CHAPTER 5. USE REGULATIONS* shall apply.

6. Development Standards

The regulations of *CHAPTER 6. DEVELOPMENT STANDARDS* shall apply, except as modified by this Ordinance.

a. Article 6.1. General Provisions: Shall apply.

b. Article 6.2. Accessory Structure Standards: Shall apply.

c. Article 6.3. Architectural Design Standards: Shall apply, except as modified below:

- (1) The Illustrative Architectural Exhibit, attached hereto as **Exhibit B.3.**, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of the building on the Real Estate. The final design may vary from the Illustrative Architectural Exhibit; however, the building shall be substantially similar in quality and character to the building shown in the Illustrative Architectural Exhibit.

d. Article 6.4. Entrance & Driveway Standards: Shall apply.

e. Article 6.5. Exterior Lighting Standards: Shall apply.

f. Article 6.6. Height Standards: Shall apply.

- g. Article 6.7. Landscaping Standards:* Shall apply. Additionally, existing saved trees shall count toward any planting requirement at a one-to-one ratio.
- h. Article 6.8. Lot Standards:* Shall apply.
- i. Article 6.9. Non-Residential Open Space:* Shall apply.
- j. Article 6.10. Outdoor Display & Storage Standards:* Shall apply.
- k. Article 6.11. Parking & Loading Standards:* Shall apply.
- l. Article 6.12. Pedestrian Accessibility Standards:* Shall apply.
- m. Article 6.13. Permitted Non-residential Structure Standards:* Shall apply.
- n. Article 6.14. Property Identification Standards:* Shall apply.
- o. Article 6.15. Public Art Standards:* Shall apply.
- p. Article 6.16. Setback Standards:* Shall apply.
- q. Article 6.17. Signage Standards:* Shall apply.
- r. Article 6.18. Wall & Fence Standards:* Shall apply.
- s. Article 6.19. Water & Sewer Standards:* Shall apply.
- t. Article 6.20. Vision Clearance Standards:* Shall apply.

7. Subdivision Regulations

The regulations of *CHAPTER 7. SUBDIVISION REGULATIONS* shall apply.

8. Subdivision & Planned Unit Development Design Standards

The regulations of *CHAPTER 8. SUBDIVISION & PLANNED UNIT DEVELOPMENT DESIGN STANDARDS* shall apply.

- a. Article 8.1. General Provisions:* Shall apply.
- b. Article 8.2. Block, Lot & Access Standards:* Shall apply.
- c. Article 8.3. Street & Alley Standards:* Shall apply.
- d. Article 8.4. Open Space, Common Area & Amenity Standards:* Shall apply.
- e. Article 8.5. Other Design Standards:* Shall apply.

9. Floodplain Standards

The regulations of *CHAPTER 9. FLOODPLAIN STANDARDS* shall apply.

10. Procedures & Permits

The regulations of *CHAPTER 10. PROCEDURES & PERMITS* shall apply.

11. Enforcement & Penalties

The regulations of *CHAPTER 11. ENFORCEMENT & PENALTIES* shall apply.

12. Definitions

The regulations of *CHAPTER 12. DEFINITIONS* shall apply.

13. Additional Standards

The following additional standards shall apply:

- a.* The use of the Real Estate shall be limited to one tenant and shall be 100 percent owner-occupied.
- b.* Business hours shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 1:00 p.m., Saturday. The business shall be closed on Sunday.

- c. The building shall be limited to 4,500 square feet for the first floor building footprint. This limitation only includes space under roof and shall not include outdoor amenity space such as patios, porches, rooftop decks, etc. that are not under roof.
- d. The building shall include predominately pitched roofs and relate to residential architecture.
- e. The building height shall be limited to 24 feet.
- f. Existing hardwood/deciduous trees on the Real Estate shall be preserved to the greatest extent possible.
- g. There shall be a maximum of 27 parking spaces.
- h. To the extent possible, all areas outside of the space for the building, drives, and parking should be green space and landscaping.
- i. Signage on the Real Estate shall be limited to one free-standing ground or monument sign and up to ten (10) square feet of building signage on the south façade and on the east façade, in general location consistency as depicted in Exhibit B.3., with letters no greater than 12" tall.
- j. Lighting in parking areas shall be minimal in order to meet minimum UDO requirements and designed/controlled to be dimmed two hours after dusk until one hour before dawn.

(Remainder of page intentionally left blank.)

Exhibit B.1. – Real Estate Description and Depiction

A part of the East Half of the Southeast Quarter of Section 35, Township 18 North, Range 5 East, described as follows:

Begin at a point 208.72 feet East of the Southwest corner of the East Half of the Southeast Quarter Section 35, Township 18 North, Range 5 East, run thence North parallel with the West line of said East Half 208.72 feet to a point. Thence East parallel with the South line of said South East Quarter 208.72 feet to an iron stake. Thence South 208.72 feet to the intersection with the South line of said quarter. Thence West along this South line 208.72 feet to the place of beginning, containing 1 acre more or less.

13562 East 116th Street

Tax Parcel ID: 13-11-35-00-00-039.000



Exhibit B.2. – Concept Plan



CONCEPTUAL SITE PLAN
New 116th St. Branch



Exhibit B.3. – Illustrative Architectural Exhibit



New 116th St. Branch
CONCEPTUAL DESIGN
South Elevation



New 116th St. Branch
CONCEPTUAL DESIGN
East Elevation



Exhibit B.3. – Illustrative Architectural Exhibit (cont'd.)



New 116th St. Branch
CONCEPTUAL DESIGN
South From Road





Engineering Memorandum

August 03, 2026

To: Citizens State Bank Fishers

CC: Ross Hilleary, Assistant Director of Planning, Community and Economic Development
Laura McClure, P.E., CFM, Engineer, Engineering Department

From: Hatem Mekky, P.E., Director of Engineering

Subject: 116th Street & Citizens State Bank Fishers

The City of Fishers Engineering Department has reviewed the proposed Citizens State Bank and 116th street approach (Full access). There is no concern on the approach intersection with 116th street. The Level of impact from this type of facility is not anticipated to have a negative effect on 116th street.

The Engineering Department will continue to monitor all access points along 116th Street, and if this access has resulted in any issues, then the Department will revisit the access control to this parcel. If and when there is a change of business on this parcel, there will need to be another review from the Engineering Department as this will no longer apply to the new use.

Hatem Mekky, PE MSCE

Director of Engineering, City of Fishers



Council Action Form

MEETING DATE	August 17, 2026			
TITLE	Consideration of a rezone of .83 acres from the Drive Planning PUD to the Citizens State Bank PUD to allow for a bank with a common address of 13562 E 116th Street (RZ-26-4)			
SUBMITTED BY	Name & Title: Ross Hilleary, Assistant Director of Planning Department:			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading ☒ Final Reading
	Ordinance #: 072026C		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☒ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	13562 E 116th Street is a existing vacant single-family property that was rezoned to the Drive Planning PUD on January 14, 2024. Since that time the development did not move forward. This rezone request is to demo the existing vacant single-family property and build a single-story 4,500 sq ft single tenant 100 % owner occupied bank with C1 Standards. Citizens State Bank is a proposing to operate this bank that will be open Monday - Friday 7 AM to 7 PM and Saturdays 8 AM to 1 PM. Additional conditions have been included in signage restrictions, building height, parking maximums, lighting restrictions. The bank is proposing a drive-thru to be located in the rear of the building. Additional detail can be found within the Petitioner Packet. Plan Commission met on August 5, 2026 and sent a favorable recommendation, 8-0.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Hold Final Reading
	2.	Continue
	3.	
	4.	
PROJECT TIMELINE	July 20, 2026 - 1st Reading - City Council August 5, 2026 - Public Hearing - Plan Commission August 17, 2026 - Proposed Final Reading - City Council	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends that Council hold Final Reading.	
	1. Ordinance	

SUPPLEMENTAL INFORMATION (List all attached documents)	2. Petitioner Packet 3. Memo
--	---------------------------------

ORDINANCE NO. 081726A

**AN ORDINANCE OF THE COMMON COUNCIL
OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA
TO EXPAND THE YARD PHASE II PLANNED UNIT DEVELOPMENT**

WHEREAS, this is an ordinance to amend the Official Zoning Map incorporated into Unified Development Ordinance, (“UDO”), for the City of Fishers (the “City”), previously enacted pursuant to Ind. Code § 36-7-4 *et seq.* as amended.

WHEREAS, the Advisory Plan Commission for the City of Fishers (“Plan Commission”) has conducted a public hearing on Docket No. RZ-26-X as required by law in regard to the Rezone; and

WHEREAS, the Plan Commission at its September 2, 2026 meeting sent a _____ recommendation to the Common Council by a vote of ____ () in favor and ____ () opposed.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, THE SUCCESSOR IN INTEREST TO THE TOWN OF FISHERS, PURSUANT TO IND. CODE 36-4-1 ET. SEQ., THAT THE ZONING ORDINANCE, A PART OF THE COMPREHENSIVE PLAN AND ORDINANCES – 2018, ORDINANCE NO. 071618F, AS AMENDED, IS HEREBY AMENDED AS FOLLOWS:

- Section 1.** **Amendment.** The City’s Official Zoning Map is hereby amended to designate the Real Estate, as described and shown in **Exhibit A** and graphically depicted in **Exhibit B** to and conceptually shown in **Exhibit C** The Yard Phase II Planned Unit Development.
- Section 2.** This Ordinance shall be in full force and effect from and upon its adoption and in accordance with Indiana law.
- Section 3.** The specific zoning standards, concept plans, and illustrative architectural exhibits shall be approved as shown in **Exhibit D** (“Planned Unit Development Text Amendment”), attached.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ORDINANCE NO. _____

ALL OF WHICH IS ORDAINED by the Common Council of Fishers, Indiana, this 21st day of September 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY		NAY	ABSTAIN
	John DeLucia, Member		
	Tiffanie Ditlevson, Member		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2026, at _____ m.

ATTEST: _____
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law."
Lindsey Bennett

EXHIBIT A

Legal Description of Real Estate

Lot 2 of THE LINK

Part of the Southwest Quarter of Section 6, Township 17 North, Range 5 East of the Second Principal Meridian, situated in the City of Fishers, Delaware Township, Hamilton County, Indiana, also being a portion of the tract of land granted to G & I MJW 11100 USA Parkway, LLC ("Tract 3"), recorded as Instrument Number 2022036349 in the Office of the Recorder of Hamilton County, Indiana, hereinafter Recorder's Office, and being more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 6; thence North 00 degrees 03 minutes 49 seconds East (grid bearings based on Indiana State Plane Coordinate System - East Zone per NAD 83 (2011) EPOCH 2010.000) 84.97 feet (all distances in this description are horizontal ground distances) along the West line of said Southwest Quarter to the Southeast corner of the Southeast Quarter of Section 1, Township 17 North, Range 4 East; thence North 00 degrees 08 minutes 37 seconds East 1734.21 feet along the West line of the Southwest Quarter of Section 6 to a point lying 1819.18 feet northerly of the Southwest Corner of said Southwest Quarter, also being the northwestern corner of the real estate described in a Warranty Deed recorded as Deed Record 360, page 285 in said Recorder's Office; thence South 88 degrees 51 minutes 23 seconds East 73.51 feet along the northern line of said real estate to the southwestern corner of said Tract 3 (the following seven courses are along the boundary of said Tract 3); (one) thence North 00 degrees 08 minutes 37 seconds East 338.55 feet; (two) thence along a non-tangent curve to the right having a radius of 673.00 feet, an arc length of 118.86 feet and long chord bearing and distance of North 26 degrees 37 minutes 36 seconds East 118.71 feet; (three) thence North 31 degrees 41 minutes 10 seconds East 221.57 feet; (four) thence South 88 degrees 57 minutes 58 seconds East 947.18 feet to the POINT OF BEGINNING of this description; (five) thence North 00 degrees 08 minutes 37 seconds East 199.77 feet; (six) thence South 88 degrees 25 minutes 27 seconds East 527.58 feet; (seven) thence along a non-tangent curve to the left having a radius of 175.00 feet, an arc length of 83.26 feet and long chord bearing and distance of South 18 degrees 56 minutes 07 seconds East 82.48 feet; thence South 45 degrees 49 minutes 15 seconds West 297.81 feet to the point of curvature of a tangent curve to the left having a radius of 147.11 feet, an arc length of 47.02 feet and long chord bearing South 36 degrees 39 minutes 51 seconds West 46.82 feet; thence North 89 degrees 21 minutes 27 seconds West 206.56 feet; thence North 01 degrees 00 minutes 28 seconds East 118.59 feet; thence North 88 degrees 57 minutes 58 seconds West 108.70 feet; thence North 00 degrees 08 minutes 37 seconds East 15.00 feet to the POINT OF BEGINNING, containing 137,547 square feet (3.158 acres), more or less.

*Lot 2, The Link Subdivision
Parcel No.*

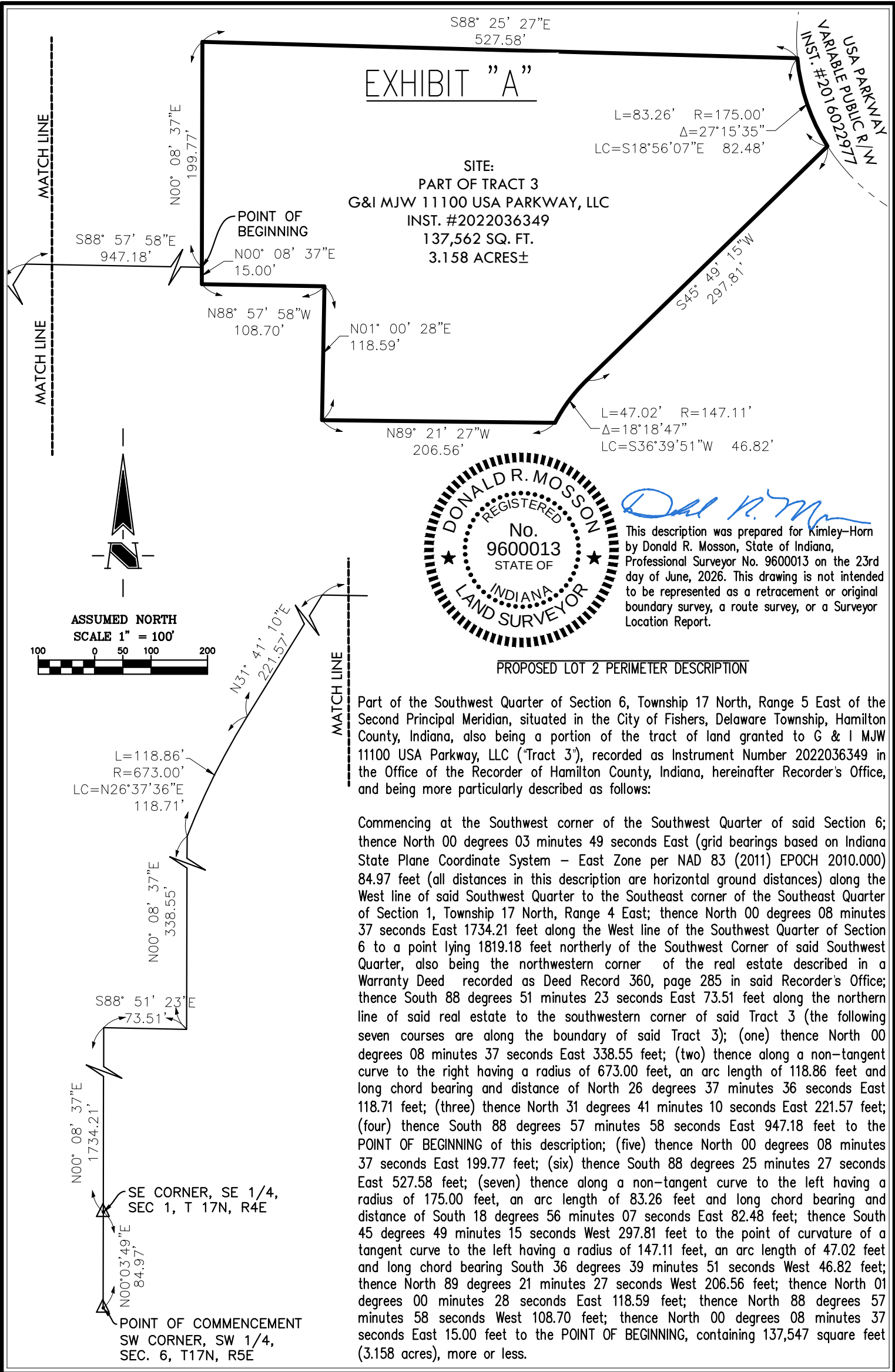
Lot 3 of THE LINK

Part of the Southwest Quarter of Section 6, Township 17 North, Range 5 East of the Second Principal Meridian, situated in the City of Fishers, Delaware Township, Hamilton County, Indiana, also being Lot 3 of The Link - Secondary Plat recorded as Instrument Number 2026028526 in the Office of the Recorder of Hamilton County, Indiana, hereinafter Recorder's Office, and being more particularly described as follows: Commencing at the Southwest corner of the Southwest Quarter of said Section 6; thence North 00 degrees 03 minutes 49 seconds East (grid bearings based on Indiana State Plane Coordinate System - East Zone per NAD 83 (2011) EPOCH 2010.000) 84.97 feet (all distances in this description are horizontal ground distances) along the West line of said Southwest Quarter to the Southeast corner of the Southeast Quarter of Section 1, Township 17 North, Range 4 East; thence North 00 degrees 08 minutes 37 seconds East 1504.21 feet along the West line of the Southwest Quarter of Section 6 to the southwest corner of The Link - Secondary Plat (the following four courses are along the boundary of said Secondary Plat); (one) thence South 88 degrees 51 minutes 23 seconds East 378.78 feet; (two) thence North 00 degrees 08 minutes 37 seconds East 4.63 feet; (three) thence South 88 degrees 57 minutes 58 seconds East 1172.26 feet; (four) thence North 00 degrees 08 minutes 37 seconds East 255.01 feet to the POINT OF BEGINNING of this description, all remaining courses are along the boundary of said Lot 3; thence North 88 degrees 59 minutes 36 seconds West 72.43 feet to the eastern right-of-way line of USA Drive (the following four courses are along said eastern right-of-way line); (one) thence along a non-tangent curve to the left having a radius of 143.99 feet, an arc length of 129.27 feet and a long chord bearing and distance of North 26 degrees 40 minutes 10 seconds East 124.97 feet; (two) thence North 00 degrees 57 minutes 04 seconds East 296.59 feet; (three) thence along a tangent curve to the right having a radius of 95.10 feet, an arc length of 74.48 feet and a long chord bearing and distance of North 23 degrees 23 minutes 09 seconds East 72.59 feet; (four) thence North 45 degrees 49 minutes 15 seconds East 295.04 feet to the southwestern right-of-way line of USA Parkway as dedicated in Instrument Number 2016022977 in the Recorder's Office; thence along said southwestern right-of-way line and being a non-tangent curve to the left having a radius of 175.00 feet, an arc length of 21.02 feet and a long chord bearing and distance of South 53 degrees 07 minutes 10 seconds East 21.01 feet; thence South 46 degrees 02 minutes 02 seconds West 340.00 feet; thence South 00 degrees 08 minutes 37 seconds West 433.10 to the POINT OF BEGINNING, containing 15,095 square feet (0.346 acres), more or less.

*Lot 3, The Link Subdivision
Parcel No.*

EXHIBIT B

Graphic Depiction of Real Estate



SCHNEIDER GEOMATICS
Historic Fort Harrison
8901 Otis Avenue
Indianapolis, IN 46216-1037
Telephone: 317.826.7100
Fax: 317.826.7200
www.schneidergeomatics.com

THE LINK - PROPOSED LOT 2 EXHIBIT

DATE: 06-23-2026	PROJECT NO.: 2519835
DRAWN BY: DRM	CHECKED BY: JLMB
DRAWING FILES: T:\25K\2519835\CAD\SG MARK HENNESSEY TEAM KH REVISIONS\2519835_SECONDARY	

Sheet 1 of 1

EXHIBIT "A"

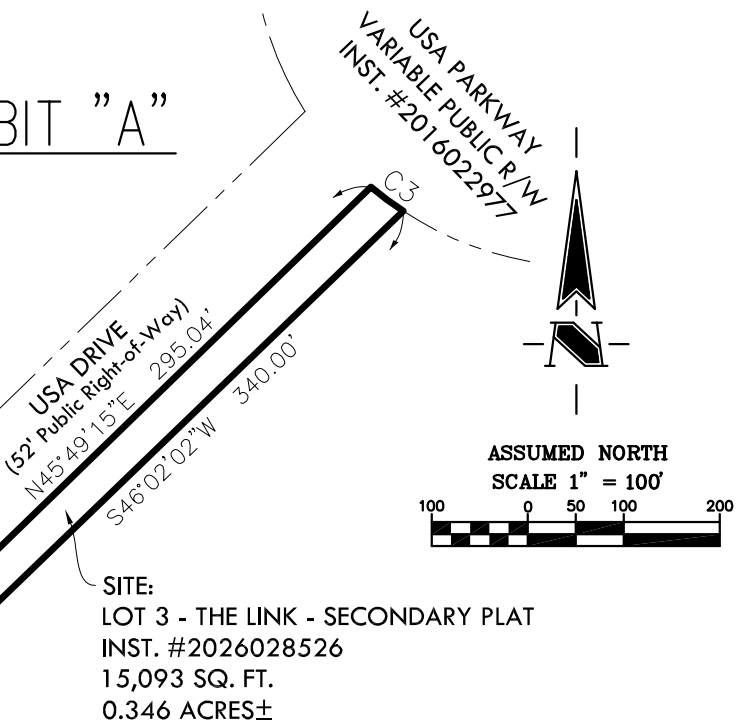
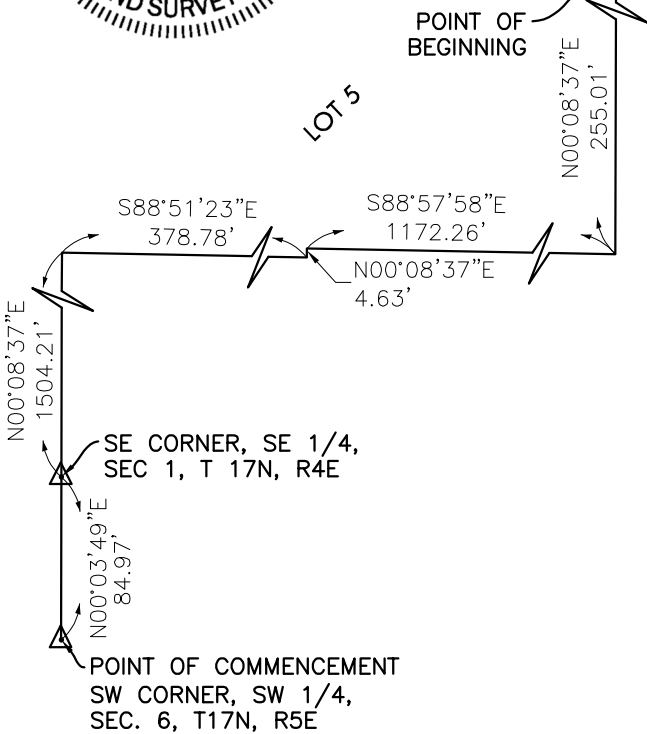
Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C1	129.27'	143.99'	N26° 40' 10"E	124.97'
C2	74.48'	95.10'	N23° 23' 09"E	72.59'
C3	21.02'	174.99'	S53° 07' 10"E	21.01'

Line Table		
Line #	Length	Direction
L1	72.43'	N88° 59' 36"W

This description was prepared for Kimley-Horn by Nichole M. Goodrich, State of Indiana, Professional Surveyor No. LS2200006 on the 7th day of July, 2026. This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report.

Nichole M. Goodrich

Nichole M. Goodrich
State of Indiana
Professional Surveyor No. LS22500006
July 6, 2026
ngoodrich@schneidergeomatics.com



SITE:
LOT 3 - THE LINK - SECONDARY PLAT
INST. #2026028526
15,093 SQ. FT.
0.346 ACRES±

LOT 3 PERIMETER DESCRIPTION

Part of the Southwest Quarter of Section 6, Township 17 North, Range 5 East of the Second Principal Meridian, situated in the City of Fishers, Delaware Township, Hamilton County, Indiana, also being Lot 3 of The Link - Secondary Plat recorded as Instrument Number 2026028526 in the Office of the Recorder of Hamilton County, Indiana, hereinafter Recorder's Office, and being more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 6; thence North 00 degrees 03 minutes 49 seconds East (grid bearings based on Indiana State Plane Coordinate System - East Zone per NAD 83 (2011) EPOCH 2010.000) 84.97 feet (all distances in this description are horizontal ground distances) along the West line of said Southwest Quarter to the Southeast corner of the Southeast Quarter of Section 1, Township 17 North, Range 4 East; thence North 00 degrees 08 minutes 37 seconds East 1504.21 feet along the West line of the Southwest Quarter of Section 6 to the southwest corner of The Link - Secondary Plat (the following four courses are along the boundary of said Secondary Plat); (one) thence South 88 degrees 51 minutes 23 seconds East 378.78 feet; (two) thence North 00 degrees 08 minutes 37 seconds East 4.63 feet; (three) thence South 88 degrees 57 minutes 58 seconds East 1172.26 feet; (four) thence North 00 degrees 08 minutes 37 seconds East 255.01 feet to the POINT OF BEGINNING of this description, all remaining courses are along the boundary of said Lot 3; thence North 88 degrees 59 minutes 36 seconds West 72.43 feet to the eastern right-of-way line of USA Drive (the following four courses are along said eastern right-of-way line); (one) thence along a non-tangent curve to the left having a radius of 143.99 feet, an arc length of 129.27 feet and a long chord bearing and distance of North 26 degrees 40 minutes 10 seconds East 124.97 feet; (two) thence North 00 degrees 57 minutes 04 seconds East 296.59 feet; (three) thence along a tangent curve to the right having a radius of 95.10 feet, an arc length of 74.48 feet and a long chord bearing and distance of North 23 degrees 23 minutes 09 seconds East 72.59 feet; (four) thence North 45 degrees 49 minutes 15 seconds East 295.04 feet to the southwestern right-of-way line of USA Parkway as dedicated in Instrument Number 2016022977 in the Recorder's Office; thence along said southwestern right-of-way line and being a non-tangent curve to the left having a radius of 175.00 feet, an arc length of 21.02 feet and a long chord bearing and distance of South 53 degrees 07 minutes 10 seconds East 21.01 feet; thence South 46 degrees 02 minutes 02 seconds West 340.00 feet; thence South 00 degrees 08 minutes 37 seconds West 433.10 to the POINT OF BEGINNING, containing 15,095 square feet (0.346 acres), more or less.



SCHNEIDER GEOMATICS
Historic Fort Harrison
8901 Otis Avenue
Indianapolis, IN 46216-1037
Telephone: 317.826.7100
Fax: 317.826.7200
www.schneidergeomatics.com

THE LINK - LOT 3 EXHIBIT

DATE: 07-06-2026	PROJECT NO.: 2519835
DRAWN BY: NMG	CHECKED BY: DRM

DRAWING FILES:
T:\26K\2621337\CAD\2621337 - SECONDARY

EXHIBIT C
Concept Plan



LEGEND

- A. Townhomes
- B. Mixed Use Residential/Commercial
- C. Public Plaza South (See Page 2)
- D. Public Plaza North (See Page 3)
- E. Pool & Amenity Courtyard (See Page 4)
- F. Community Dog Park (See Page 4)



LEGEND

- A. Decorative Concrete Plaza
- B. Table and Chairs with Umbrella
- C. Spun Chairs
- D. Bench, Type 1
- E. Bench, Type 2
- F. Cornhole Board
- G. Gaming Table
- H. Shuffleboard Court

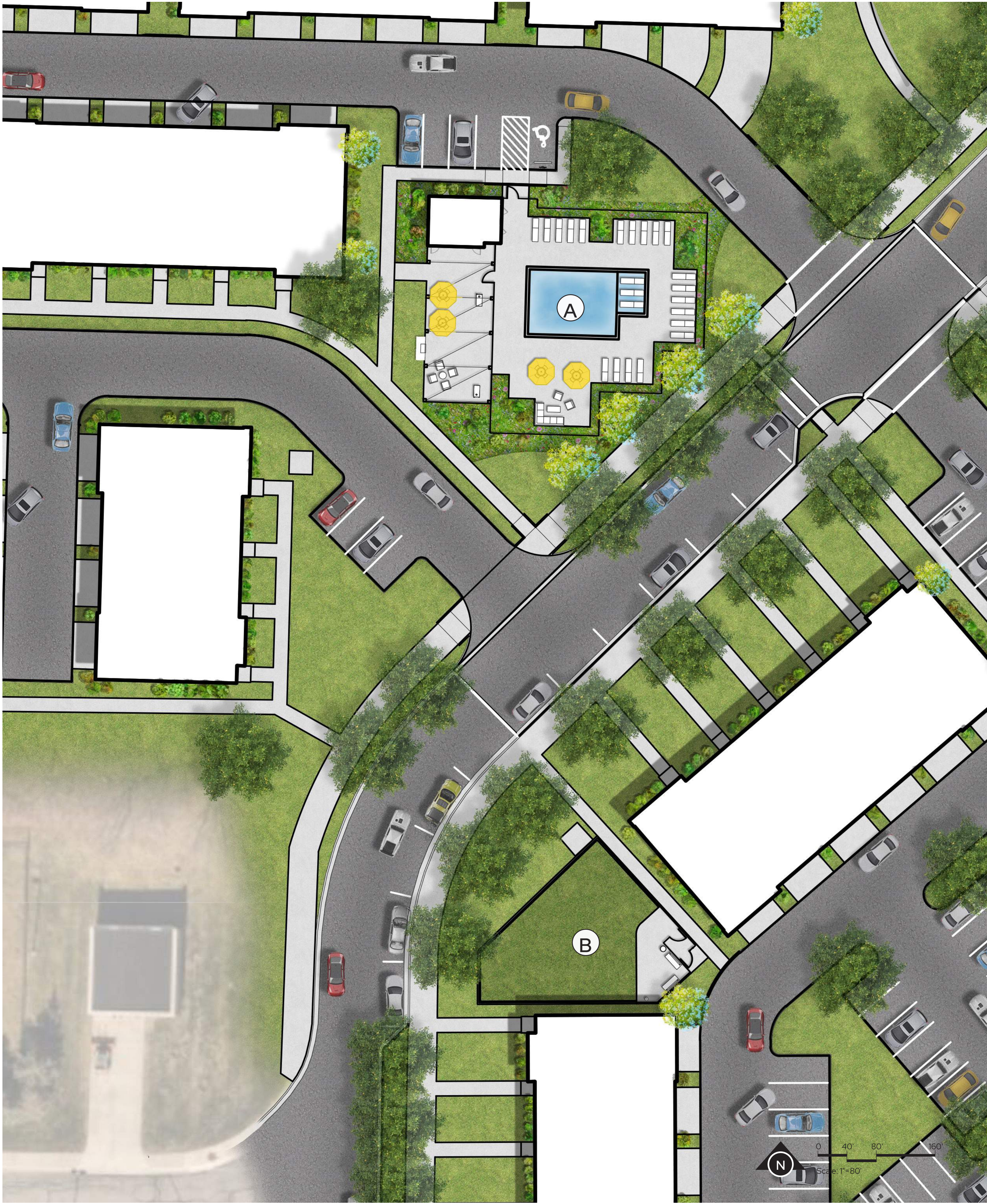




LEGEND

- A. Decorative Concrete Plaza
- B. Table and Chairs with Umbrella
- C. Communal Table and Chairs
- D. Bench, Type 2
- E. Cornhole Board
- F. Gaming Table





LEGEND

- A. Pool & Amenity Courtyard
- B. Community Dog Park



EXHIBIT D
Planned Unit Development
Text Amendment

2026

THE YARD PHASE II PUD TEXT AMENDMENT



Community & Economic Development Department
City of Fishers
Ordinance: 081726A



1.1. Declaration, Purpose and Intent, Applicability, Allowed Uses, Legal Description

A. Declaration

1. Ordinance No. 081726A
2. Adopted:

B. Purpose and Intent

The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 071618F, as amended, and the Official Zoning Map of the City of Fishers, Indiana, as amended, which accompanies and is a part of the Zoning Code of the City of Fishers, Indiana, are hereby amended as follows:

The zoning classification of the real estate legally described in Section 1.6 of this Ordinance (the "Real Estate"), is hereby designated as a Planned Unit Development – Mixed Use District (PUD-M), and that said PUD-M zoning district shall continue to be known as the "~~The Yard Phase II PUD.~~"

Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and those provisions of the UDO specifically referenced in this Ordinance. All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

C. Applicability

The standards of the UDO applicable to the C3 District shall apply to the development of the Real Estate, except as modified, revised, or expressly made inapplicable by this Ordinance. "Chapter" cross-references of this Ordinance shall hereafter refer to the Chapter section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein shall have the meaning ascribed to them in the UDO. An amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and *Sec. 1.3.6.: Introductory Provisions: Transition Rules* also shall apply to amendments.

D. Allowed Uses

1. All uses listed in Ordinance 091922F "The Yard Phase II PUD" remain.
2. All prohibited uses listed in above mentioned Ordinance remain.

E. Legal Description

The Legal Description is expanded to include the following: **Lot 2 of THE LINK** and **Lot 3 of THE LINK** further described in "~~Exhibit A~~" and graphically depicted as "~~Exhibit B~~".

1.2. Concept Plan

The Concept Plan, attached hereto as "Exhibit C" is hereby incorporated. The Real Estate's development plan may vary from the Concept Plan; however, per Sec.10.2.16.(M)(3) PUD District Ordinance Requirements, the Concept Plan shall show in general terms the following: major circulation; generalized location and dimensions of buildings, structures, and Parking Areas; Open Space areas; Conservation and/or Preservation areas; recreation facilities; and other details to indicate the character of the proposed development. For clarity, the Real Estate shall be developed and maintained in such a manner that design character and design standards are, at a minimum, at least as high as

THE YARD PHASE II PUD TEXT AMENDMENT

the design character and standards for the Fishers District (commercial) and Slate (residential); provided, however such requirement shall not require the use of the same materials or designs (the "Minimum Standard").

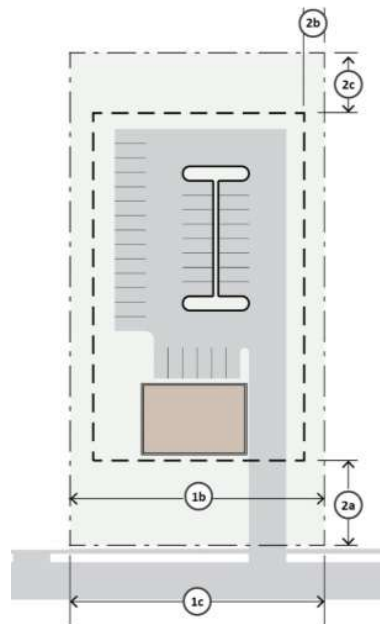
1.3. Development Standards

A. Cross Reference

The regulations of *Chapter 6: Development Standards* shall apply, except as modified by this Ordinance

B. Development Standards: Sec. 3.3.3. C3 Commercial shall apply, except as modified below.

1. Minimum Lot Dimensions	
1a. Lot area	n/a
1b. Lot width at building line – standard	n/a
1c. Lot frontage – Public Access shall be provided to each lot through an adjoining access easement or public right-of-way	n/a
2. Minimum Building Setbacks*	
2a. Front - local street / other street type	0'
2b. Side, Aggregate	10' / 20'
2c. Rear	20'
2d. Internal	0'
3. Maximum Building Height	
3a. Primary structure	120'
3b. Adjacent to residential zones or uses	n/a
4. Building Floor Area	
4a. Main Floor Area (min)	n/a
5. Other	
5a. Requires municipal water and sewer hookup	
5b. Impervious area of lot (max)	90%
*Setbacks shall only be taken from the overall perimeter property lines and shall not apply to individual lots within the overall development.	



1.4. Procedures

The procedures set forth in Sec. 10.2.16. Planned Unit Development shall apply. Additionally, the PUD Committee and Mayor or Mayor's Designee shall have discretion and flexibility to consider and approve modifications pertaining to any design standards established or referenced by this Ordinance if the Committee or Mayor or Mayor's Designee determine such modifications are consistent with the intent of this Ordinance and consistent with the quality and character represented in this Ordinance. Notwithstanding the foregoing or anything included herein to the contrary, the Mayor or Mayor's Designee shall not be authorized to deviate from the Allowed Uses (which deviation requires a text amendment as provided under Indiana law) or to approve design quality and/or character less than the Minimum Standard.

1.6. Real Estate

See "**Exhibit A**" attached hereto.

Exhibit A

Legal Description of Real Estate

THE YARD PHASE II PUD TEXT AMENDMENT

Lot 2 of THE LINK

Part of the Southwest Quarter of Section 6, Township 17 North, Range 5 East of the Second Principal Meridian, situated in the City of Fishers, Delaware Township, Hamilton County, Indiana, also being a portion of the tract of land granted to G & I MJW 11100 USA Parkway, LLC ("Tract 3"), recorded as Instrument Number 2022036349 in the Office of the Recorder of Hamilton County, Indiana, hereinafter Recorder's Office, and being more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 6; thence North 00 degrees 03 minutes 49 seconds East (grid bearings based on Indiana State Plane Coordinate System - East Zone per NAD 83 (2011) EPOCH 2010.000) 84.97 feet (all distances in this description are horizontal ground distances) along the West line of said Southwest Quarter to the Southeast corner of the Southeast Quarter of Section 1, Township 17 North, Range 4 East; thence North 00 degrees 08 minutes 37 seconds East 1734.21 feet along the West line of the Southwest Quarter of Section 6 to a point lying 1819.18 feet northerly of the Southwest Corner of said Southwest Quarter, also being the northwestern corner of the real estate described in a Warranty Deed recorded as Deed Record 360, page 285 in said Recorder's Office; thence South 88 degrees 51 minutes 23 seconds East 73.51 feet along the northern line of said real estate to the southwestern corner of said Tract 3 (the following seven courses are along the boundary of said Tract 3); (one) thence North 00 degrees 08 minutes 37 seconds East 338.55 feet; (two) thence along a non-tangent curve to the right having a radius of 673.00 feet, an arc length of 118.86 feet and long chord bearing and distance of North 26 degrees 37 minutes 36 seconds East 118.71 feet; (three) thence North 31 degrees 41 minutes 10 seconds East 221.57 feet; (four) thence South 88 degrees 57 minutes 58 seconds East 947.18 feet to the POINT OF BEGINNING of this description; (five) thence North 00 degrees 08 minutes 37 seconds East 199.77 feet; (six) thence South 88 degrees 25 minutes 27 seconds East 527.58 feet; (seven) thence along a non-tangent curve to the left having a radius of 175.00 feet, an arc length of 83.26 feet and long chord bearing and distance of South 18 degrees 56 minutes 07 seconds East 82.48 feet; thence South 45 degrees 49 minutes 15 seconds West 297.81 feet to the point of curvature of a tangent curve to the left having a radius of 147.11 feet, an arc length of 47.02 feet and long chord bearing South 36 degrees 39 minutes 51 seconds West 46.82 feet; thence North 89 degrees 21 minutes 27 seconds West 206.56 feet; thence North 01 degrees 00 minutes 28 seconds East 118.59 feet; thence North 88 degrees 57 minutes 58 seconds West 108.70 feet; thence North 00 degrees 08 minutes 37 seconds East 15.00 feet to the POINT OF BEGINNING, containing 137,547 square feet (3.158 acres), more or less.

THE YARD PHASE II PUD TEXT AMENDMENT

Lot 3 of THE LINK

Part of the Southwest Quarter of Section 6, Township 17 North, Range 5 East of the Second Principal Meridian, situated in the City of Fishers, Delaware Township, Hamilton County, Indiana, also being

Lot 3 of The Link - Secondary Plat recorded as Instrument Number 2026028526 in the Office of the Recorder of Hamilton County, Indiana, hereinafter Recorder's Office, and being more particularly described as follows:

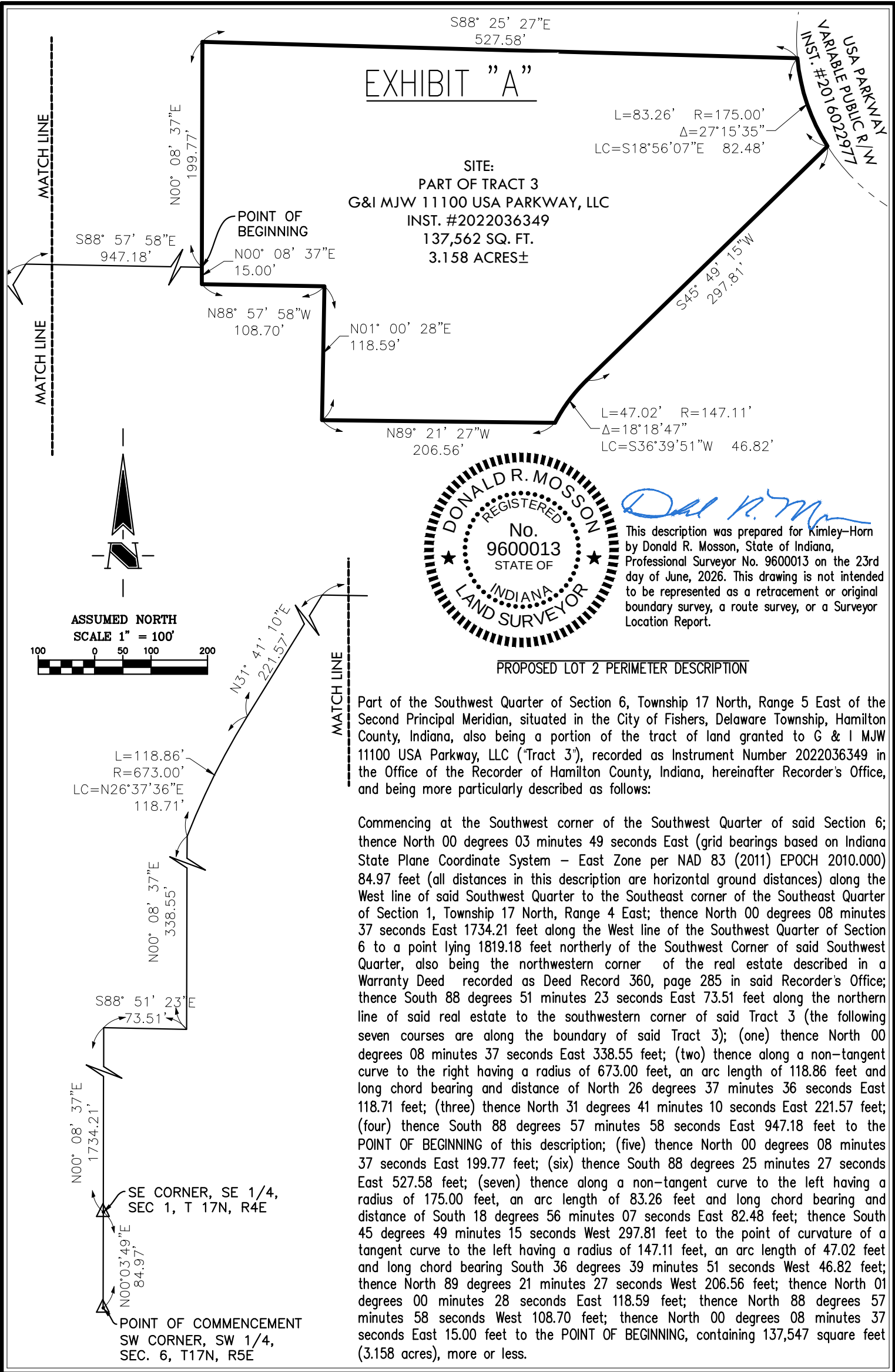
Commencing at the Southwest corner of the Southwest Quarter of said Section 6; thence North 00 degrees 03 minutes 49 seconds East (grid bearings based on Indiana State Plane Coordinate

System - East Zone per NAD 83 (2011) EPOCH 2010.000) 84.97 feet (all distances in this description are horizontal ground distances) along the West line of said Southwest Quarter to the Southeast corner of the Southeast Quarter of Section 1, Township 17 North, Range 4 East; thence North 00 degrees 08 minutes 37 seconds East 1504.21 feet along the West line of the Southwest Quarter of Section 6 to the southwest corner of The Link - Secondary Plat (the following four courses are along the boundary of said Secondary Plat); (one) thence South 88 degrees 51 minutes 23 seconds East 378.78 feet; (two) thence North 00 degrees 08 minutes 37 seconds East 4.63 feet; (three) thence South 88 degrees 57 minutes 58 seconds East 1172.26 feet; (four) thence North 00 degrees 08 minutes 37 seconds East 255.01 feet

to the POINT OF BEGINNING of this description, all remaining courses are along the boundary of said Lot 3; thence North 88 degrees 59 minutes 36 seconds West 72.43 feet to the eastern right-of-way line of USA Drive (the following four courses are along said eastern right-of-way line); (one) thence along a non-tangent curve to the left having a radius of 143.99 feet, an arc length of 129.27 feet and a long chord bearing and distance of North 26 degrees 40 minutes 10 seconds East 124.97 feet; (two) thence North 00 degrees 57 minutes 04 seconds East 296.59 feet; (three) thence along a tangent curve to the right

having a radius of 95.10 feet, an arc length of 74.48 feet and a long chord bearing and distance of North 23 degrees 23 minutes 09 seconds East 72.59 feet; (four) thence North 45 degrees 49 minutes 15 seconds East 295.04 feet to the southwestern right-of-way line of USA Parkway as dedicated in Instrument Number 2016022977 in the Recorder's Office; thence along said southwestern right-of-way line and being a non-tangent curve to the left having a radius of 175.00 feet, an arc length of 21.02 feet and a long chord bearing and distance of South 53 degrees 07 minutes 10 seconds East 21.01 feet; thence South 46 degrees 02 minutes 02 seconds West 340.00 feet; thence South 00 degrees 08 minutes 37 seconds West 433.10 to the POINT OF BEGINNING, containing 15,095 square feet (0.346 acres), more or less.

Exhibit B
Graphic Depiction of Real Estate



SCHNEIDER GEOMATICS
Historic Fort Harrison
8901 Otis Avenue
Indianapolis, IN 46216-1037
Telephone: 317.826.7100
Fax: 317.826.7200
www.schneidergeomatics.com

THE LINK - PROPOSED LOT 2 EXHIBIT

DATE: 06-23-2026	PROJECT NO.: 2519835
DRAWN BY: DRM	CHECKED BY: JLMB
DRAWING FILES: T:\25K\2519835\CAD\SG MARK HENNESSEY TEAM KH REVISIONS\2519835_SECONDARY	

Sheet 1 of 1

EXHIBIT "A"

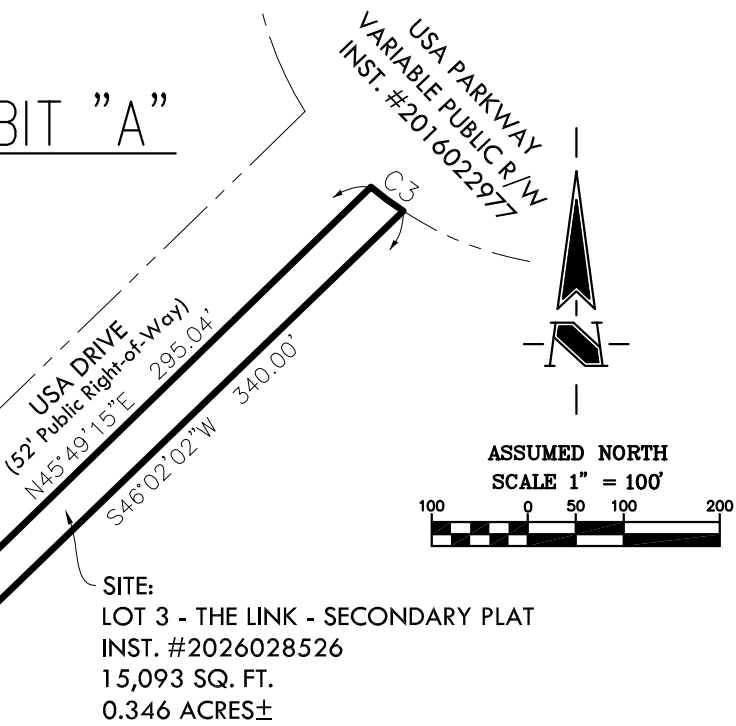
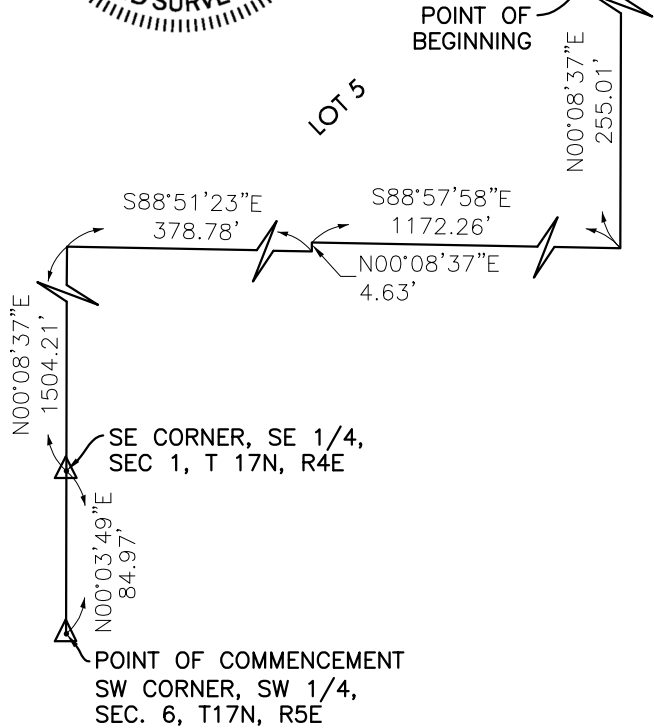
Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C1	129.27'	143.99'	N26° 40' 10"E	124.97'
C2	74.48'	95.10'	N23° 23' 09"E	72.59'
C3	21.02'	174.99'	S53° 07' 10"E	21.01'

Line Table		
Line #	Length	Direction
L1	72.43'	N88° 59' 36"W

This description was prepared for Kimley-Horn by Nichole M. Goodrich, State of Indiana, Professional Surveyor No. LS2200006 on the 7th day of July, 2026. This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report.

Nichole M. Goodrich

Nichole M. Goodrich
State of Indiana
Professional Surveyor No. LS22500006
July 6, 2026
ngoodrich@schneidergeomatics.com



SITE:
LOT 3 - THE LINK - SECONDARY PLAT
INST. #2026028526
15,093 SQ. FT.
0.346 ACRES±

LOT 3 PERIMETER DESCRIPTION

Part of the Southwest Quarter of Section 6, Township 17 North, Range 5 East of the Second Principal Meridian, situated in the City of Fishers, Delaware Township, Hamilton County, Indiana, also being Lot 3 of The Link - Secondary Plat recorded as Instrument Number 2026028526 in the Office of the Recorder of Hamilton County, Indiana, hereinafter Recorder's Office, and being more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 6; thence North 00 degrees 03 minutes 49 seconds East (grid bearings based on Indiana State Plane Coordinate System - East Zone per NAD 83 (2011) EPOCH 2010.000) 84.97 feet (all distances in this description are horizontal ground distances) along the West line of said Southwest Quarter to the Southeast corner of the Southeast Quarter of Section 1, Township 17 North, Range 4 East; thence North 00 degrees 08 minutes 37 seconds East 1504.21 feet along the West line of the Southwest Quarter of Section 6 to the southwest corner of The Link - Secondary Plat (the following four courses are along the boundary of said Secondary Plat); (one) thence South 88 degrees 51 minutes 23 seconds East 378.78 feet; (two) thence North 00 degrees 08 minutes 37 seconds East 4.63 feet; (three) thence South 88 degrees 57 minutes 58 seconds East 1172.26 feet; (four) thence North 00 degrees 08 minutes 37 seconds East 255.01 feet to the POINT OF BEGINNING of this description, all remaining courses are along the boundary of said Lot 3; thence North 88 degrees 59 minutes 36 seconds West 72.43 feet to the eastern right-of-way line of USA Drive (the following four courses are along said eastern right-of-way line); (one) thence along a non-tangent curve to the left having a radius of 143.99 feet, an arc length of 129.27 feet and a long chord bearing and distance of North 26 degrees 40 minutes 10 seconds East 124.97 feet; (two) thence North 00 degrees 57 minutes 04 seconds East 296.59 feet; (three) thence along a tangent curve to the right having a radius of 95.10 feet, an arc length of 74.48 feet and a long chord bearing and distance of North 23 degrees 23 minutes 09 seconds East 72.59 feet; (four) thence North 45 degrees 49 minutes 15 seconds East 295.04 feet to the southwestern right-of-way line of USA Parkway as dedicated in Instrument Number 2016022977 in the Recorder's Office; thence along said southwestern right-of-way line and being a non-tangent curve to the left having a radius of 175.00 feet, an arc length of 21.02 feet and a long chord bearing and distance of South 53 degrees 07 minutes 10 seconds East 21.01 feet; thence South 46 degrees 02 minutes 02 seconds West 340.00 feet; thence South 00 degrees 08 minutes 37 seconds West 433.10 to the POINT OF BEGINNING, containing 15,095 square feet (0.346 acres), more or less.



SCHNEIDER GEOMATICS
Historic Fort Harrison
8901 Otis Avenue
Indianapolis, IN 46216-1037
Telephone: 317.826.7100
Fax: 317.826.7200
www.schneidergeomatics.com

THE LINK - LOT 3 EXHIBIT

DATE: 07-06-2026	PROJECT NO.: 2519835
DRAWN BY: NMG	CHECKED BY: DRM

DRAWING FILES:
T:\26K\2621337\CAD\2621337 - SECONDARY

EXHIBIT C
Concept Plan



LEGEND

- A. Townhomes
- B. Mixed Use Residential/Commercial
- C. Public Plaza South (See Page 2)
- D. Public Plaza North (See Page 3)
- E. Pool & Amenity Courtyard (See Page 4)
- F. Community Dog Park (See Page 4)



LEGEND

- A. Decorative Concrete Plaza
- B. Table and Chairs with Umbrella
- C. Spun Chairs
- D. Bench, Type 1
- E. Bench, Type 2
- F. Cornhole Board
- G. Gaming Table
- H. Shuffleboard Court

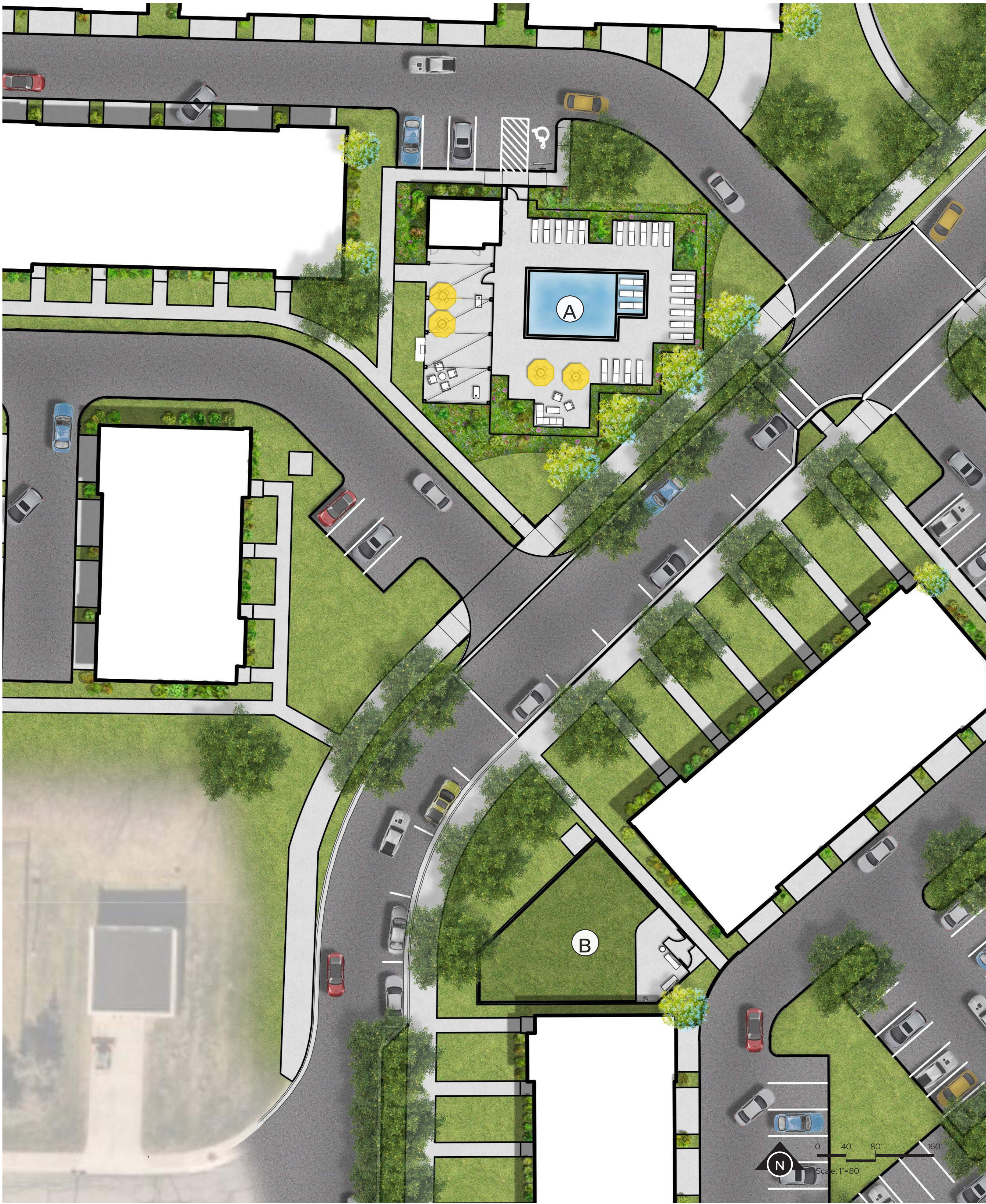




LEGEND

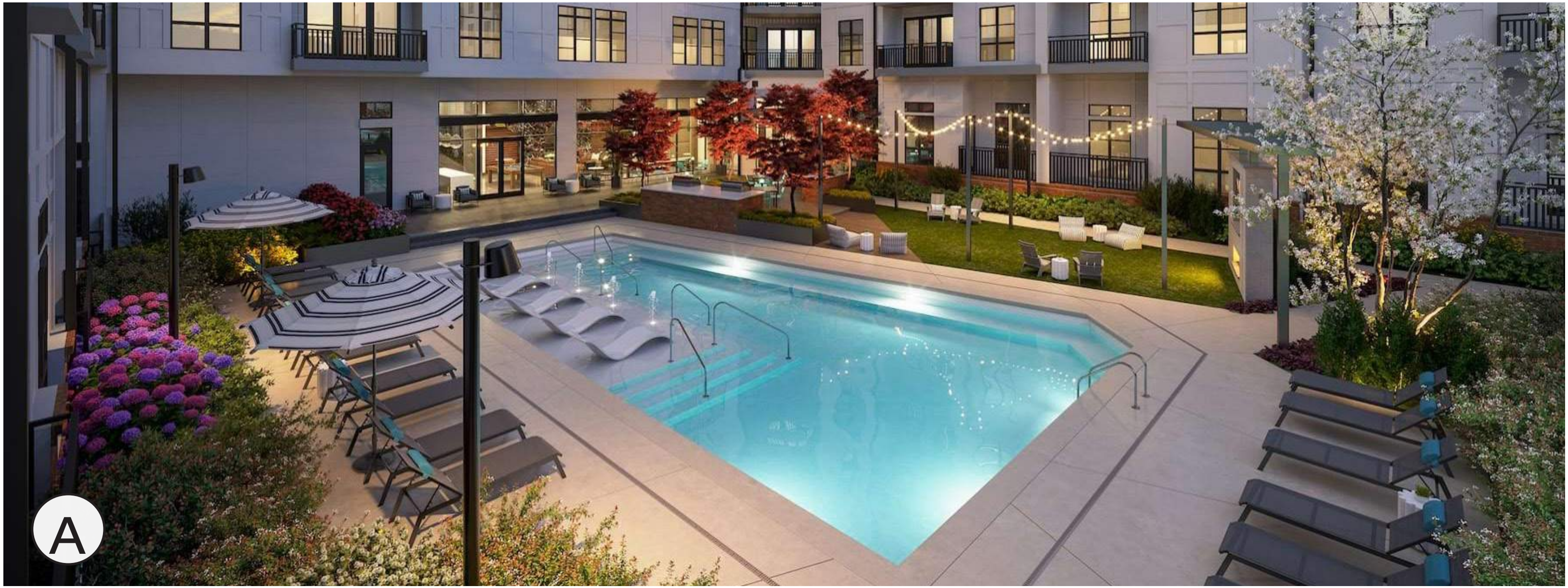
- A. Decorative Concrete Plaza
- B. Table and Chairs with Umbrella
- C. Communal Table and Chairs
- D. Bench, Type 2
- E. Cornhole Board
- F. Gaming Table





LEGEND

- A. Pool & Amenity Courtyard
- B. Community Dog Park





Council Action Form

MEETING DATE	August 17, 2026			
TITLE	Consideration of a rezone of 3.51 acres from Exit 5 / Sunbeam PUD to The Yard Phase II PUD, Parcel ID: 15-15-06-00-00-001.101 & 15-15-06-00-00-001.201 (RZ-26-7)			
SUBMITTED BY	Name & Title: Ross Hilleary, Assistant Director of Planning Department:			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☒ 1 st Reading	☐ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading ☐ Final Reading
	Ordinance #: 081726A		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☒ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	Consideration of a rezone of 3.51 acres from Exit 5 / Sunbeam PUD to The Yard Phase II PUD for the development of the Contrast project. These properties will be brought into The Yard Phase II PUD, home to the Fishers Event Center. Additional detail can be found within the Petitioner Packet.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Hold 1 st Reading
	2.	Continue
	3.	
	4.	
PROJECT TIMELINE	August 17, 2026 - 1st Reading - City Council September 5, 2026 - Public Hearing - Plan Commission September 21, 2026 - Proposed Final Reading - City Council	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends that Council hold 1 st Reading.	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Draft Ordinance and petitioner packet	

ORDINANCE NO. 081726B

**AN ORDINANCE OF THE COMMON COUNCIL
OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA
AMENDING THE OFFICIAL ZONING MAP TO REZONE A PROPERTY TO THE
CITIZENS STATE BANK PLANNED UNIT DEVELOPMENT**

WHEREAS, this is an ordinance to amend the Official Zoning Map incorporated into Unified Development Ordinance, (“UDO”), for the City of Fishers (the “City”), previously enacted pursuant to Ind. Code § 36-7-4 *et seq.* as amended.

WHEREAS, the Advisory Plan Commission for the City of Fishers (“Plan Commission”) has conducted a public hearing on Docket No. RZ-26-8 as required by law in regard to the Rezone; and

WHEREAS, the Plan Commission at its October 7, 2026 meeting sent a _____ recommendation to the Common Council by a vote of ____ (0) in favor and ____ (0) opposed.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, THE SUCESSOR IN INTEREST TO THE TOWN OF FISHERS, PURSANT TO IND. CODE 36-4-1 ET. SEQ., THAT THE ZONING ORDINANCE, A PART OF THE COMPREHENSIVE PLAN AND ORDINANCES – 2018, ORDINANCE NO. 071618F, AS AMENDED, IS HEREBY AMENDED AS FOLLOWS:

- Section 1.** **Amendment.** The City’s Official Zoning Map is hereby amended to designate the Real Estate, as described and shown in **Exhibit A and Exhibit B**, to the Heart and Soul Community Campus Planned Unit Development.
- Section 2.** This Ordinance shall be in full force and effect from and upon its adoption and in accordance with Indiana law.
- Section 3.** The specific zoning standards, concept plans, and illustrative architectural exhibits shall be approved as shown in **Exhibit C** (“Petitioner’s Packet”), attached.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ALL OF WHICH IS ORDAINED by the Common Council of Fishers, Indiana, this 12th day of October 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY		NAY	ABSTAIN
	John DeLucia, Member		
	Tiffanie Ditlevson, Member		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2026, at _____ m.

ATTEST: _____
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey Bennett

EXHIBIT A

Legal Description of Real Estate

Parcel 1:

A part of the Southeast Quarter of Section 28, Township 18 North, Range 5 East of the Second Principal Meridian Hamilton County, Indiana, more particularly described as follows and prepared by Terry D. Wright, PS #9700013 of HAMILTON DESIGNS for project #2017-206 March 29, 2019:

Commencing from a HARRISON MONUMENT MARKING the Southwest corner of said quarter section, thence North 89 degrees 14 minutes 32 seconds East (state plane bearing observed during time of survey) 1,550.52 feet (measured), 1,548.25 feet (record); thence North 00 degrees 17 minutes 46 seconds West 54.86 feet (measured) 54.84 feet (record), being on a non-tangential curve having a radius of 6,565.00 feet, being concave to the South subtended by a chord bearing of South 85 degrees 32 minutes 18 seconds West, a chord distance of 118.46 feet, being the Point of Beginning of this described parcel and along the North right of way line of 126th street; The next 4 calls follows the said right of way line, thence along said curve an arc distance of 118.47 feet; The South 85 degrees 01 minutes 19 seconds West 100.72 feet to the point of curvature of a curve having a radius of 6,435.00 feet, being concave to the North subtended by a chord bearing of South 86 Degrees 56 minutes 22 seconds West and a chord distance of 430.62 feet; thence along said curve an arc distance of 430.70 feet; thence North 85 degrees 06 minutes 19 seconds West 45.01 feet; thence North 00 degrees 00 minutes 00 seconds East 78.85 feet to the point of curvature of a non-tangential curve concave to the East having a radius of 218.00 feet, being subtended by a chord bearing of North 31 degrees 30 minutes 14 seconds West and a chord distance of 229.53 feet; thence Northwesterly along said curve an arc distance of 241.73 feet to the point of curvature of a curve having a radius of 185.00 feet concave to the East, being subtended by chord bearing of North 14 degrees 01 minutes 12 seconds East and a chord distance of 92.29 feet; thence North along said curve an arc distance of 93.27 feet to the point of curvature having a radius of 90.50 feet concave Southeasterly, being subtended by a chord bearing of North 43 degrees 11 minutes 54 seconds East and a chord distance of 46.04 feet; thence Northeasterly along said curve an arc distance of 46.55 feet; thence North 57 degrees 56 minutes 05 seconds East 119.70 feet; thence North 31 degrees 40 minutes 48 seconds West 160.19 feet to the Southerly right of way line of interstate 69; thence North 58 degrees 19 minutes 12 seconds East 865.82 feet to the Northwest corner of WHISPERING WOODS SUBDIVISION as recorded in Plat cabinet 3, slide 223; thence South 00 degrees 17 minutes 46 seconds East along the West line of said subdivision and its extension 1,015.13 feet to the Point of Beginning, containing 13.88 acres, more or less.

Also known as:

Block A in LAKE MEADOW, an addition in the City of Fishers, in Hamilton County, Indiana, as per secondary plat thereof, recorded August 26, 2019 as Instrument No. 2019039606, in the Office of the Recorder of Hamilton County, Indiana.

Parcel 2:

A part of the Southeast Quarter of Section 28, Township 18 North, Range 5 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of said Southeast Quarter; thence South 89 degrees 15 minutes 22 seconds West along the South line of said Southeast Quarter 785.82 feet to the POINT OF BEGINNING of this description; thence continue South 89 degrees 15 minutes 22 seconds West along said South line 306.98 feet; thence North 00 degrees 17 minutes 34 seconds West 620.01 feet; thence North 89 degrees 15 minutes 22 seconds East 454.49 feet; thence South 00 degrees 17 minutes 34 seconds East 279.70 feet; thence South 89 degrees 15 minutes 22 seconds West 147.51 feet; thence South 00 degrees 17 minutes 34 seconds East 340.31 feet to the place of beginning, containing 5.316 acres, more or less.

11616 E 126th St Fishers, IN 46037

Parcel No. 13-11-28-00-00-027.000, 13-11-28-00-00-028.001

EXHIBIT B
Graphic Depiction of Real Estate



11616 E 126th St Fishers, IN 46037

Parcel No. 13-11-28-00-00-027.000, 13-11-28-00-00-028.001

EXHIBIT C
Petitioner's Packet

2026

Heart and Soul Community Campus PUD

Planning & Zoning Department
City of Fishers
Ordinance No. 081726B



1.1. Declaration, Purpose and Intent, Applicability, and Allowed Uses

A. Declaration

1. Ordinance No. 081726B (this "Ordinance")
2. Adopted: _____

B. Purpose and Intent

The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 062121B, as amended, and the Official Zoning Map of the City of Fishers, Indiana, as amended, which accompanies and is a part of the Zoning Code of the City of Fishers, Indiana, are hereby amended as follows:

The zoning classification of the real estate legally described in Exhibit B.1 attached hereto and incorporated herein (the "Real Estate"), is hereby designated as a Planned Unit Development – Mixed Use (PUD-M), and that said PUD-M zoning district shall hereafter be known as the "Heart and Soul Community Campus PUD."

Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and those provisions of the UDO specifically referenced in this Ordinance. All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

C. Applicability

The standards of the UDO shall be applicable as follows:

1. Area A on the Concept Plan: OS Open Space District
2. Area B on the Concept Plan: C-Low Commercial Low Impact District
3. Area C on the Concept Plan: R1 Residential District

Cross-references to "Chapter", "Article", and "Section" in this Ordinance shall refer to the corresponding Chapter, Article and Section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein and are defined in the UDO shall have the meaning ascribed to them in the UDO. An amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and Sec. 1.3.6. Transition Ordinance also shall apply to amendments.

D. Allowed Uses

In addition to the uses permitted by the UDO, the following uses shall be allowed:

1. Area A on the Concept Plan: Place of Worship; School Preschool through K-12; Office; Clinic
2. Area B on the Concept Plan: fast food/quick service; eating establishment
3. Area C on the Concept Plan: Place of Worship; School, Preschool through K-12

E. Prohibited uses

The following uses shall be prohibited in each referenced area, which uses may otherwise be permitted by the UDO:

1. Area A on the Concept Plan: None
2. Area B on the Concept Plan: Drive-Through; 24-hour operating hours
3. Area C on the Concept Plan: None

1.2. Concept Plan

The Concept Plan, attached hereto as Exhibit B.2, is hereby incorporated. The Real Estate's Development Plan shall be substantially consistent with the Concept Plan and shall be reviewed and approved based upon compliance with the development and design standards set forth herein. If the Director determines that a Development Plan is not substantially consistent with the Concept Plan (the "Director's Determination"), then the Director shall notify the applicant in writing within ten (10) business days of receipt of the submitted Development Plan of: (1) the Director's Determination; and (2) whether the Development Plan is (a) approved; or (b) not approved (the "Director's Decision"). The Director's Decision shall be based upon the Development Plan's compatibility and consistency with the intended quality and character of the Heart and Soul Church PUD. If the Director's Decision does not approve the Development Plan, then the applicant may submit the Development Plan to the City Council for review and approval. The City Council's decision shall be made at a public meeting, but no additional public hearing shall be required.

1.3. Development Standards

A. Introductory Provisions

The regulations of CHAPTER 1. INTRODUCTORY PROVISIONS shall apply.

B. Administration

The regulations of CHAPTER 2. ADMINISTRATION shall apply.

C. Zoning Districts

The regulations of CHAPTER 3. ZONING DISTRICTS shall apply, except as modified by this Ordinance.

D. Overlay Districts

The regulations of Article 4.2.2 I69-OL Interstate-69 Overlay District shall not apply.

E. Article 6.1 General Regulations: Shall apply.

F. Article 6.2 Accessory Structure Standards: Shall apply.

G. Article 6.3 Architectural Design Standards: Shall apply.

H. Article 6.4 Entrances & Driveways: Shall apply.

I. Article 6.5 Exterior Lighting Standards: Shall apply.

J. Article 6.6 Height Standards: Shall apply.

K. Article 6.7 Landscaping Standards: Shall apply, except as modified below:

- 1) The required landscaping in all common areas/open space and pond edging shall be native species selected from the City of Fishers list of approved species, and emphasis shall be given to selecting drought tolerant varieties, at the discretion of the developer and/or property owner. All required

plantings initially on individual lots shall be native species. Non-native species may be installed with prior approval by City Staff.

- 2) Required landscaping that cannot be placed in a required location due to utility or infrastructure separation requirements may be planted elsewhere on the Real Estate.
- 3) Varying species of plantings shall be used to protect against pest and disease. No more than thirty percent (30%) of total plan material may be of one species.
- 4) **Section 6.7.4 Bufferyards** - Shall not apply.
- 5) **Section 6.7.5 – Lot Plantings**: Shall apply.
- 6) **Section 6.7.6.A - Local Streets – Single-family Lots**: Shall not apply.

L. Article 6.8 Lot Standards: Shall apply.

M. Article 6.9 Outdoor Display & Storage Standards: Shall apply.

N. Article 6.10 Parking & Loading Standards: Shall apply.

O. Article 6.11 Pedestrian Accessibility Standards: Shall apply.

P. Article 6.12 Permitted Nonresidential Structure Standards: Shall apply.

Q. Article 6.13 Property Identification Standards: Shall apply.

R. Article 6.14 Public Art Standards: Shall apply.

S. Article 6.15 Setback Standards: Shall apply.

T. Article 6.16 Signage Standards: Shall apply.

U. Article 6.17 Wall & Fence Standards: Shall apply.

V. Article 6.18 Water & Sewer Standards: Shall apply.

W. Article 6.19 Vision Clearance Standards: Shall apply.

1.3. Planned Unit Development Design Standards

A. Cross Reference: The regulations of *Chapter 8: Subdivision and Planned Unit Development Design Standards* shall apply, except as modified below.

1) Article 8.1 General Provisions: Shall apply.

2) Article 8.2 Block, Lot & Access Standards: Shall apply.

3) Article 8.3 Street & Alley Standards: Shall apply.

4) Article 8.4 Open Space, Common Area & Amenity Standards: Development of the Real Estate shall not be subject to the Open Space requirements of UDO.

5) Article 8.5 Other Design Standards: Shall apply.

1.4. Floodplain Standards

The regulations of CHAPTER 9. FLOODPLAIN STANDARDS shall apply.

1.5. Procedures & Permits

The regulations of CHAPTER 10. PROCEDURES & PERMITS shall apply.

1.6. Enforcement & Penalties

The regulations of CHAPTER 11. ENFORCEMENT & PENALTIES shall apply.

1.7. Definitions

The regulations of CHAPTER 12. DEFINITIONS shall apply.

1.8. Impact Fees

Regardless of the Real Estate's annexation status at the time a building permit is issued, all applicable road, bridge and park impact fees shall be paid, subject to any applicable credits.

1.9. Real Estate

See "Exhibit B.1" attached hereto.

(Legal Description and Location Map of property.)

2.0. Adoption

PUD Draft F 010523

Exhibit B.1 – Legal Description

Parcel 1 –

A part of the Southeast Quarter of Section 28, Township 18 North, Range 5 East of the Second Principal Meridian Hamilton County, Indiana, more particularly described as follows and prepared by Terry D. Wright, PS #9700013 of HAMILTON DESIGNS for project #2017-206 March 29, 2019:

Commencing from a HARRISON MONUMENT MARKING the Southwest corner of said quarter section, thence North 89 degrees 14 minutes 32 seconds East (state plane bearing observed during time of survey) 1,550.52 feet (measured), 1,548.25 feet (record); thence North 00 degrees 17 minutes 46 seconds West 54.86 feet (measured) 54.84 feet (record), being on a non-tangential curve having a radius of 6,565.00 feet, being concave to the South subtended by a chord bearing of South 85 degrees 32 minutes 18 seconds West, a chord distance of 118.46 feet, being the Point of Beginning of this described parcel and along the North right of way line of 126th street; The next 4 calls follows the said right of way line, thence along said curve an arc distance of 118.47 feet; The South 85 degrees 01 minutes 19 seconds West 100.72 feet to the point of curvature of a curve having a radius of 6,435.00 feet, being concave to the North subtended by a chord bearing of South 86 Degrees 56 minutes 22 seconds West and a chord distance of 430.62 feet; thence along said curve an arc distance of 430.70 feet; thence North 85 degrees 06 minutes 19 seconds West 45.01 feet; thence North 00 degrees 00 minutes 00 seconds East 78.85 feet to the point of curvature of a non-tangential curve concave to the East having a radius of 218.00 feet, being subtended by a chord bearing of North 31 degrees 30 minutes 14 seconds West and a chord distance of 229.53 feet; thence Northwesterly along said curve an arc distance of 241.73 feet to the point of curvature of a curve having a radius of 185.00 feet concave to the East, being subtended by chord bearing of North 14 degrees 01 minutes 12 seconds East and a chord distance of 92.29 feet; thence North along said curve an arc distance of 93.27 feet to the point of curvature having a radius of 90.50 feet concave Southeasterly, being subtended by a chord bearing of North 43 degrees 11 minutes 54 seconds East and a chord distance of 46.04 feet; thence Northeasterly along said curve an arc distance of 46.55 feet; thence North 57 degrees 56 minutes 05 seconds East 119.70 feet; thence North 31 degrees 40 minutes 48 seconds West 160.19 feet to the Southerly right of way line of interstate 69; thence North 58 degrees 19 minutes 12 seconds East 865.82 feet to the Northwest corner of WHISPERING WOODS SUBDIVISION as recorded in Plat cabinet 3, slide 223; thence South 00 degrees 17 minutes 46 seconds East along the West line of said subdivision and its extension 1,015.13 feet to the Point of Beginning, containing 13.88 acres, more or less.

Also known as:

Block A in LAKE MEADOW, an addition in the City of Fishers, in Hamilton County, Indiana, as per secondary plat thereof, recorded August 26, 2019 as Instrument No. 2019039606, in the Office of the Recorder of Hamilton County, Indiana.

Parcel 2 –

A part of the Southeast Quarter of Section 28, Township 18 North, Range 5 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of said Southeast Quarter; thence South 89 degrees 15 minutes 22 seconds West along the South line of said Southeast Quarter 785.82 feet to the POINT OF BEGINNING of this description; thence continue South 89 degrees 15 minutes 22 seconds West along said South line 306.98 feet; thence North 00 degrees 17 minutes 34 seconds West 620.01 feet; thence North 89 degrees 15 minutes 22 seconds East 454.49 feet; thence South 00 degrees 17 minutes 34 seconds East 279.70 feet; thence South 89 degrees 15 minutes 22 seconds West 147.51 feet; thence South 00 degrees 17 minutes 34 seconds East 340.31 feet to the place of beginning, containing 5.316 acres, more or less.

Exhibit B.2 – Concept Plan

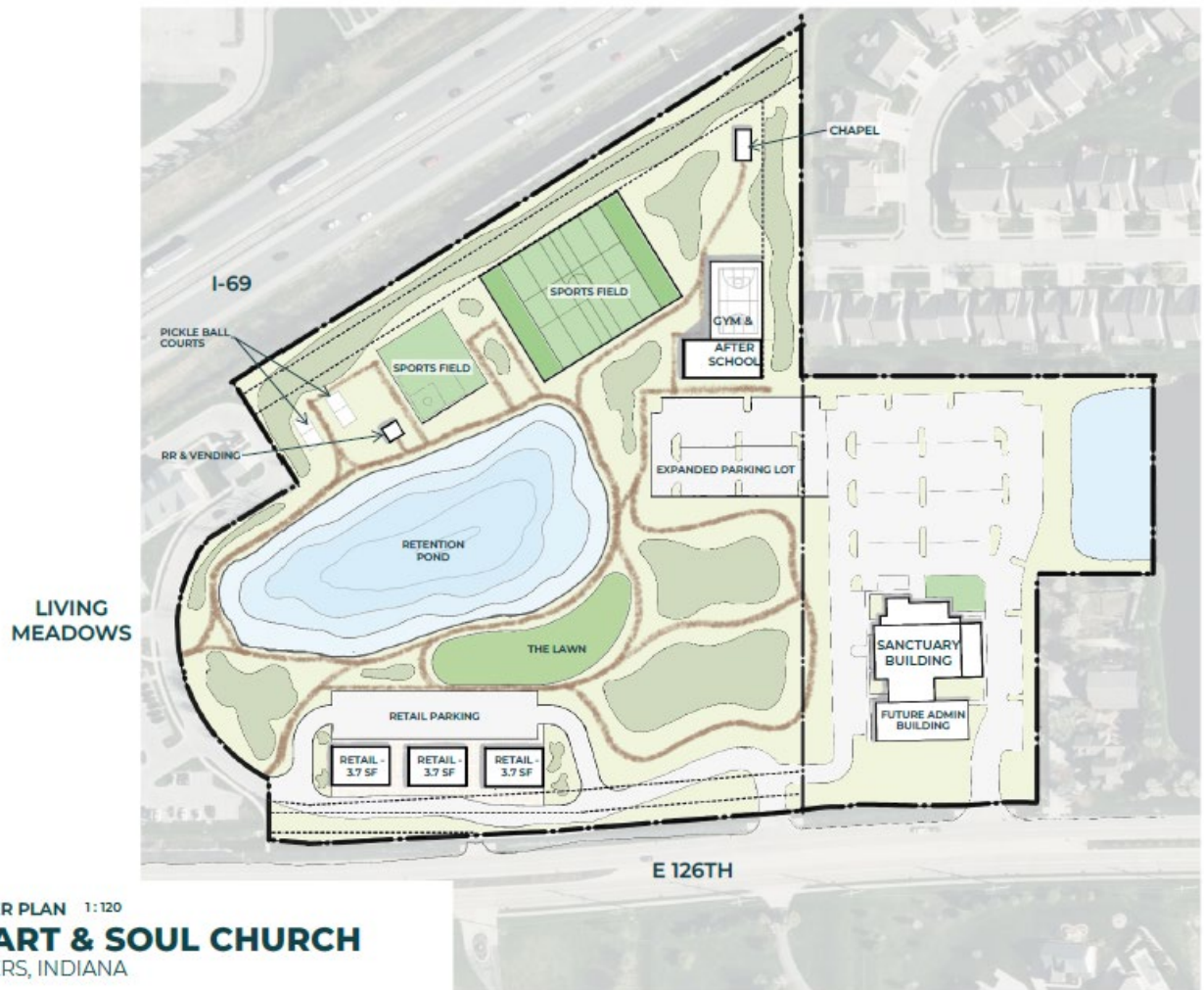


Exhibit C – Illustrative Architectural Exhibit





Project Description

Heart & Soul Community Campus

The proposed Heart & Soul Community Campus, which will incorporate the existing Church and property located at 11616 126th Street with the approximate 13.88 acres immediately west of the Church, is a mixed-use community destination designed to serve the residents of Fishers and Hamilton County. The development is envisioned as an integrated, walkable campus that combines worship, recreation, hospitality, retail, business, and community gathering spaces within a cohesive environment that promotes connection, wellness, and community engagement.

Anchored by a church and worship facility, the campus is intended to function as more than a traditional religious institution. The project is designed to provide a diverse range of services, amenities, and experiences that are accessible to both church members and the broader public. Through a complementary mix of uses, the development will create an active, year-round destination that supports spiritual, recreational, social, and economic activity throughout the week.

Proposed Campus Components

The Heart & Soul Community Campus will include a variety of complementary uses, including:

- Church and worship facility
- Indoor basketball and recreation center
- Outdoor pickleball courts
- Baseball field
- Wedding chapel and event venue
- Restaurant and retail village
- Coffee shop
- Hatch co-working and small business office space
- Specialty retail shops and boutique businesses
- Walking trails and pedestrian pathways
- Community green spaces and gathering areas
- Lakes and water features
- Surface parking facilities

The site design emphasizes walkability, shared community spaces, and integrated amenities that encourage residents and visitors to gather, recreate, work, worship, dine, and celebrate within a single destination.

Operations and Activity

The campus is planned to operate seven days per week with activity distributed across various uses throughout the day. Unlike a traditional church campus that generates activity primarily on weekends, the proposed development combines worship, recreation, retail, office, and hospitality uses that naturally create a balanced pattern of visitation and occupancy throughout the week.

Daily campus activity is expected to include:

- Worship services and ministry programming
- Youth and adult recreational activities
- Community meetings and nonprofit partnerships
- Business networking and co-working opportunities
- Restaurant and retail visitation
- Weddings, receptions, and private events
- Educational programming and leadership development
- Community festivals, markets, and seasonal celebrations

This diverse mix of uses creates a destination that remains active during mornings, afternoons, evenings, and weekends, contributing to a vibrant and continually engaged community environment.

Employment and Economic Impact

At full build-out, the development is anticipated to support approximately 75 to 115 permanent on-site jobs across church operations, recreation programming, event management, campus maintenance, security, and retail businesses. Additional employment opportunities will be generated through contracted service providers, event vendors, seasonal programming, construction activity, and future tenant operations.

The project is also expected to support local entrepreneurship through co-working facilities, specialty retail opportunities, and small business partnerships within the retail village.

Community Programming and Public Benefit

The Heart & Soul Community Campus is designed to provide a broad range of community amenities and programming opportunities, including:

- Weekly worship services
- Youth and adult sports leagues
- Basketball, pickleball, and baseball programming

- Summer camps and youth development programs
- Conferences and leadership training events
- Business networking and entrepreneurial programs
- Weddings and special celebrations
- Farmers markets and outdoor festivals
- Holiday and seasonal events
- Outdoor concerts and entertainment
- Community outreach initiatives
- Nonprofit partnerships
- Educational programs and workshops
- Counseling and support services

The church anticipates significant volunteer involvement throughout the year, further strengthening community engagement and service opportunities for residents of all ages.

Traffic and Site Utilization

Traffic associated with the proposed development will be distributed across multiple uses and time periods rather than concentrated around a single activity. Peak activity periods are anticipated during Sunday worship services, weekday recreational programming, coffee shop and co-working hours, weddings and special events, and periodic community festivals or conferences.

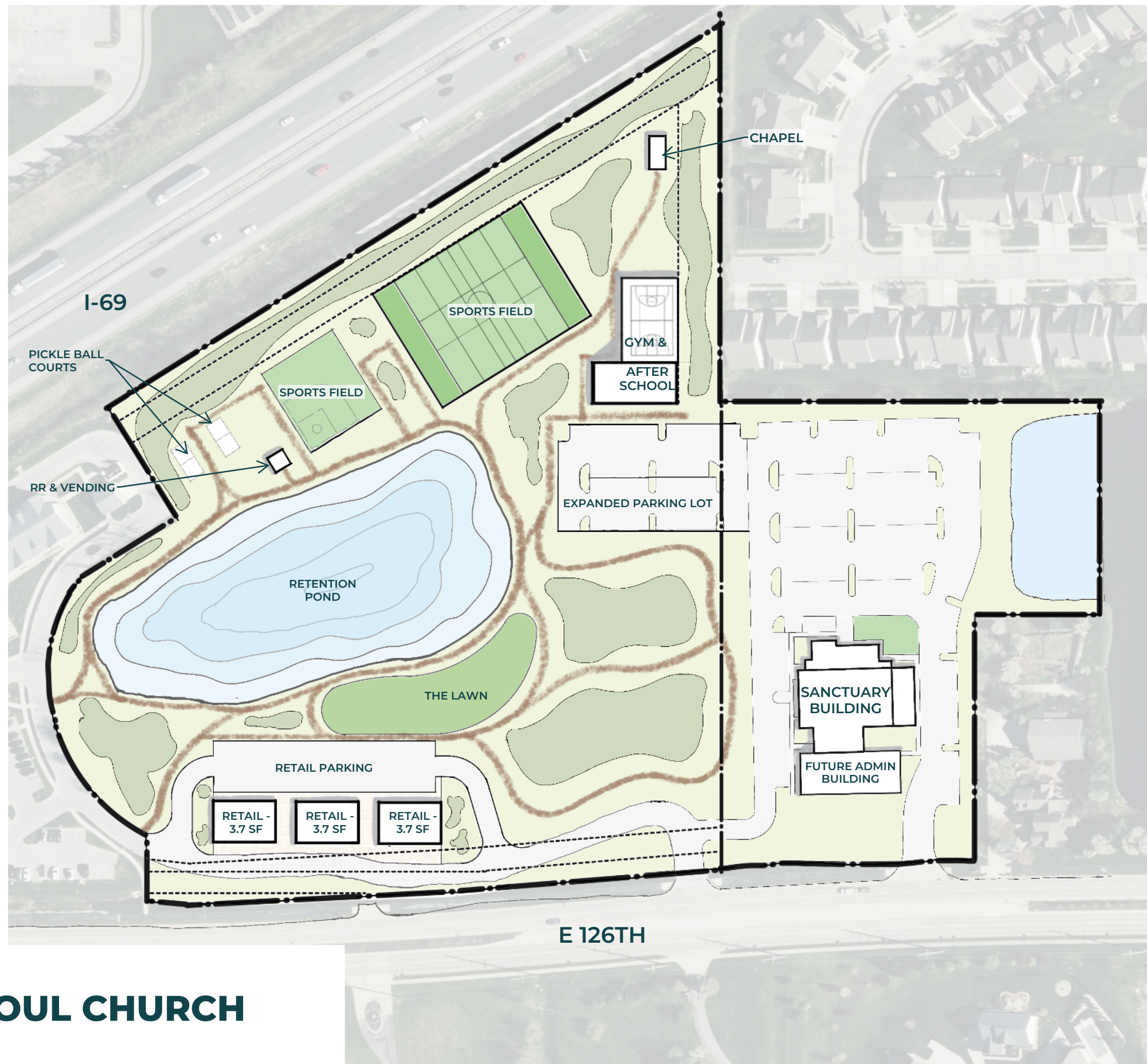
Because the campus incorporates a mix of worship, recreation, office, retail, hospitality, and event uses, visitation patterns are expected to be dispersed throughout the day and week, reducing the concentrated traffic impacts commonly associated with single-purpose developments.

Community Benefit Statement

The Heart & Soul Community Campus represents a long-term investment in the Fishers community and is intended to serve as a destination where residents can gather, connect, recreate, work, worship, and celebrate life's milestones. By integrating spiritual, recreational, commercial, and civic functions within a thoughtfully designed campus environment, the project will provide meaningful amenities and services that enhance quality of life for residents of all ages.

The development will contribute to the social, recreational, and economic vitality of the community while creating a welcoming and active destination that fosters connection, wellness, and community engagement for generations to come.

LIVING
MEADOWS



MASTER PLAN 1:120

HEART & SOUL CHURCH

FISHERS, INDIANA



Council Action Form

MEETING DATE	August 17, 2026			
TITLE	Consideration of a rezone of 18.66 acres from the Lake Meadows PUD and R5 Residential to the Heart and Soul Community Campus PUD to allow for a place of worship, outdoor recreation, and small scale commercial with a common address of 11616 E 126 th Street (RZ-26-8)			
SUBMITTED BY	Name & Title: Ross Hilleary, Assistant Director of Planning Department:			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☒ 1 st Reading	☐ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading ☐ Final Reading
	Ordinance #: 081726B		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☒ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	Consideration of a rezone of 3.51 acres from Exit 5 / Sunbeam PUD to The Yard Phase II PUD for the development of the Contrast project. These properties will be brought into The Yard Phase II PUD, home to the Fishers Event Center. Additional detail can be found within the Petitioner Packet.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Hold 1 st Reading
	2.	Continue
	3.	
	4.	
PROJECT TIMELINE	August 17, 2026 - 1st Reading - City Council October September 21, 2026 - Proposed Final Reading - City Council	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends that Council hold 1 st Reading.	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Draft Ordinance 2. Petitioner Packet 3. Concept Plan 4. Project Description	

RESOLUTION NO. R081726E

**A RESOLUTION ADOPTING A FISCAL PLAN FOR THE ANNEXATION OF
PROPERTY CONTIGUOUS TO THE CITY OF FISHERS, INDIANA**

WHEREAS, the City of Fishers, Hamilton County, Indiana (“City”), in accordance with Ind. Code §36-4-3-5.1, wishes to annex an area consisting of approximately 1.37 acres located outside of but contiguous to the City, those areas being more particularly described in Exhibit A, attached hereto and incorporated herein, and further depicted in Exhibit B, attached hereto and incorporated herein (the “Annexed Territory”);

WHEREAS, in accordance with Ind. Code §36-4-3-5.1(e), on or around July 20, 2026, the City Council held a duly noticed public hearing regarding the Annexed Territory;

WHEREAS, in accordance with Ind. Code §§ 36-4-3-3.1 and 36-4-3-13, the Common Council now desires to adopt a Written Fiscal Plan for the Annexed Territory.

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

Section One: The Council hereby adopts the Fiscal Plan for Bralley Property, as more particularly described in Exhibit C, attached hereto and incorporated herein. This Fiscal Plan is to be adopted prior to the adoption of the annexation ordinance for Bralley Property.

Section Two: This Resolution shall be in full force and effect from the date of passage by the Common Council and its publication, as provided by law. All provisions or parts thereof in conflict herewith are hereby repealed.

SO RESOLVED by the Common Council of the City of Fishers, Indiana, on this 17th Day of August 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson, Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 20__, at _____ m.

ATTEST: _____
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Christopher P. Greisl

EXHIBIT A
Legal Description of Real Estate

A part of the East Half of the Southwest Quarter of Section 32, Township 18 North, Range 6 East, located in Hamilton County, Indiana, more particularly described as follows, to wit:

Beginning at the Northwest corner of the East Half of the Southwest Quarter of Section 32, Township 18 North, Range 6 East; run thence South on and along the West of said East Half 687.5 feet to the center of State Road Number 238 and the point of beginning of this description; thence South on and along the West line of said East Half to a point which is 205.5 feet West of a point on the centerline of State Road Number 238; thence East 205.5 feet to a point in the centerline of State Road Number 238, which point is 863 feet South of the North line of said East Half; thence Northwesterly along the centerline of said State Road Number 238 to the point of beginning.

Also:

A part of the West Half of the Southwest Quarter of Section 32, Township 18 North, Range 6 East in Hamilton County, Indiana, and being more particularly described as follows:

Commencing at the Northeast corner of the said Half Quarter Section; thence due South (assumed bearing) on and along the East line of the said Half Quarter, 693.56 feet to the point of beginning, said point also being in the centerline of State Road Number 238; thence continuing along the said East line, due South 348.47 feet; thence North 80 degrees 50 minutes 44 seconds West, 158.22 feet; thence due North, 448.42 feet to the centerline of State Road Number 238; thence on and along the said centerline, South 51 degrees 18 minutes 11 seconds East 200.14 feet to the point of beginning.

Except:

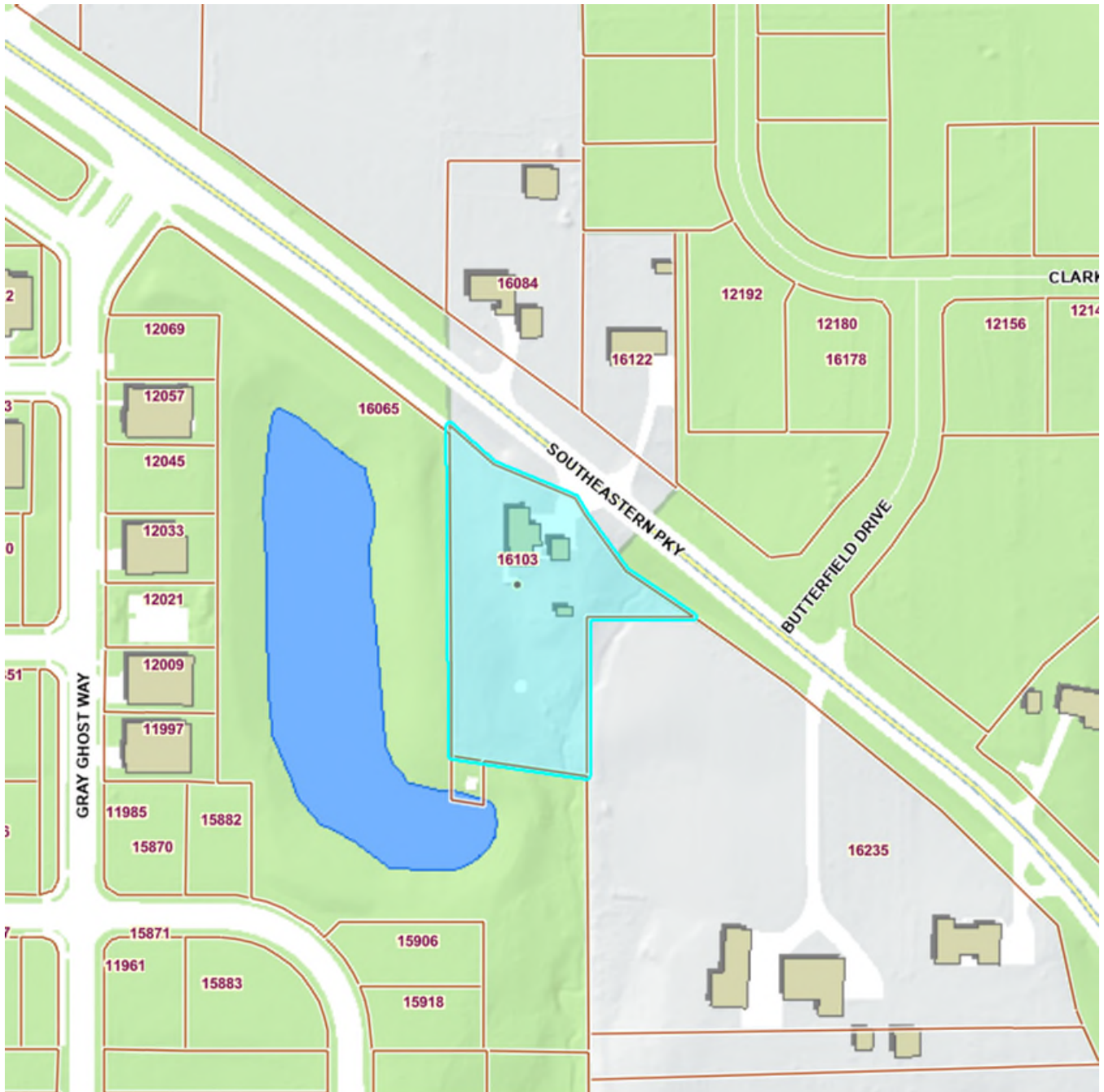
A part of the Southwest Quarter of Section 32, Township 18 North, Range 6 East in Hamilton County, Indiana and being that part of the Grantor's land lying within the right of way lines depicted on the attached Right-of-Way Parcel Plat marked "Exhibit B", described as follows: Commencing at the Northeast corner of the West Half of said Southwest Quarter Section; thence due South (assumed bearing) on and along the East line of the said Half Quarter, 693.56 feet (bearing and distance taken from Instrument No. 88-18620) (687.5 feet by Instrument No. 87-44798) to the intersection with the centerline of State Road 238 and the point of beginning of this description; thence South 51 degrees 12 minutes 55 seconds East 80.667 meters (264.65 feet) along said centerline to the East corner of the grantors' land; thence South 89 degrees 20 minutes 19 seconds West 23.511 meters (77.14 feet) along the South line of the grantors' land; thence North 55 degrees 18 minutes 03 seconds West 28.944 meters (94.96 feet) to the point designated "550" on said plat; thence North 35 degrees 23 minutes 46 seconds West 31.181 meters (102.30 feet) to the point designated "548" on said plat; thence North 67 degrees 06 minutes 35 seconds West 31.123 meters (102.11 feet) to the point designated "545" on said plat; thence North 48 degrees 10 minutes 19 seconds West 22.197 meters (72.82 feet) to the intersection with the West line of the grantors' land; thence North 0 degrees 16 minutes 31 seconds West 19.946 meters (65.44 feet) along said West line to the intersection with the centerline of State Road 238 which point is the beginning of a non-tangent curve; thence along said centerline Southeasterly 46.691 meters (153.19 feet) along an arc to the right having a radius of 3050.000 meters (10006.56 feet) and subtended by a long chord having a bearing of South 51 degrees 39 minutes 14 seconds East and a length of 46.690 meters (153.18 feet) to the point designated as point "47" on said plat; thence South 51 degrees 12 minutes 55 seconds East 14.337 meters (47.04 feet) along said centerline to the point of beginning and containing 0.1822 hectares (0.450 acres), more or less, inclusive of the present existing right-of-way which contains 0.0488 hectares (0.120 acres), more or less, for a net additional taking of 0.1334 hectares (0.330 acres), more or less.

NOTE: Acreage in the legal description of the subject real estate is solely for the purposes of identifying and describing the insured land and should not be construed as insuring the quantity of land as set forth in said description.

Also including: the entire width of any unincorporated rights-of-way that are contiguous with the above-described real estate.

16103 Southeastern Pkwy, Fortville, IN, 46040
Parcel No. 13-12-32-00-00-023.000

EXHIBIT B
Graphic Depiction of Real Estate



16103 Southeastern Pkwy, Fortville, IN, 46040
Parcel No. 13-12-32-00-00-023.000

EXHIBIT C

Fiscal Plan



MEMORANDUM

Date: August 17, 2026

From: Ross Hilleary, Assistant Director of Planning

To: Members of the City Council

Re: Fiscal Plan – Bralley Property, 16103 Southeastern Parkway

This document shall serve as the official Fiscal Plan for Bralley Property, a 100% voluntary annexation, as required by Indiana Code 36-4-3-13-d. The Fiscal Plan must show the following, as taken from Indiana Code:

(1) “The cost estimates of planned services to be furnished to the territory to be annexed. The plan must present itemized estimated costs for each municipal department or agency.”

- A. Police Department – Currently, the Hamilton County Sheriff’s Department is primarily responsible for law enforcement on these properties. Upon annexation of this area, the Fishers Police Department would be responsible for law enforcement. The agency would need to respond to potential emergency calls regarding theft or other criminal activity. The agency would be able to respond to any calls as part of its current operating budget, and the new residential development would not cause any financial hardship to the agency. There is no additional direct cost to the Police Department resulting from this annexation, as the agency currently services the surrounding areas adjacent to the new residential development.
- B. Fire Department – The Fishers Fire Department already provides fire protection and emergency medical services (EMS) to this property. Therefore, there is no additional cost to the Fire Department resulting from this annexation.
- C. Public Works Department – The City of Fishers Public Works Department in partnership with Hamilton County maintain portions of Southeastern Parkway, this would expand that footprint.

Trash collection will be handled through a City-wide contract with Republic Services and will be part of the tax base.

The sewage collection system for this property, once installed, will be handled by Fishers Sanitary System.

The Public Works Department also will be responsible for maintenance of the storm sewer system.

- D. Community & Economic Development – The Community & Economic Development Department already provides planning and zoning services to unincorporated Hamilton County in this area (per Ordinance No. 111208, adopted November 12, 2008). Therefore, no additional costs will be incurred.
- E. Parks and Recreation – No new city parks are planned with this development. Although residents of the new subdivision will use city park facilities in the area, no direct additional costs will be incurred by the Parks and Recreation Department.
- F. Administration, Controller, Engineering, Information Technology – No additional costs to those departments will be incurred as a result of this annexation.

(2) “The method or methods of financing the planned services. The plan must explain how specific and detailed expenses will be funded and must indicate the taxes, grants and other funding to be used.”

The expenses for this property can be paid from the General Fund as part of general operating costs for the Police Department and Public Works Department. No specific earmark is needed.

Revenues would be received from the following sources: Property Taxes, County Option Income Taxes (COIT), Alcoholic Beverage Taxes, Cigarette Taxes, Vehicle Excise Taxes, Motor Vehicle Highway Taxes, and Local Road & Street Taxes.

(3) “The plan for the organization and extension of services. The plan must detail the specific services that will be provided and the dates the services will begin.”

Sewer service (City of Fishers) = 2026
 Water service (Citizens Energy Group) = N/A
 Electricity service (Duke Energy) = N/A
 Phone service (AT&T) = N/A
 Cable service (Comcast) = N/A

(4) “That planned services of a noncapital nature, including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries, will be provided to the annexed territory within one (1) year after the effective date of the annexation and that they will be provided in a manner equivalent in standard and scope to those noncapital services provided to areas within the corporate boundaries regardless of similar topography, patterns of land use, and population density.”

All such services would be provided to the property immediately upon the effective date of the annexation, which is 30 days following approval by City Council, and after the petition is recorded with the Hamilton County Recorder’s Office. The effective date of this annexation is anticipated to be approximately September 17, 2026.

(5) “That services of a capital nature, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation and in the same manner as those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria.”

All such services would be provided to the property immediately upon the effective date of the annexation, which is typically 30 days following approval by the City Council, and after the petition is recorded with the

Hamilton County Recorder's Office. The effective date of this annexation is anticipated to be approximately June 18, 2026.

- (6) **"This subdivision applies to a fiscal plan prepared after June 30, 2015. The estimated effect of the proposed annexation on taxpayers in each of the political subdivisions to which the proposed annexation applies, including the expected tax rates, tax levies, expenditure levels, service levels, and annual debt service payments in those political subdivisions for four (4) years after the effective date of the annexation."**

Below is a list of anticipated tax rates and categories affecting the new subdivision:

	2026 Tax Rate	2027 Tax Rate	2028 Tax Rate	2029 Tax Rate	2030 Tax Rate
County	0.2611	0.2611	0.2611	0.2611	0.2611
Township	0.0225	0.0225	0.0225	0.0225	0.0225
School District	1.2457	1.2457	1.2457	1.2457	1.2457
City	0	0	0.7215	0.7215	0.7215
Library	0.0581	0.0581	0.0581	0.0581	0.0581
Solid Waste	0.0030	0.0030	0.0030	0.0030	0.0030

- (7) **"This subdivision applies to a fiscal plan prepared after June 30, 2015. The estimated effect the proposed annexation will have on municipal finances, specifically how municipal tax revenues will be affected by the annexation for four (4) years after the effective date of the annexation."**

Below is a list of anticipated property tax revenue to the City of Fishers over the next 4 years. There is a one-year lag between the time taxes are assessed and collected by the City.

	2026 (0 Homes)	2027 (1 Homes)	2028 (1 Home)	2029 (1 Homes)	2030 (1 Homes)
City revenue	\$0	\$0	\$2495.67	\$2495.67	\$2495.67

- (8) **"This subdivision applies to a fiscal plan prepared after June 30, 2015. Any estimated effects on political subdivisions in the county that are not part of the annexation and on taxpayers located in those political subdivisions for four (4) years after the effective date of the annexation."**

This annexation will not affect other "political subdivisions" in the county not part of this annexation.

- (9) **"This subdivision applies to a fiscal plan prepared after June 30, 2015. A list of all parcels of property in the annexation territory and the following information regarding each parcel:"**

(A) **"The name of the owner of the parcel."**

Bralley, Mark T & Elizabeth A

(B) **"The parcel identification number."**

County Parcel No. 13-12-32-00-00-023.000

(C) **"The most recent assessed value of the parcel."**

13-12-32-00-00-023.000: \$349,900.00 total gross assessed value (January 1, 2026)
\$80,400.00 assessed value: Land (January 1, 2026)
\$265,900.00 assessed value: Improvements (January 1, 2026)



Council Action Form

MEETING DATE	August 17, 2026			
TITLE	Request to approve a resolution adopting the Fiscal Plan for the Bralley property located at 16103 Southeastern Parkway (ANX-25-9)			
SUBMITTED BY	Name & Title: Ross Hilleary, Assistant Director of Planning			
	Department:			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☐ Ordinance	☒ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading ☒ Final Reading
	Ordinance #:		Resolution #: R081726E	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☒ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	The property is contiguous to the current city limits, exceeding the contiguity requirements per Indiana Code 36-4-3-1.5 (12.5% contiguity required). This voluntary annexation is being processed in accordance with IC-4-3-5.1 "Petitions signed by 100% of landowners." The property is currently contiguous to current city limits and the petition has been signed by 100% of the landowners. In accordance with IC 36-4-3-3.1, staff will present a "written fiscal plan" at Final Reading before adoption of the annexation ordinance.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Approve the Resolution
	2.	Continue
	3.	Take no action
	4.	
PROJECT TIMELINE	July 20, 2026 - 1st Reading & Public Hearing - City Council August 17, 2026 - Proposed Final Reading & Fiscal Plan - City Council	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends that Council approve the Fiscal Plan for the Bralley property annexation, located at 10601 Southeastern Pkwy (ANX-25-9)	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Resolution 2. Fiscal Plan	

ORDINANCE NO. 072026F
AN ORDINANCE ANNEXING CERTAIN REAL ESTATE
TO THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA

WHEREAS, the City of Fishers, Hamilton County, Indiana (“City”), in accordance with Ind. Code §36-4-3-5.1, wishes to annex an area consisting of approximately 1.37 acres located outside of but contiguous to the City, those areas being more particularly described in Exhibit A, attached hereto and incorporated herein, and further depicted in Exhibit B, attached hereto and incorporated herein (the “Annexed Territory”);

WHEREAS, in accordance with Ind. Code §36-4-3-5.1(e), on or around July 20, 2026, the City Council held a duly noticed public hearing regarding the Annexed Territory;

WHEREAS, the Common Council has determined, in accordance with Ind. Code §36-4-3-5.1, the petition requesting voluntary annexation is signed by 100% of the owners of land within the Annexed Territory;

WHEREAS, in accordance with Ind. Code §36-4-3-1.5, the Common Council has determined that that Annexed Territory is contiguous as at least one-eighth (1/8) of the aggregate external boundaries of the Annexed Territory coincides with the boundaries of the City;

WHEREAS, on or around August 17, 2026, in accordance with Ind. Code §§ 36-4-3-3.1 and 36-4-3-13, the Common Council adopted a Written Fiscal Plan for the Annexed Territory; and

WHEREAS, the Common Council now desires to annex the Annexed Territory generally known as the Bralley Property.

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

- Section 1.** **Contiguity.** The petition requesting voluntary annexation for the Annexed Territory, further described in Exhibit A, attached hereto and incorporated herein, and graphically depicted in Exhibit B, attached hereto and incorporated herein, is signed by 100% of the owners of land within the Annexed Territory and is contiguous to the City boundaries as at least one-eighth (1/8) of the aggregate external boundaries of the Annexed Territory coincides with the boundaries of the City.
- Section 2.** **Annexed Territory.** The real estate containing approximately 1.37 acres more or less legally described in Exhibit A attached hereto and incorporated herein, and graphically depicted in Exhibit B attached hereto and incorporated herein, generally to be known as the Bralley Property, is hereby annexed to and declared to be a part of the City of Fishers, Indiana.
- Section 3.** **Council District.** The above-described real estate is hereby assigned to City Council District 6 and shall become a part thereof immediately upon the effective date of this ordinance.

Section 4. **Effective Date.** This ordinance shall be in full force and effect September 17, 2026 and as provided by Indiana law.

Section 5. All ordinances or parts thereof in conflict herewith are hereby repealed.

SO ORDAINED by the Common Council of the City of Fishers, Indiana, on this 17th Day of August 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

072026F

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2026, at _____ m.

ATTEST: _____

Jennifer L. Kehl, Fishers City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey Bennett



EXHIBIT A
Legal Description of Real Estate

A part of the East Half of the Southwest Quarter of Section 32, Township 18 North, Range 6 East, located in Hamilton County, Indiana, more particularly described as follows, to wit:

Beginning at the Northwest corner of the East Half of the Southwest Quarter of Section 32, Township 18 North, Range 6 East; run thence South on and along the West of said East Half 687.5 feet to the center of State Road Number 238 and the point of beginning of this description; thence South on and along the West line of said East Half to a point which is 205.5 feet West of a point on the centerline of State Road Number 238; thence East 205.5 feet to a point in the centerline of State Road Number 238, which point is 863 feet South of the North line of said East Half; thence Northwesterly along the centerline of said State Road Number 238 to the point of beginning.

Also:

A part of the West Half of the Southwest Quarter of Section 32, Township 18 North, Range 6 East in Hamilton County, Indiana, and being more particularly described as follows:

Commencing at the Northeast corner of the said Half Quarter Section; thence due South (assumed bearing) on and along the East line of the said Half Quarter, 693.56 feet to the point of beginning, said point also being in the centerline of State Road Number 238; thence continuing along the said East line, due South 348.47 feet; thence North 80 degrees 50 minutes 44 seconds West, 158.22 feet; thence due North, 448.42 feet to the centerline of State Road Number 238; thence on and along the said centerline, South 51 degrees 18 minutes 11 seconds East 200.14 feet to the point of beginning.

Except:

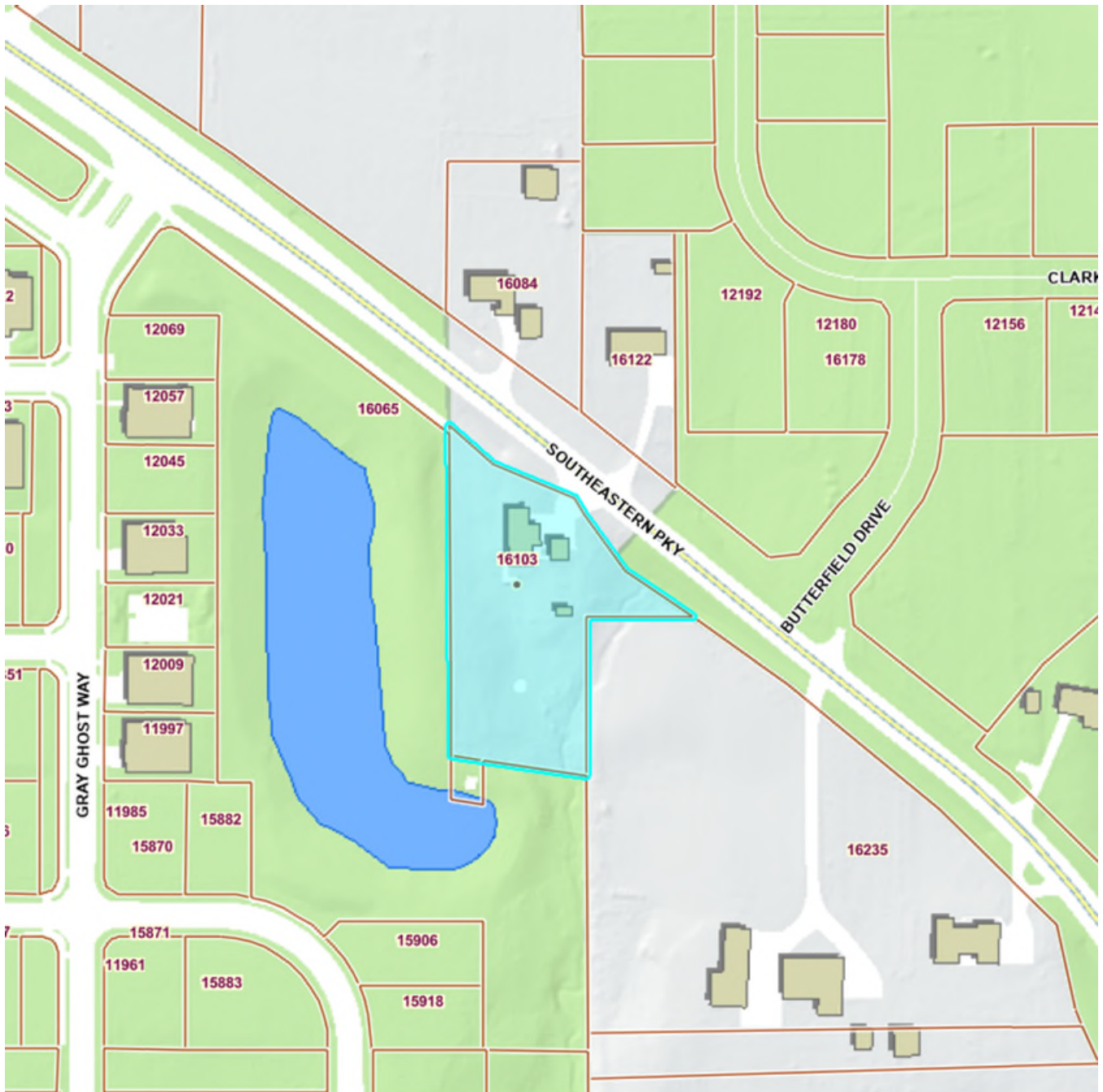
A part of the Southwest Quarter of Section 32, Township 18 North, Range 6 East in Hamilton County, Indiana and being that part of the Grantor's land lying within the right of way lines depicted on the attached Right-of-Way Parcel Plat marked "Exhibit B", described as follows: Commencing at the Northeast corner of the West Half of said Southwest Quarter Section; thence due South (assumed bearing) on and along the East line of the said Half Quarter, 693.56 feet (bearing and distance taken from Instrument No. 88-18620) (687.5 feet by Instrument No. 87-44798) to the intersection with the centerline of State Road 238 and the point of beginning of this description; thence South 51 degrees 12 minutes 55 seconds East 80.667 meters (264.65 feet) along said centerline to the East corner of the grantors' land; thence South 89 degrees 20 minutes 19 seconds West 23.511 meters (77.14 feet) along the South line of the grantors' land; thence North 55 degrees 18 minutes 03 seconds West 28.944 meters (94.96 feet) to the point designated "550" on said plat; thence North 35 degrees 23 minutes 46 seconds West 31.181 meters (102.30 feet) to the point designated "548" on said plat; thence North 67 degrees 06 minutes 35 seconds West 31.123 meters (102.11 feet) to the point designated "545" on said plat; thence North 48 degrees 10 minutes 19 seconds West 22.197 meters (72.82 feet) to the intersection with the West line of the grantors' land; thence North 0 degrees 16 minutes 31 seconds West 19.946 meters (65.44 feet) along said West line to the intersection with the centerline of State Road 238 which point is the beginning of a non-tangent curve; thence along said centerline Southeasterly 46.691 meters (153.19 feet) along an arc to the right having a radius of 3050.000 meters (10006.56 feet) and subtended by a long chord having a bearing of South 51 degrees 39 minutes 14 seconds East and a length of 46.690 meters (153.18 feet) to the point designated as point "47" on said plat; thence South 51 degrees 12 minutes 55 seconds East 14.337 meters (47.04 feet) along said centerline to the point of beginning and containing 0.1822 hectares (0.450 acres), more or less, inclusive of the present existing right-of-way which contains 0.0488 hectares (0.120 acres), more or less, for a net additional taking of 0.1334 hectares (0.330 acres), more or less.

NOTE: Acreage in the legal description of the subject real estate is solely for the purposes of identifying and describing the insured land and should not be construed as insuring the quantity of land as set forth in said description.

Also including: the entire width of any unincorporated rights-of-way that are contiguous with the above-described real estate.

16103 Southeastern Pkwy, Fortville, IN, 46040
Parcel No. 13-12-32-00-00-023.000

EXHIBIT B
Graphic Depiction of Real Estate



16103 Southeastern Pkwy, Fortville, IN, 46040
Parcel No. 13-12-32-00-00-023.000



Council Action Form

MEETING DATE	August 17, 2026			
TITLE	Request to approve a voluntary annexation of 1.37 acres, known as the Bralley property. Subject site has a common address of 16103 Southeastern Pkwy (ANX-25-9)			
SUBMITTED BY	Name & Title: Ross Hilleary, Assistant Director of Planning Department:			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading ☒ Final Reading
	Ordinance #: 072026F		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☒ Wait 31 days prior to filing with the County Recorders' Office		☐ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☒ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	The property is contiguous to the current city limits, exceeding the contiguity requirements per Indiana Code 36-4-3-1.5 (12.5% contiguity required). This voluntary annexation is being processed in accordance with IC-4-3-5.1 "Petitions signed by 100% of landowners." The property is currently contiguous to current city limits and the petition has been signed by 100% of the landowners. In accordance with IC 36-4-3-3.1, staff will present a "written fiscal plan" at Final Reading before adoption of the annexation ordinance.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Hold Final Reading
	2.	Continue
	3.	Take no action
	4.	
PROJECT TIMELINE	July 20, 2026 - 1st Reading & Public Hearing - City Council August 17, 2026 - Proposed Final Reading & Fiscal Plan - City Council	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends that Council hold the Final Reading for the Bralley property annexation, located at 10601 Southeastern Pkwy (ANX-25-9)	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Ordinance	

RESOLUTION NO. R081726F

**A RESOLUTION ADOPTING A FISCAL PLAN FOR THE ANNEXATION OF
PROPERTY CONTIGUOUS TO THE CITY OF FISHERS, INDIANA**

WHEREAS, the City of Fishers, Hamilton County, Indiana (“City”), in accordance with Ind. Code §36-4-3-5.1, wishes to annex an area consisting of approximately 11.54 acres located outside of but contiguous to the City, those areas being more particularly described in Exhibit A, attached hereto and incorporated herein, and further depicted in Exhibit B, attached hereto and incorporated herein (the “Annexed Territory”);

WHEREAS, in accordance with Ind. Code §36-4-3-5.1(e), on or around July 20, 2026, the City Council held a duly noticed public hearing regarding the Annexed Territory;

WHEREAS, in accordance with Ind. Code §§ 36-4-3-3.1 and 36-4-3-13, the Common Council now desires to adopt a Written Fiscal Plan for the Annexed Territory.

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

Section One: The Council hereby adopts the Fiscal Plan for Buckhaven Property, as more particularly described in Exhibit C, attached hereto and incorporated herein. This Fiscal Plan is to be adopted prior to the adoption of the annexation ordinance for Buckhaven Property.

Section Two: This Resolution shall be in full force and effect from the date of passage by the Common Council and its publication, as provided by law. All provisions or parts thereof in conflict herewith are hereby repealed.

SO RESOLVED by the Common Council of the City of Fishers, Indiana, on this 17th Day of August 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson, Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 20__, at _____ m.

ATTEST: _____
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Christopher P. Greisl

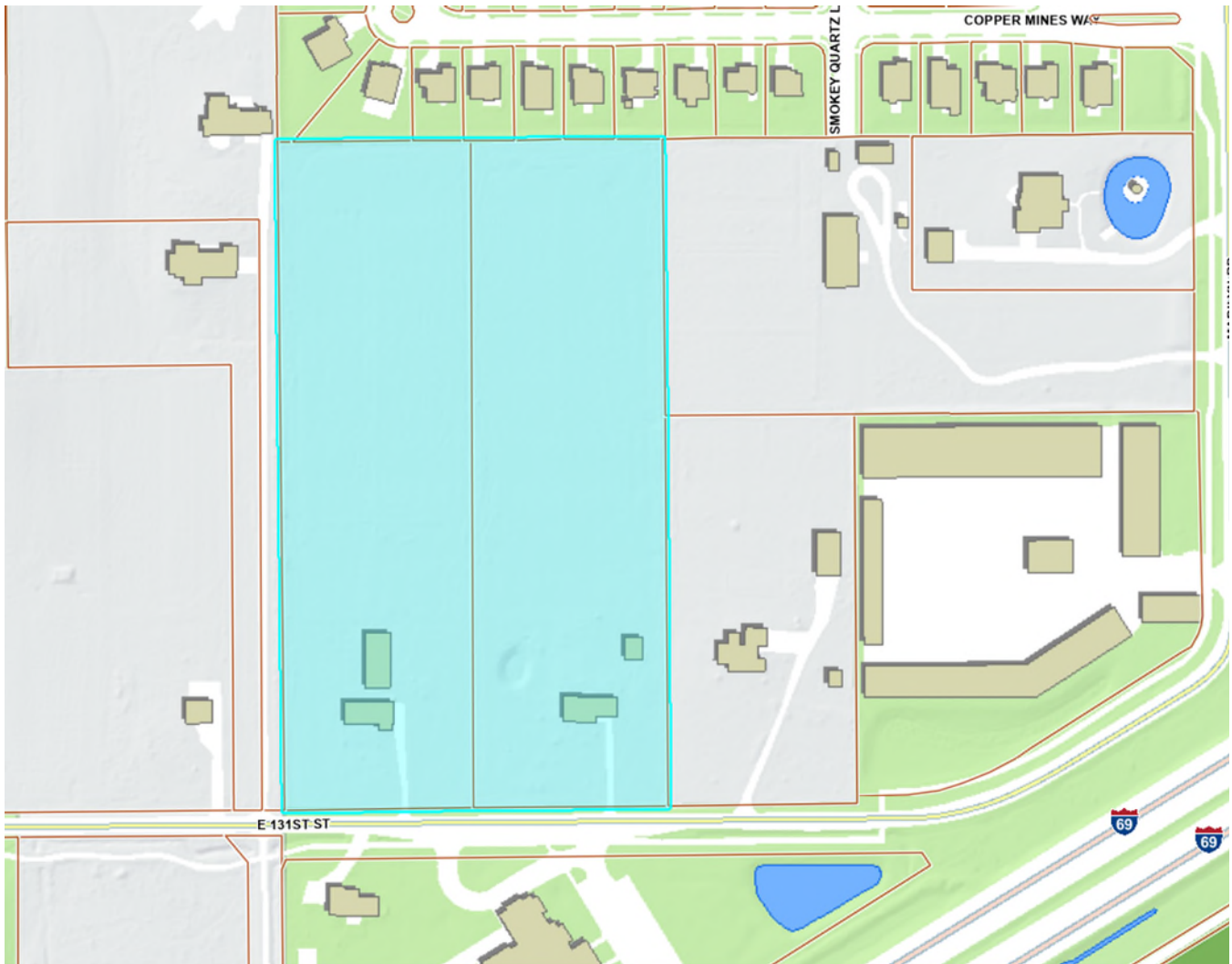
EXHIBIT A
Legal Description of Real Estate

A part of the Southwest Quarter of the Northwest Quarter of Section 27, Township 18 North, Range 5 East of the Second Principal Meridian, Fall Creek Township, Hamilton County, Indiana, based on an ALTA/NSPS Land Title Survey prepared by Michael G. Judt, Professional Surveyor #21500017, HWC Engineering Job #2600-291-A, dated April 23, 2026, more particularly described as follows: BEGINNING at the Southwest corner of the Southwest Quarter of said Quarter Section, being marked by railroad spike; thence North 00 degrees 18 minutes 14 seconds West (grid bearing, Indiana State Plane, East Zone, NAD 83, 2011, EPOCH 2010.0000) along the west line of the Southwest Quarter of the Northwest Quarter a distance of 947.46 feet to the southwest corner of Limestone Springs, Section 2A, the plat of which is recorded in Instrument Number 200500049682 in the Office of the Hamilton County Recorder, being marked by a 5/8-inch diameter rebar with cap stamped "HWC Engineering Firm #0114"; thence North 89 degrees 25 minutes 31 seconds East along said south line of Limestone Springs, Section 2A a distance of 530.73 feet to the northwest corner of Jogene Pines, Secondary Plat, the plat of which is recorded in Instrument Number 200300069595 in said Recorder's Office; thence South 00 degrees 18 minutes 15 seconds East along the west line of said plat and the southerly extension thereof a distance of 946.84 feet to the south line of the Southwest Quarter of the Northwest Quarter of said Section 27; thence South 89 degrees 21 minutes 30 seconds West along said south line a distance of 530.74 feet to the POINT OF BEGINNING, containing 11.540 acres, more or less.

Also including: the entire width of any unincorporated rights-of-way that are contiguous with the above-described real estate.

*11798 E 131st Street & 11842 E 131st Street
Parcel No. 13-11-27-00-00-022-004 & 13-11-27-00-00-022.00*

EXHIBIT B
Graphic Depiction of Real Estate



11798 E 131st Street & 11842 E 131st Street
Parcel No. 13-11-27-00-00-022-004 & 13-11-27-00-00-022.00

EXHIBIT C

Fiscal Plan



MEMORANDUM

Date: August 17, 2026

From: Ross Hilleary, Assistant Director of Planning

To: Members of the City Council

Re: Fiscal Plan – Buckhaven Property, 16103 Southeastern Parkway 11798 & 11842 E 131st Street

This document shall serve as the official Fiscal Plan for Buckhaven Property, a 100% voluntary annexation, as required by Indiana Code 36-4-3-13-d. The Fiscal Plan must show the following, as taken from Indiana Code:

(1) “The cost estimates of planned services to be furnished to the territory to be annexed. The plan must present itemized estimated costs for each municipal department or agency.”

- A. Police Department – Currently, the Hamilton County Sheriff’s Department is primarily responsible for law enforcement on these properties. Upon annexation of this area, the Fishers Police Department would be responsible for law enforcement. The agency would need to respond to potential emergency calls regarding theft or other criminal activity. The agency would be able to respond to any calls as part of its current operating budget, and the new residential development would not cause any financial hardship to the agency. There is no additional direct cost to the Police Department resulting from this annexation, as the agency currently services the surrounding areas adjacent to the new residential development.
- B. Fire Department – The Fishers Fire Department already provides fire protection and emergency medical services (EMS) to this property. Therefore, there is no additional cost to the Fire Department resulting from this annexation.
- C. Public Works Department – The City of Fishers Public Works Department already maintains the E 131st Street and will be responsible for maintaining the new public street and two stub streets that are proposed.

Trash collection will be handled through a City-wide contract with Republic Services and will be part of the tax base.

The sewage collection system for this property, once installed, will be handled by Fishers Sanitary System.

The Public Works Department also will be responsible for maintenance of the storm sewer system.

- D. Community & Economic Development – The Community & Economic Development Department already provides planning and zoning services to unincorporated Hamilton County in this area (per Ordinance No. 111208, adopted November 12, 2008). Therefore, no additional costs will be incurred.
- E. Parks and Recreation – No new city parks are planned with this development. Although residents of the new subdivision will use city park facilities in the area, no direct additional costs will be incurred by the Parks and Recreation Department.
- F. Administration, Controller, Engineering, Information Technology – No additional costs to those departments will be incurred as a result of this annexation.

(2) “The method or methods of financing the planned services. The plan must explain how specific and detailed expenses will be funded and must indicate the taxes, grants and other funding to be used.”

The expenses for this property can be paid from the General Fund as part of general operating costs for the Police Department and Public Works Department. No specific earmark is needed.

Revenues would be received from the following sources: Property Taxes, County Option Income Taxes (COIT), Alcoholic Beverage Taxes, Cigarette Taxes, Vehicle Excise Taxes, Motor Vehicle Highway Taxes, and Local Road & Street Taxes.

(3) “The plan for the organization and extension of services. The plan must detail the specific services that will be provided and the dates the services will begin.”

Sewer service (City of Fishers) = 2028
 Water service (Citizens Energy Group) = N/A
 Electricity service (Duke Energy) = N/A
 Phone service (AT&T) = N/A
 Cable service (Comcast) = N/A

(4) “That planned services of a noncapital nature, including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries, will be provided to the annexed territory within one (1) year after the effective date of the annexation and that they will be provided in a manner equivalent in standard and scope to those noncapital services provided to areas within the corporate boundaries regardless of similar topography, patterns of land use, and population density.”

All such services would be provided to the property immediately upon the effective date of the annexation, which is 30 days following approval by City Council, and after the petition is recorded with the Hamilton County Recorder’s Office. The effective date of this annexation is anticipated to be approximately September 17, 2026.

(5) “That services of a capital nature, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation and in the same manner as those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria.”

All such services would be provided to the property immediately upon the effective date of the annexation, which is typically 30 days following approval by the City Council, and after the petition is recorded with the Hamilton County Recorder's Office. The effective date of this annexation is anticipated to be approximately June 18, 2026.

- (6) **"This subdivision applies to a fiscal plan prepared after June 30, 2015. The estimated effect of the proposed annexation on taxpayers in each of the political subdivisions to which the proposed annexation applies, including the expected tax rates, tax levies, expenditure levels, service levels, and annual debt service payments in those political subdivisions for four (4) years after the effective date of the annexation."**

Below is a list of anticipated tax rates and categories affecting the new subdivision:

	2026 Tax Rate	2027 Tax Rate	2028 Tax Rate	2029 Tax Rate	2030 Tax Rate
County	0.2611	0.2611	0.2611	0.2611	0.2611
Township	0.0225	0.0225	0.0225	0.0225	0.0225
School District	1.2457	1.2457	1.2457	1.2457	1.2457
City	0	0	0.7215	0.7215	0.7215
Library	0.0581	0.0581	0.0581	0.0581	0.0581
Solid Waste	0.0030	0.0030	0.0030	0.0030	0.0030

- (7) **"This subdivision applies to a fiscal plan prepared after June 30, 2015. The estimated effect the proposed annexation will have on municipal finances, specifically how municipal tax revenues will be affected by the annexation for four (4) years after the effective date of the annexation."**

Below is a list of anticipated property tax revenue to the City of Fishers over the next 4 years. There is a one-year lag between the time taxes are assessed and collected by the City.

	2026 (2 Homes)	2027 (0 Homes)	2028 (23 Homes)	2029 (23 Homes)	2030 (23 Homes)
City revenue	\$0	\$0	\$0	\$93,752.92	\$93,758.92

- (8) **"This subdivision applies to a fiscal plan prepared after June 30, 2015. Any estimated effects on political subdivisions in the county that are not part of the annexation and on taxpayers located in those political subdivisions for four (4) years after the effective date of the annexation."**

This annexation will not affect other "political subdivisions" in the county not part of this annexation.

- (9) **"This subdivision applies to a fiscal plan prepared after June 30, 2015. A list of all parcels of property in the annexation territory and the following information regarding each parcel:"**

- (A) **"The name of the owner of the parcel."**

Ahmed, Farooq

- (B) **"The parcel identification number."**

County Parcel No. 13-11-27-00-00-022.004, 13-11-27-00-00-022.002

(C) "The most recent assessed value of the parcel."

13-11-27-00-00-022.004: \$150,200.00 total gross assessed value (January 1, 2026)
\$68,700.00 assessed value: Land (January 1, 2026)
\$81,500.00 assessed value: Improvements (January 1, 2026)

13-11-27-00-00-022.002: \$295,000.00 total gross assessed value (January 1, 2026)
\$80,900.00 assessed value: Land (January 1, 2026)
\$214,100.00 assessed value: Improvements (January 1, 2026)



Council Action Form

MEETING DATE	August 17, 2026			
TITLE	Request to approve a resolution adopting the Fiscal Plan for the Buckhaven property located at 11798 & 11842 E 131 st Street (ANX-26-2)			
SUBMITTED BY	Name & Title: Ross Hilleary, Assistant Director of Planning			
	Department:			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☐ Ordinance	☒ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading ☒ Final Reading
	Ordinance #:		Resolution #: R081726F	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☒ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	The property is contiguous to the current city limits, exceeding the contiguity requirements per Indiana Code 36-4-3-1.5 (12.5% contiguity required). This voluntary annexation is being processed in accordance with IC-4-3-5.1 "Petitions signed by 100% of landowners." The property is currently contiguous to current city limits and the petition has been signed by 100% of the landowners. In accordance with IC 36-4-3-3.1, staff will present a "written fiscal plan" at Final Reading before adoption of the annexation ordinance.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Approve the Resolution
	2.	Continue
	3.	Take no action
	4.	
PROJECT TIMELINE	July 20, 2026 - 1st Reading & Public Hearing - City Council August 17, 2026 - Proposed Final Reading & Fiscal Plan - City Council	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends that Council approve the Fiscal Plan for the Buckhaven property annexation, located at 11798 & 11842 E 131 st Street (ANX-26-2)	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Resolution 2. Fiscal Plan	

ORDINANCE NO. 072026G
AN ORDINANCE ANNEXING CERTAIN REAL ESTATE
TO THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA

WHEREAS, the City of Fishers, Hamilton County, Indiana (“City”), in accordance with Ind. Code §36-4-3-5.1, wishes to annex an area consisting of approximately 11.54 acres located outside of but contiguous to the City, those areas being more particularly described in Exhibit A, attached hereto and incorporated herein, and further depicted in Exhibit B, attached hereto and incorporated herein (the “Annexed Territory”);

WHEREAS, in accordance with Ind. Code §36-4-3-5.1(e), on or around July 20, 2026, the City Council held a duly noticed public hearing regarding the Annexed Territory;

WHEREAS, the Common Council has determined, in accordance with Ind. Code §36-4-3-5.1, the petition requesting voluntary annexation is signed by 100% of the owners of land within the Annexed Territory;

WHEREAS, in accordance with Ind. Code §36-4-3-1.5, the Common Council has determined that that Annexed Territory is contiguous as at least one-eighth (1/8) of the aggregate external boundaries of the Annexed Territory coincides with the boundaries of the City;

WHEREAS, on or around August 17, 2026, in accordance with Ind. Code §§ 36-4-3-3.1 and 36-4-3-13, the Common Council adopted a Written Fiscal Plan for the Annexed Territory; and

WHEREAS, the Common Council now desires to annex the Annexed Territory generally known as the Buckhaven Property.

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

- Section 1.** **Contiguity.** The petition requesting voluntary annexation for the Annexed Territory, further described in Exhibit A, attached hereto and incorporated herein, and graphically depicted in Exhibit B, attached hereto and incorporated herein, is signed by 100% of the owners of land within the Annexed Territory and is contiguous to the City boundaries as at least one-eighth (1/8) of the aggregate external boundaries of the Annexed Territory coincides with the boundaries of the City.
- Section 2.** **Annexed Territory.** The real estate containing approximately 11.54 acres more or less legally described in Exhibit A attached hereto and incorporated herein, and graphically depicted in Exhibit B attached hereto and incorporated herein, generally to be known as the Buckhaven Property, is hereby annexed to and declared to be a part of the City of Fishers, Indiana.
- Section 3.** **Council District.** The above-described real estate is hereby assigned to City Council District 3 and shall become a part thereof immediately upon the effective date of this ordinance.

Section 4. **Effective Date.** This ordinance shall be in full force and effect September 17, 2026 and as provided by Indiana law.

Section 5. All ordinances or parts thereof in conflict herewith are hereby repealed.

SO ORDAINED by the Common Council of the City of Fishers, Indiana, on this 17th Day of August 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2026, at _____ m.

ATTEST: _____

Jennifer L. Kehl, Fishers City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey Bennett



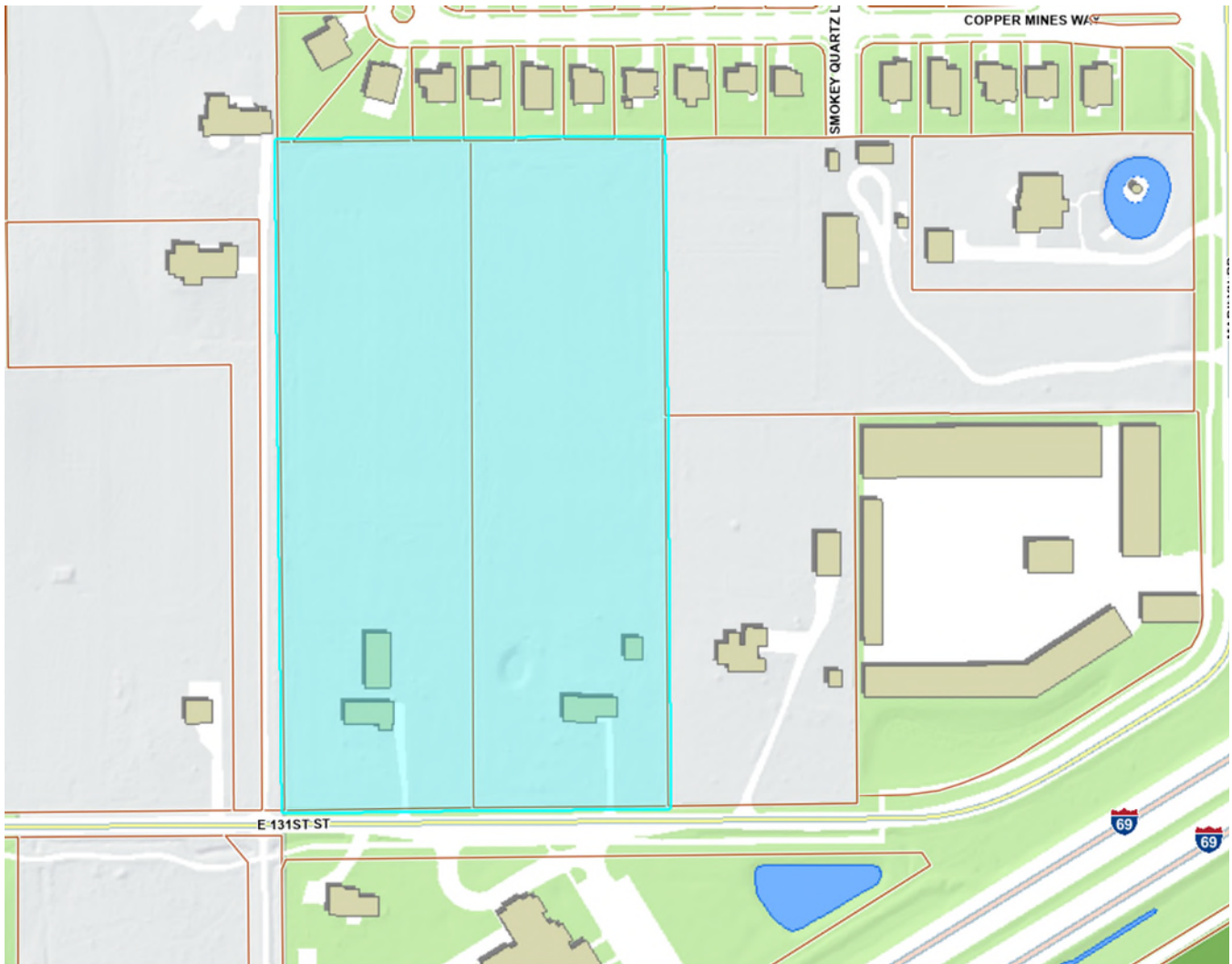
EXHIBIT A
Legal Description of Real Estate

A part of the Southwest Quarter of the Northwest Quarter of Section 27, Township 18 North, Range 5 East of the Second Principal Meridian, Fall Creek Township, Hamilton County, Indiana, based on an ALTA/NSPS Land Title Survey prepared by Michael G. Judt, Professional Surveyor #21500017, HWC Engineering Job #2600-291-A, dated April 23, 2026, more particularly described as follows: BEGINNING at the Southwest corner of the Southwest Quarter of said Quarter Section, being marked by railroad spike; thence North 00 degrees 18 minutes 14 seconds West (grid bearing, Indiana State Plane, East Zone, NAD 83, 2011, EPOCH 2010.0000) along the west line of the Southwest Quarter of the Northwest Quarter a distance of 947.46 feet to the southwest corner of Limestone Springs, Section 2A, the plat of which is recorded in Instrument Number 200500049682 in the Office of the Hamilton County Recorder, being marked by a 5/8-inch diameter rebar with cap stamped "HWC Engineering Firm #0114"; thence North 89 degrees 25 minutes 31 seconds East along said south line of Limestone Springs, Section 2A a distance of 530.73 feet to the northwest corner of Jogene Pines, Secondary Plat, the plat of which is recorded in Instrument Number 200300069595 in said Recorder's Office; thence South 00 degrees 18 minutes 15 seconds East along the west line of said plat and the southerly extension thereof a distance of 946.84 feet to the south line of the Southwest Quarter of the Northwest Quarter of said Section 27; thence South 89 degrees 21 minutes 30 seconds West along said south line a distance of 530.74 feet to the POINT OF BEGINNING, containing 11.540 acres, more or less.

Also including: the entire width of any unincorporated rights-of-way that are contiguous with the above-described real estate.

11798 E 131st Street & 11842 E 131st Street
Parcel No. 13-11-27-00-00-022-004 & 13-11-27-00-00-022.00

EXHIBIT B
Graphic Depiction of Real Estate



11798 E 131st Street & 11842 E 131st Street
Parcel No. 13-11-27-00-00-022-004 & 13-11-27-00-00-022.00



Council Action Form

MEETING DATE	July 20, 2026			
TITLE	Request to approve a voluntary annexation of 11.54 acres known as the Buckhaven property. Subject site has a common address of 11798 & 11842 E 131st Street (ANX-26-2)			
SUBMITTED BY	Name & Title: Ross Hilleary, Assistant Director of Planning Department:			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☒ 1 st Reading	☐ 2 nd Reading	☒ Public Hearing	☐ 3 rd Reading ☐ Final Reading
	Ordinance #: 072026G		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☒ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	The property is contiguous to the current city limits, exceeding the contiguity requirements per Indiana Code 36-4-3-1.5 (12.5% contiguity required). This voluntary annexation is being processed in accordance with IC-4-3-5.1 "Petitions signed by 100% of landowners." The property is currently contiguous to current city limits and the petition has been signed by 100% of the landowners. In accordance with IC 36-4-3-3.1, staff will present a "written fiscal plan" at Final Reading before adoption of the annexation ordinance.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include Deny Approval Option)	1.	Hold 1 st Reading & Public Hearing
	2.	Continue
	3.	Take no action
	4.	
PROJECT TIMELINE	July 20, 2026 - Proposed 1st Reading & Public Hearing - City Council August 17, 2026 - Proposed Final Reading & Fiscal Plan - City Council	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends that Council hold 1st Reading and the Public Hearing for the Buckhaven property, located at 11798 & 11842 131 st Street (ANX-26-2)	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Ordinance	

RESOLUTION NO. R081726G

**A RESOLUTION ADOPTING A FISCAL PLAN FOR THE ANNEXATION OF
PROPERTY CONTIGUOUS TO THE CITY OF FISHERS, INDIANA**

WHEREAS, the City of Fishers, Hamilton County, Indiana (“City”), in accordance with Ind. Code §36-4-3-5.1, wishes to annex an area consisting of approximately 1.0 acres located outside of but contiguous to the City, those areas being more particularly described in Exhibit A, attached hereto and incorporated herein, and further depicted in Exhibit B, attached hereto and incorporated herein (the “Annexed Territory”);

WHEREAS, in accordance with Ind. Code §36-4-3-5.1(e), on or around July 20, 2026, the City Council held a duly noticed public hearing regarding the Annexed Territory;

WHEREAS, in accordance with Ind. Code §§ 36-4-3-3.1 and 36-4-3-13, the Common Council now desires to adopt a Written Fiscal Plan for the Annexed Territory.

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

Section One: The Council hereby adopts the Fiscal Plan for Brooks Property, as more particularly described in Exhibit C, attached hereto and incorporated herein. This Fiscal Plan is to be adopted prior to the adoption of the annexation ordinance for Brooks Property.

Section Two: This Resolution shall be in full force and effect from the date of passage by the Common Council and its publication, as provided by law. All provisions or parts thereof in conflict herewith are hereby repealed.

SO RESOLVED by the Common Council of the City of Fishers, Indiana, on this 17th day of August 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2026, at _____ m.

ATTEST: _____
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Christopher P. Greisl

EXHIBIT A
Legal Description of Real Estate

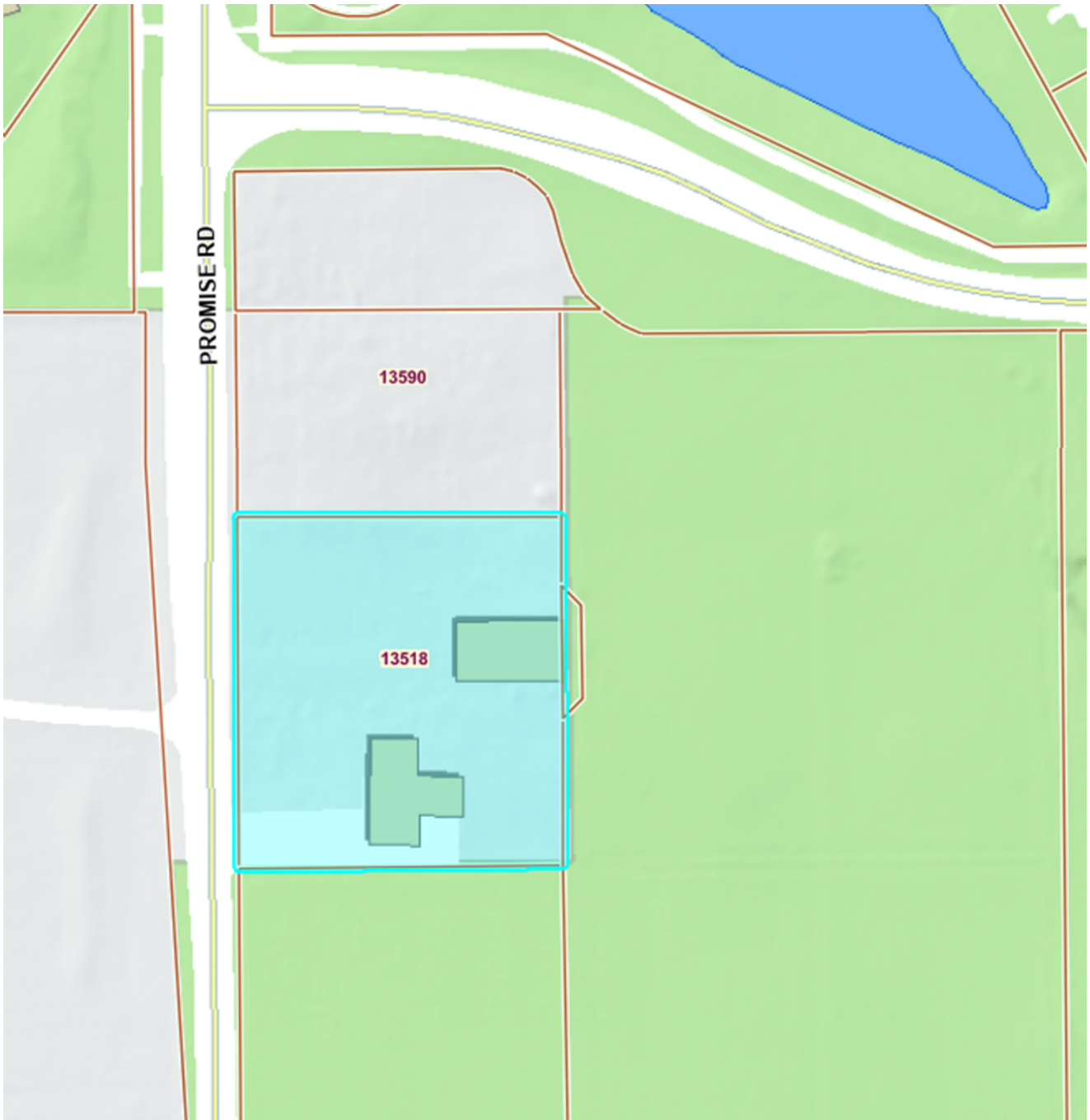
A part of the Northwest Quarter of Section 28, Township 18 North, Range 5 East, in Hamilton County, Indiana, described as follows:

Begin at a point, 126.0 feet South of the Northwest corner of the East Half of the Northwest Quarter of Section 28, Township 18 North, Range 5 East; thence East on and along the South line of Lowery Cemetery Plot, 210.0 feet to a corner post and iron stake; thence South parallel with the West line of said East Half, 207.4 feet to an iron stake; thence West parallel with the North line of the Plot, 210.0 feet to intersection with the West line of said East Half; thence North on and along said West line, 207.4 feet to the place of beginning, containing 1.0 acres, more or less.

Also including: the entire width of any unincorporated rights-of-way that are contiguous with the above-described real estate.

13518 Promise Road Fishers, IN 46038
Parcel No. 13-11-28-00-00-003.000

EXHIBIT B
Graphic Depiction of Real Estate



13518 Promise Road Fishers, IN 46038
Parcel No. 13-11-28-00-00-003.000

EXHIBIT C
Fiscal Plan



MEMORANDUM

Date: August 17, 2026

From: Christy Cashin, Senior Planner

To: Members of the City Council

Re: Fiscal Plan – Brooks Property

This document shall serve as the official Fiscal Plan for Brooks Property, a 100% voluntary annexation, as required by Indiana Code 36-4-3-13-d. The Fiscal Plan must show the following, as taken from Indiana Code:

(1) “The cost estimates of planned services to be furnished to the territory to be annexed. The plan must present itemized estimated costs for each municipal department or agency.”

- A. Police Department – Currently, the Hamilton County Sheriff’s Department is primarily responsible for law enforcement on these properties. Upon annexation of this area, the Fishers Police Department would be responsible for law enforcement. The agency would need to respond to potential emergency calls regarding theft or other criminal activity. The agency would be able to respond to any calls as part of its current operating budget, and the new residential development would not cause any financial hardship to the agency. There is no additional direct cost to the Police Department resulting from this annexation, as the agency currently services the surrounding areas adjacent to the new residential development.
- B. Fire Department – The Fishers Fire Department already provides fire protection and emergency medical services (EMS) to this property. Therefore, there is no additional cost to the Fire Department resulting from this annexation.
- C. Public Works Department – The City of Fishers Public Works Department is already responsible for the maintenance of Promise Road.

Trash collection will be handled through a City-wide contract with Republic Services and will be part of the tax base.

The sewage collection system for this property, once installed, will be handled by Fishers Sanitary System.

The Public Works Department also will be responsible for maintenance of the storm sewer system.

- D. Community & Economic Development – The Community & Economic Development Department already provides planning and zoning services to unincorporated Hamilton County in this area (per Ordinance No. 111208, adopted November 12, 2008). Therefore, no additional costs will be incurred.
- E. Parks and Recreation – No new city parks are planned with this development. Although residents of the new subdivision will use city park facilities in the area, no direct additional costs will be incurred by the Parks and Recreation Department.
- F. Administration, Controller, Engineering, Information Technology – No additional costs to those departments will be incurred as a result of this annexation.

(2) “The method or methods of financing the planned services. The plan must explain how specific and detailed expenses will be funded and must indicate the taxes, grants and other funding to be used.”

The expenses for this property can be paid from the General Fund as part of general operating costs for the Police Department and Public Works Department. No specific earmark is needed.

Revenues would be received from the following sources: Property Taxes, County Option Income Taxes (COIT), Alcoholic Beverage Taxes, Cigarette Taxes, Vehicle Excise Taxes, Motor Vehicle Highway Taxes, and Local Road & Street Taxes.

(3) “The plan for the organization and extension of services. The plan must detail the specific services that will be provided and the dates the services will begin.”

Sewer service (City of Fishers) = 2026
 Water service (Citizens Energy Group) = N/A
 Electricity service (Duke Energy) = N/A
 Phone service (AT&T) = N/A
 Cable service (Comcast) = N/A

(4) “That planned services of a noncapital nature, including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries, will be provided to the annexed territory within one (1) year after the effective date of the annexation and that they will be provided in a manner equivalent in standard and scope to those noncapital services provided to areas within the corporate boundaries regardless of similar topography, patterns of land use, and population density.”

All such services would be provided to the property immediately upon the effective date of the annexation, which is 30 days following approval by City Council, and after the petition is recorded with the Hamilton County Recorder’s Office. The effective date of this annexation is anticipated to be approximately September 17, 2026.

(5) “That services of a capital nature, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation and in the same manner as those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria.”

All such services would be provided to the property immediately upon the effective date of the annexation, which is typically 30 days following approval by the City Council, and after the petition is recorded with the

Hamilton County Recorder's Office. The effective date of this annexation is anticipated to be approximately September 17, 2026.

- (6) **"This subdivision applies to a fiscal plan prepared after June 30, 2015. The estimated effect of the proposed annexation on taxpayers in each of the political subdivisions to which the proposed annexation applies, including the expected tax rates, tax levies, expenditure levels, service levels, and annual debt service payments in those political subdivisions for four (4) years after the effective date of the annexation."**

Below is a list of anticipated tax rates and categories affecting the new subdivision:

	2026 Tax Rate	2027 Tax Rate	2028 Tax Rate	2029 Tax Rate	2030 Tax Rate
County	0.2611	0.2611	0.2611	0.2611	0.2611
Township	0.0225	0.0225	0.0225	0.0225	0.0225
School District	1.2457	1.2457	1.2457	1.2457	1.2457
City	0	0	0.7215	0.7215	0.7215
Library	0.0581	0.0581	0.0581	0.0581	0.0581
Solid Waste	0.0030	0.0030	0.0030	0.0030	0.0030

- (7) **"This subdivision applies to a fiscal plan prepared after June 30, 2015. The estimated effect the proposed annexation will have on municipal finances, specifically how municipal tax revenues will be affected by the annexation for four (4) years after the effective date of the annexation."**

Below is a list of anticipated property tax revenue to the City of Fishers over the next 4 years. There is a one-year lag between the time taxes are assessed and collected by the City.

	2026 (1 Home)	2027 (1 Home)	2028 (1 Home)	2029 (1 Home)	2030 (1 Home)
City revenue	\$0	\$2148.62	\$2148.62	\$2148.62	\$2148.62

- (8) **"This subdivision applies to a fiscal plan prepared after June 30, 2015. Any estimated effects on political subdivisions in the county that are not part of the annexation and on taxpayers located in those political subdivisions for four (4) years after the effective date of the annexation."**

This annexation will not affect other "political subdivisions" in the county not part of this annexation.

- (9) **"This subdivision applies to a fiscal plan prepared after June 30, 2015. A list of all parcels of property in the annexation territory and the following information regarding each parcel:"**

(A) **"The name of the owner of the parcel."**

Brooks, Michael

(B) **"The parcel identification number."**

County Parcel No. 13-11-28-00-00-003.000

(C) **"The most recent assessed value of the parcel."**

13-11-28-00-00-003.000: \$297,800 total gross assessed value (January 1, 2026)
\$80,500 assessed value: Land (January 1, 2026)
\$217,300 assessed value: Improvements (January 1, 2026)



Council Action Form

MEETING DATE	August 17 2026			
TITLE	Request to approve a voluntary annexation of 1.0 acre, known as the Brooks property. Subject site has a common address of 13518 Promise Road (ANX-26-3)			
SUBMITTED BY	Name & Title: Ross Hilleary, Assistant Director of Planning Department:			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☐ Ordinance	☒ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading ☒ Final Reading
	Ordinance #:		Resolution #: R081726G	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☒ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	The property is contiguous to the current city limits, exceeding the contiguity requirements per Indiana Code 36-4-3-1.5 (12.5% contiguity required). This voluntary annexation is being processed in accordance with IC-4-3-5.1 "Petitions signed by 100% of landowners." The property is currently contiguous to current city limits and the petition has been signed by 100% of the landowners. In accordance with IC 36-4-3-3.1, staff will present a "written fiscal plan" at Final Reading before adoption of the annexation ordinance.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Hold Final Reading
	2.	Continue
	3.	Take no action
	4.	
PROJECT TIMELINE	July 20, 2026 - Proposed 1st Reading & Public Hearing - City Council August 17, 2026 - Proposed Final Reading & Fiscal Plan - City Council	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends that Council hold Final Reading to approve fiscal plan for the Brooks property, located at 13518 Promise Road (ANX-26-3).	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Resolution 2. Fiscal Plan	

ORDINANCE NO. 072026H
AN ORDINANCE ANNEXING CERTAIN REAL ESTATE
TO THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA

WHEREAS, the City of Fishers, Hamilton County, Indiana (“City”), in accordance with Ind. Code §36-4-3-5.1, wishes to annex an area consisting of approximately 1.0 acres located outside of but contiguous to the City, those areas being more particularly described in Exhibit A, attached hereto and incorporated herein, and further depicted in Exhibit B, attached hereto and incorporated herein (the “Annexed Territory”);

WHEREAS, in accordance with Ind. Code §36-4-3-5.1(e), on or around July 20, 2026, the City Council held a duly noticed public hearing regarding the Annexed Territory;

WHEREAS, the Common Council has determined, in accordance with Ind. Code §36-4-3-5.1, the petition requesting voluntary annexation is signed by 100% of the owners of land within the Annexed Territory;

WHEREAS, in accordance with Ind. Code §36-4-3-1.5, the Common Council has determined that that Annexed Territory is contiguous as at least one-eighth (1/8) of the aggregate external boundaries of the Annexed Territory coincides with the boundaries of the City;

WHEREAS, on or around August 17, 2026, in accordance with Ind. Code §§ 36-4-3-3.1 and 36-4-3-13, the Common Council adopted a Written Fiscal Plan for the Annexed Territory; and

WHEREAS, the Common Council now desires to annex the Annexed Territory generally known as the Brooks Property.

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

- Section 1.** **Contiguity.** The petition requesting voluntary annexation for the Annexed Territory, further described in Exhibit A, attached hereto and incorporated herein, and graphically depicted in Exhibit B, attached hereto and incorporated herein, is signed by 100% of the owners of land within the Annexed Territory and is contiguous to the City boundaries as at least one-eighth (1/8) of the aggregate external boundaries of the Annexed Territory coincides with the boundaries of the City.
- Section 2.** **Annexed Territory.** The real estate containing approximately 1.0 acres more or less legally described in Exhibit A attached hereto and incorporated herein, and graphically depicted in Exhibit B attached hereto and incorporated herein, generally to be known as the Brooks Property, is hereby annexed to and declared to be a part of the City of Fishers, Indiana.
- Section 3.** **Council District.** The above-described real estate is hereby assigned to City Council District 3 and shall become a part thereof immediately upon the effective date of this ordinance.

Section 4. **Effective Date.** This ordinance shall be in full force and effect September 17, 2026 and as provided by Indiana law.

Section 5. All ordinances or parts thereof in conflict herewith are hereby repealed.

SO ORDAINED by the Common Council of the City of Fishers, Indiana, on this 17th Day of August 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2026, at _____ m.

ATTEST: _____

Jennifer L. Kehl, Fishers City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey Bennett



EXHIBIT A
Legal Description of Real Estate

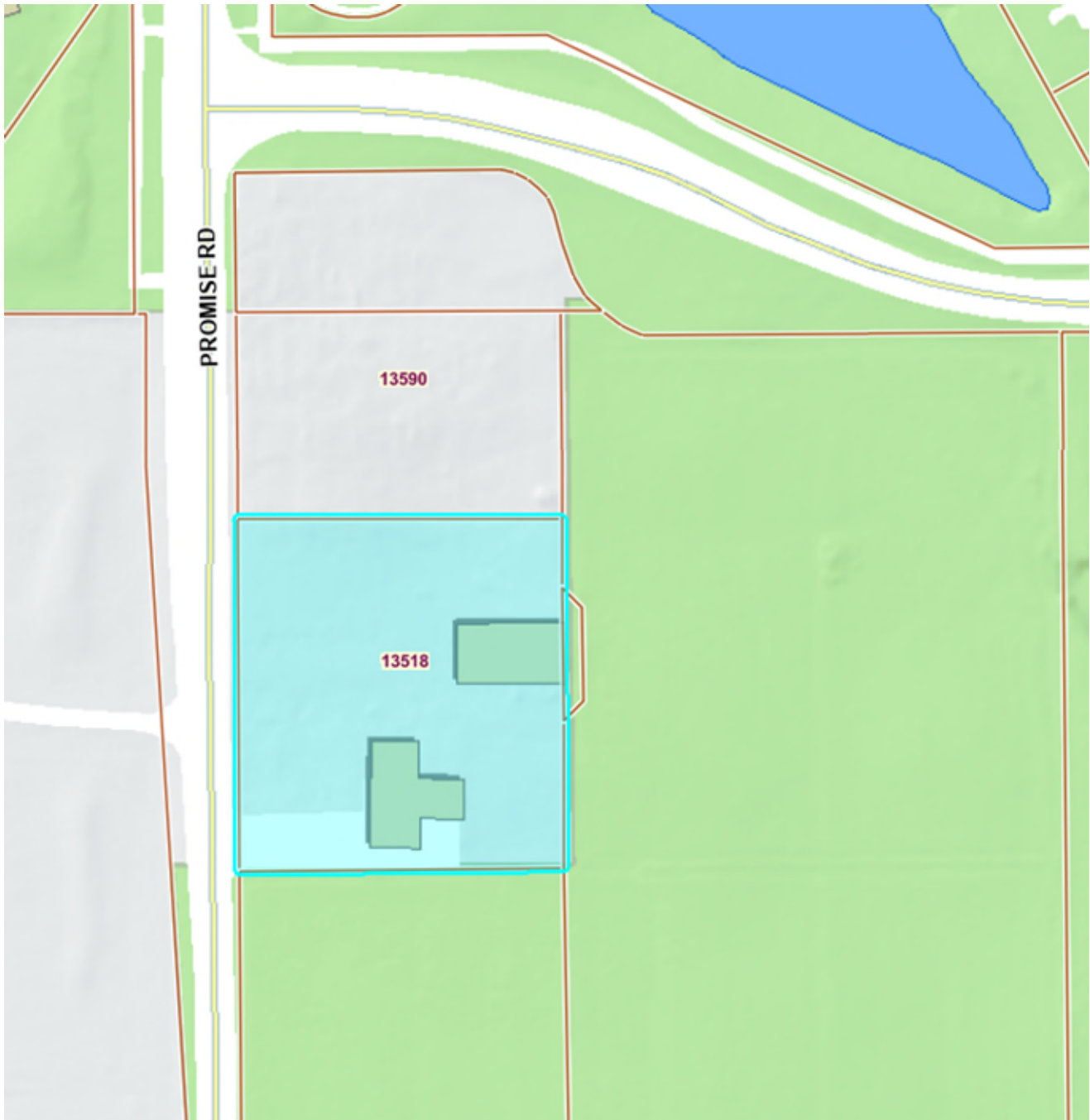
A part of the Northwest Quarter of Section 28, Township 18 North, Range 5 East, in Hamilton County, Indiana, described as follows:

Begin at a point, 126.0 feet South of the Northwest corner of the East Half of the Northwest Quarter of Section 28, Township 18 North, Range 5 East; thence East on and along the South line of Lowery Cemetery Plot, 210.0 feet to a corner post and iron stake; thence South parallel with the West line of said East Half, 207.4 feet to an iron stake; thence West parallel with the North line of the Plot, 210.0 feet to intersection with the West line of said East Half; thence North on and along said West line, 207.4 feet to the place of beginning, containing 1.0 acres, more or less.

Also including: the entire width of any unincorporated rights-of-way that are contiguous with the above-described real estate.

13518 Promise Road Fishers, IN 46038
Parcel No. 13-11-28-00-00-003.000

EXHIBIT B
Graphic Depiction of Real Estate



13518 Promise Road Fishers, IN 46038
Parcel No. 13-11-28-00-00-003.000



Council Action Form

MEETING DATE	August 17 2026			
TITLE	Request to approve a voluntary annexation of 1.0 acre, known as the Brooks property. Subject site has a common address of 13518 Promise Road (ANX-26-3)			
SUBMITTED BY	Name & Title: Ross Hilleary, Assistant Director of Planning Department:			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading ☒ Final Reading
	Ordinance #: 072026H		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☒ Wait 31 days prior to filing with the County Recorders' Office		☐ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☒ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	The property is contiguous to the current city limits, exceeding the contiguity requirements per Indiana Code 36-4-3-1.5 (12.5% contiguity required). This voluntary annexation is being processed in accordance with IC-4-3-5.1 "Petitions signed by 100% of landowners." The property is currently contiguous to current city limits and the petition has been signed by 100% of the landowners. In accordance with IC 36-4-3-3.1, staff will present a "written fiscal plan" at Final Reading before adoption of the annexation ordinance.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Hold Final Reading
	2.	Continue
	3.	Take no action
	4.	
PROJECT TIMELINE	July 20, 2026 - Proposed 1st Reading & Public Hearing - City Council August 17, 2026 - Proposed Final Reading & Fiscal Plan - City Council	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends that Council hold 1st Reading and the Public Hearing for the Brooks property, located at 13518 Promise Road (ANX-26-3)	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Ordinance	

ORDINANCE NO. 081726C
AN ORDINANCE ANNEXING CERTAIN REAL ESTATE
TO THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA

WHEREAS, the City of Fishers, Hamilton County, Indiana (“City”), in accordance with Ind. Code §36-4-3-5.1, wishes to annex an area consisting of approximately 0.78 acres located outside of but contiguous to the City, those areas being more particularly described in Exhibit A, attached hereto and incorporated herein, and further depicted in Exhibit B, attached hereto and incorporated herein (the “Annexed Territory”);

WHEREAS, in accordance with Ind. Code §36-4-3-5.1(e), on or around August 17, 2026, the City Council held a duly noticed public hearing regarding the Annexed Territory;

WHEREAS, the Common Council has determined, in accordance with Ind. Code §36-4-3-5.1, the petition requesting voluntary annexation is signed by 100% of the owners of land within the Annexed Territory;

WHEREAS, in accordance with Ind. Code §36-4-3-1.5, the Common Council has determined that that Annexed Territory is contiguous as at least one-eighth (1/8) of the aggregate external boundaries of the Annexed Territory coincides with the boundaries of the City;

WHEREAS, on or around September 21, 2026, in accordance with Ind. Code §§ 36-4-3-3.1 and 36-4-3-13, the Common Council adopted a Written Fiscal Plan for the Annexed Territory; and

WHEREAS, the Common Council now desires to annex the Annexed Territory generally known as the Bralley Property.

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

- Section 1.** **Contiguity.** The petition requesting voluntary annexation for the Annexed Territory, further described in Exhibit A, attached hereto and incorporated herein, and graphically depicted in Exhibit B, attached hereto and incorporated herein, is signed by 100% of the owners of land within the Annexed Territory and is contiguous to the City boundaries as at least one-eighth (1/8) of the aggregate external boundaries of the Annexed Territory coincides with the boundaries of the City.
- Section 2.** **Annexed Territory.** The real estate containing approximately 0.78 acres more or less legally described in Exhibit A attached hereto and incorporated herein, and graphically depicted in Exhibit B attached hereto and incorporated herein, generally to be known as the Dillahay Property, is hereby annexed to and declared to be a part of the City of Fishers, Indiana.
- Section 3.** **Council District.** The above-described real estate is hereby assigned to City Council District 6 and shall become a part thereof immediately upon the effective date of this ordinance.

Section 4. **Effective Date.** This ordinance shall be in full force and effect October 21, 2026 and as provided by Indiana law.

Section 5. All ordinances or parts thereof in conflict herewith are hereby repealed.

SO ORDAINED by the Common Council of the City of Fishers, Indiana, on this 17th Day of September 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2026, at _____ m.

ATTEST: _____

Jennifer L. Kehl, Fishers City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey Bennett



EXHIBIT A
Legal Description of Real Estate

The following described real estate located in Hamilton County, Indiana:

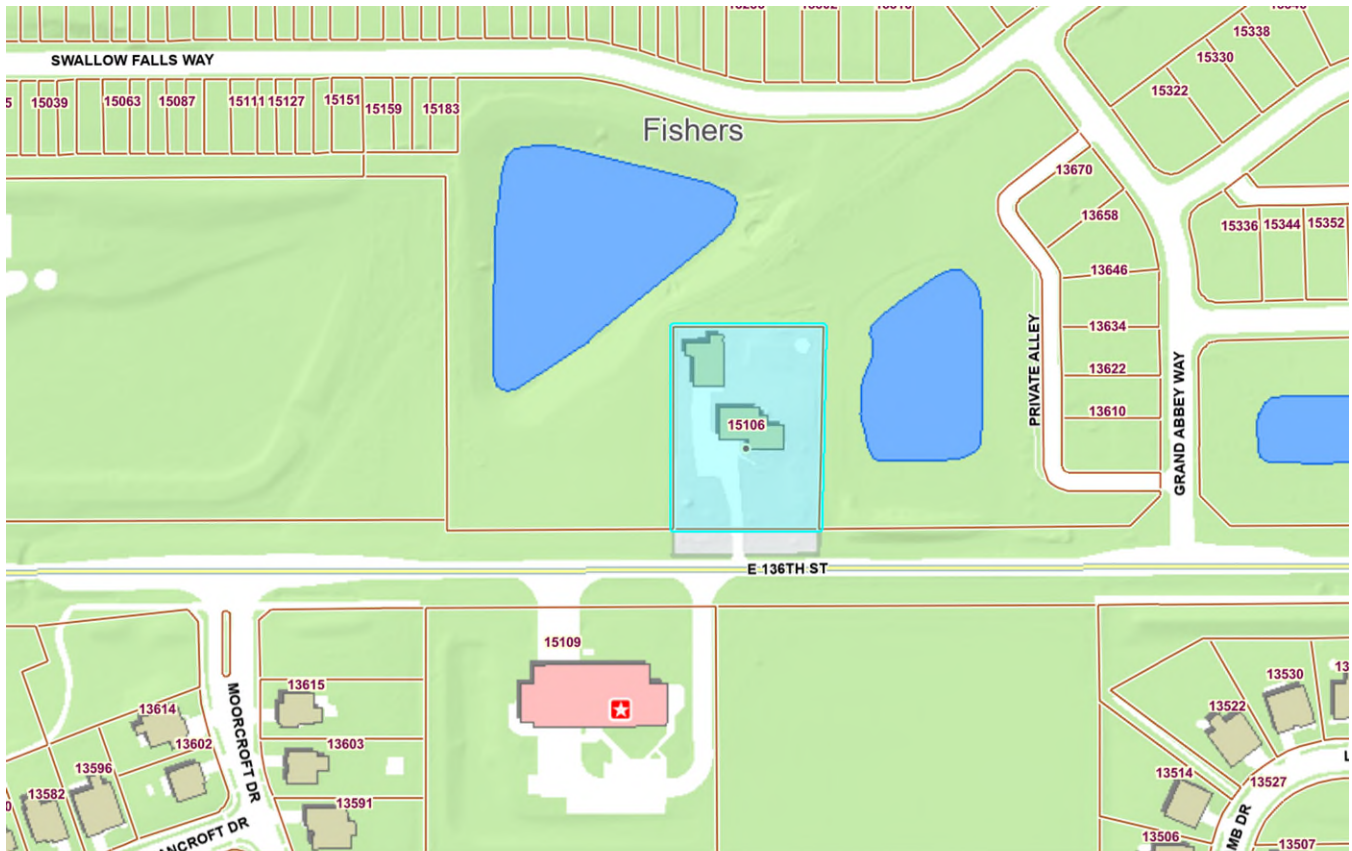
Part of the Southwest Quarter of Section 19, Township 18 North, Range 6 East, Fall Creek Township, Hamilton County, Indiana, described as follows:

Commencing at the Southeast corner of said Quarter marked by a square head bolt; thence South 89° 41' 10" West (assumed bearing) 777.74 feet along the South line of said Quarter to the point of beginning marked by a mag nail with aluminum washer stamped "Wyatt Johnson" (hereafter referred to as Mag Nail); thence South 89° 41' 10" West 187.95 feet along said South line to a mag nail; thence North 00° 17' 55" East 310.95 feet to a 5/8 inch diameter rebar with orange cap stamped "FIRM 0047" (hereafter referred to as "Rebar"); thence North 89° 42' 35" East 193.26 feet to a "Rebar"; thence South 01° 16' 34" West 310.97 feet to the point of beginning, containing 1.36 acres, more or less, subject to Highway right-of-way.

NOTE: The acreage indicated in the legal description is solely for the purpose of identifying the said tract and should not be construed as insuring the quantity of land.

15106 E. 136th Street, Fishers, IN, 46037
Parcel No. 13-12-19-00-00-047.000

EXHIBIT B
Graphic Depiction of Real Estate



15106 E. 136th Street, Fishers, IN, 46037
Parcel No. 13-12-19-00-00-047.000



Council Action Form

MEETING DATE	August 17, 2026			
TITLE	Request to approve a voluntary annexation of 0.78 acres known as the Dillahay property. Subject site has a common address of 15106 E 136th Street. (ANX-26-4)			
SUBMITTED BY	Name & Title: Ross Hilleary, Assistant Director of Planning Department:			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☒ 1 st Reading	☐ 2 nd Reading	☒ Public Hearing	☐ 3 rd Reading ☐ Final Reading
	Ordinance #: 081726C		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☒ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	The property is contiguous to the current city limits, exceeding the contiguity requirements per Indiana Code 36-4-3-1.5 (12.5% contiguity required). This voluntary annexation is being processed in accordance with IC-4-3-5.1 "Petitions signed by 100% of landowners." The property is currently contiguous to current city limits and the petition has been signed by 100% of the landowners. In accordance with IC 36-4-3-3.1, staff will present a "written fiscal plan" at Final Reading before adoption of the annexation ordinance.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Hold 1 st Reading & Public Hearing
	2.	Continue
	3.	Take no action
	4.	
PROJECT TIMELINE	August 17, 2026 - Proposed 1st Reading & Public Hearing - City Council September 21, 2026 - Proposed Final Reading & Fiscal Plan - City Council	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends that Council hold 1st Reading and the Public Hearing for the Dillahay property, located at 15106 E 136th Street. (ANX-26-4)	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Draft Ordinance	

