



CITY OF FISHERS AGENDA

THE PUBLIC MAY STREAM THE MEETING BY GOING TO: <http://tinyurl.com/CityOfFishers>
MEMBERS OF THE PUBLIC MAY SUBMIT COMMENTS BEFORE 12PM ON Monday, April 17, 2023, BY GOING TO: https://townoffishers.formstack.com/forms/public_meeting_comment_form.

BOARD/COMMISSION: City Council Meeting

DATE: 4/17/2023

DIRECTIONS: Launch Fishers, 12175 Visionary Way, Fishers, Indiana 46038

REGULAR CITY COUNCIL MEETING, 7:00 p.m., Launch Fishers, Auditorium

1. Meeting Called to Order with the Pledge of Allegiance

- President John Weingardt called the meeting to order. Present were Cecilia Coble, Selina Stoller, Pete Peterson, Todd Zimmerman, Brad DeReamer, Crystal Neumann, Jocelyn Vare and David Giffel. Others present were Mayor Scott Fadness, City Clerk Jennifer Kehl, Deputy Mayor Elliott Hultgren, Chris Greisl, Lisa Bradford, Ross Hilleary, Monica Heltz, Judge Dan Henke, Chief Ed Gebhart, Jake McReadon-McSoley, Lindsey Bennett, Megan Baumgartner, Ashley Elrod, Megan Vukusich, Jim Dickerson, Michael Colby, Mark Leach, Murray Clark, Maddie Young, Joyce Slusher, Ross Reinhardt, Blackburns, Betsy Terpening, Sarah Schmidt, Janet Pritchett, Lane Skeeters, John Delucia, Mike Kiley, Angie Kiley, Robert Evans, Mary Jo Hamman, Alley Stein, Rachel Quade, Tiffanie Ditlevson, Tom Teitgen, and John Lapp..

2. Announcements:

3. Proclamations:

4. Presentations:

a. State Championship Recognition:

- i. FHS - We the People - The FHS We the People are the state champions and are heading to the National Competition.
- ii. HSE Cheerleading Team - The HSE Cheerleaders are state champions and have won the most state championships than any other cheerleading team.

b. Service Awards FPD

- i. Jonathan Floyd (20 years), Brad Myers (25 years), and Anthony David (25 years) - Police Chief Ed Gebhart introduced Brad Meyers and Anthony David. Jonathan Floyd was not present. He spoke about both officers and presented them with their awards.

5. Council Committee Reports

- a. Finance Committee Report - **MEETING WAS CANCELLED**

6. Department Reports

- a. Health Department Report - **REPORT**
 - **2022 ANNUAL REPORT**
- b. Engineering Report - **REPORT**



7. Consent Agenda:

- a. Request to approve the previous meeting [Minutes from Monday, March 20, 2023](#).
- b. **R041723** - A Resolution of the Common Council Authorizing the City Controller to Transfer Certain Funds: [Council Action Form](#) | [Exhibit A](#) | [Resolution](#) **SIGNED ADOPTION**
 - Pete Peterson made a motion to approve the Consent Agenda. Selina Stoller seconded the motion. John Weingardt, Cecilia Coble, Pete Peterson, Selina Stoller, Brad DeReamer, Crystal Neumann, Jocelyn Vare and David Giffel voted yay. Todd Zimmerman abstained. The vote was 8-Yay, 0-Nay, and 1-Abstained. The motion passed.

REGULAR AGENDA

Economic Development

8. **R041723A** - A Request to Approve a Project Agreement (City Walk): [Council Action Form](#) | [Exhibit A](#) | [Resolution](#) **SIGNED ADOPTION**
 - Megan Baumgartner made her presentation to the city council members.
 - Representatives for the project spoke on this project and answered questions.
 - Several council members spoke. Jocelyn Vare asked to have the renderings attached to the minutes.
 - **R041723A** - [Renderings Attached Here](#)
 - Pete Peterson made a motion to approve resolution **R041723A**. Selina Stoller seconded the motion. There was no remonstrance and all members voted yay. The motion passed.

Government/Miscellaneous

9. **032023** - An Ordinance of the City of Fishers, Hamilton County, Indiana, Amending Chapters 36 and 118 of the City of Fishers Code of Ordinances (Towing Ordinance)- **2nd Reading:** [Council Action Form](#) | [Exhibit A](#) | [Ordinance](#) **SIGNED ADOPTION**
 - Lindsey Bennett presented the ordinance to the city council members.
 - Pete Peterson made a motion to approve ordinance **032023**. Selina Stoller seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
10. **R041723B** - A Request to Approve an Interlocal Agreement with Hamilton Southeastern School Corporation (SRO MOU): [Council Action Form](#) | [Exhibit A](#) | [Resolution](#) **SIGNED ADOPTION**
 - Chief Ed Gebhart made his presentation to the city council members.
 - Pete Peterson made a motion to approve resolution **R041723B**. Todd Zimmerman seconded the motion. There was no remonstrance and all members voted yay. The motion passed.

Planning & Zoning

11. **041723A** - Request to approve a vacation of existing sanitary sewer easement located at 13450 Dockside Dr. Sanitary sewer main is being relocated as a part of the Silver Collection at Saxony multifamily project (VAC-23-2) - **Public Hearing, 1st, 2nd, and 3rd Reading:** [Council Action Form](#) | [Ordinance](#) **SIGNED ADOPTION**
 - Megan Vukusich made her presentation to the city council members.
 - John Weingardt opened the Public Hearing. No one came forward. The Public Hearing was closed.



CITY OF FISHERS AGENDA

- Pete Peterson made a motion to suspend the minutes and have the **1st, 2nd, and 3rd Reading** on ordinance **041723A**. Todd Zimmerman seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
- Pete Peterson made a motion to approve ordinance **041723A**. Todd Zimmerman seconded the motion. There was no remonstrance and all members voted yay. The motion passed.

12. 041723C - Consideration of a rezone of 109 acres from R2 Residential to PUD-M known as the Flat Fork PUD. (RZ-23-3) - **1st Reading:** [Council Action Form](#) I [Petitioner's Packet](#) I [Petitioner's Packet](#) I [Ordinance](#)

- Megan Vukusich made her presentation to the city council members.
- Murray Clark came forward and spoke on the project.
- Brad DeReamer asked we are going against the current zone and have PUD's. He has an issues with the setbacks, lot width, etc. He stated the people he represents are tired of the current zoning requirements being followed. Curbs are also needed.
- Jocelyn Vare stated she is concerned with the fluctuation of zoning requirements. Why do we have PUD's? Megan said she would put the information together.
- Pete Peterson said he has no interest in any commercial in that area. He told the mayor that Georgia Road needs addressed. We need a round-a-bout at 104th and Georgia Road and 96th and Georgia road as well as 104th and Cyntheanne Road and 96th and Cyntheanne Road.
- Selina Stoller is in agreement with Pete Peterson.
- Cecilia Coble wants to see the rear articulation. She also would like for them to consider universal designs like no step ins for empty nesters so they can stay in their homes. The petitioner stated they would consider this for their ranch homes.
- John is concerned about the roads in that area.
- Pete Peterson made a motion to have the **1st Reading** on ordinance **041723C**.

13. 041723D - Consideration of a text amendment to various sections of the Nickel Plate District Code (NPDC), including the Zone Map to add the Technology Center (TC) Zoning District, Figure 1.3. Development Standards, Figure 1.4. Building Types, and streetscape options. (TA-22-36) - **1st Reading:** [Council Action Form](#) I [Exhibit A](#) I [Ordinance](#)

- Ross Hilleary made his presentation to the city council members.
- Jocelyn state section 9 of the Nickel Plate Code needs updating. She asked Ross if the code could be updated. He stated yes. She asked Megan Vukusich if they currently refer to the 2040 plan. She said yes. She could not give a timeline as to when the code could be updated.
- Pete Peterson made a motion to have the **1st Reading** on ordinance **041723D**.



Voluntary Annexations

- 14. 041723E** - Request to approve a voluntary annexation of 29.04 acres, known as Geist Forest. Subject site is generally located Northeast of Geist Ridge and Florida Rd. (ANX-22-10) - **1st Reading & Public Hearing** **The petitioner has asked for a continuance until May.**
- 15. 041723F** - Request to approve a voluntary annexation of .29 acres known as the Willow Crest Annexation, Lot 3. Subject site is generally located east of Allisonville Road with a common address of 14543 Allisonville Road (ANX-23-2) - **1st Reading & Public Hearing: [Council Action Form I Ordinance](#)**
- Megan Vukusich made her presentation to the council members. She stated 15-17 are related to the sewer extension.
 - President John Weingardt opened the Public Hearing. No one came forward. The public hearing was closed.
 - Pete Peterson made a motion to have the **1st Reading** of ordinance **041723F**.
- 16. 041723G** - Request to approve a voluntary annexation of .4 acres known as the Willow Crest Annexation, Lot 5. Subject site is generally located east of Allisonville Road with a common address of 14521 Allisonville Road (ANX-23-3) - **1st Reading & Public Hearing: [Council Action Form I Ordinance](#)**
- President John Weingardt opened the Public Hearing. No one came forward. The public hearing was closed.
 - Pete Peterson made a motion to have the **1st Reading** of ordinance **041723G**.
- 17. 041723H** - Request to approve a voluntary annexation of .37 acres known as the Willow Crest Annexation, Lot 4. Subject site is generally located east of Allisonville Road with a common address of 14541 Allisonville Road (ANX-23-4) - **1st Reading & Public Hearing: [Council Action Form I Ordinance](#)**
- President John Weingardt opened the Public Hearing. No one came forward. The public hearing was closed.
 - Pete Peterson made a motion to have the **1st Reading** of ordinance **041723H**.

REGULAR ITEMS

- 18. Any other Unfinished / New Business**
- Brad Dereamer brought up that in New Paslestine, Lennar Homes has sold a block of homes 26 of 46 homes to out of state investors to be used as rental properties. He asked if we can prevent the flip of these homes to a out of state corporate company? This could mean that a HOA could end up being controlled by the corporate company.
 - Mayor Fadness stated they need to create an ordinance to set a level of home ownership verses rentals. They have been looking into this and need to thoroughly think this through.



CITY OF FISHERS AGENDA

19. Community Comment

- Sarah Smith came forward to speak on climate change. She stated the city needs to create a committee that is open to the public to get ideas on how they can work on this.
- Crystal Neuman stated they do have some working groups established. They will do a better job publicizing it to get more residential involvement.
- Jim Dickerson came forward and said the city has a lack of ethics programs. There is nothing in place if someone needs to come forward and file a complaint. The City of Carmel has a clear program established and accessible.
- Michael Colby came forward and thanked the city for providing two locations for early voting. He wanted to remind everyone you can have two signs during early voting per person and one sign during the primary election.
- [Online Submitted Community Comments](#)

20. Meeting Adjournment

- Pete Peterson made a motion to adjourn the meeting. Todd Zimmerman seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
- The meeting was adjourned at 8:18 p.m.

Respectfully submitted,

Jennifer L. Kehl
Fishers City Clerk

DATE:

April 17, 2023

	PLEASE PRINT NAME	STAFF/ BUSINESS NAME / RESIDENT ADDRESS / OTHER
1	Jim Dickerson	6427 Stratford Dr N 46038
2	MIKE COLBY	7105 KOLDYKE DR 46038
3	Mark Leach	Faegre Dinker
4	Murray Clark	" "
5	Maddie Young	
6	Tom Teitgans	12946 FAUNS RIDGE
7	Joyce Slusher	1576 Mandavi DR
8	Ross Remhardt	Resident
9	Blackburns	Resident
10	Betsy Terpening	Resident
11	Sara Schmidt	Resident
12	Janet Pritchett	residing 11585 Wilderness Trl
13	Lane Skeeters	resident
14	John DeLucia	5942 TANNIN DR
15	John Lapp	6944 RIVERVIEW CANY
16	Mike Kiley	10262 Whitetail Circle
17	Angie Kiley	" " "
18	Robert EVANS	10707 BURNING ROSE LANE
19	Dittler	10433 Brixton Ln
20	MARY Jo HAMMAN	107 CHIPPENHAM LN
21	Ally Stein	HSE cheer state champ
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Fishers Health Department Update – 4/17/2023

Annual Report

- 2022 annual report available [here](#).

Health Conditions Under Watch:

- Influenza-like illness ER/urgent care visits remain in plateau from December 2022 peak.
- COVID-19 cases remain low over the last 30 days. All counties in Indiana are in CDC COVID-19 Community Level 'Low' this past reporting period.
-

Community Health Assessment:

- Wrapping up secondary data analyses. Remaining work includes community-based surveys, stakeholder focus groups and report writing.
-

Core Health Services (March 2023)

- 220 patients seen for non-COVID-19 immunizations and tuberculosis (TB) tests.
- 208 COVID-19 vaccines administered. Booster uptake 22.3%.
- 13 COVID-19 tests administered. All tests are currently offered free of charge through COVID-19 grant funding.
- Working to streamline processes and add additional services over coming months.
- Reportable conditions continue to be managed at a steady pace; monitoring for outbreak potential.
- Indiana Vital Records Association hosting conference in Fishers this Friday.

Mental Health

- [Credible Mind](#) launch scheduled for May 2023. Free online platform covering over 200 topics and 16,000+ self-care resources and evidence-based interventions to assist individuals with mental health inquiries, needs, assessment and referral, etc.
- Hope for Happiness, led by Bring Change2Mind clubs at HSE, planned for Farmer's Market on May 13.
- Internal Mental Health Action Teams convening focused on People, Place, Purpose and Prevention Resources

Environmental Health & Inspections

- 2023 inspections underway with new grading system in place. Graded 192 facilities to date with 173 receiving grade A, 15 grade B, and 5 grade C. There are 191 more facilities to be inspected and graded. Grades to be posted publicly on September 30, 2023.
- Public facing GIS dashboard to be launched this summer. Allows any member of the public to view and access all facilities and associated inspection reports, grades, etc.

Community Outreach and Health Promotion

- Participated in Mudsock Youth Athletics Softball recreational opening day April 15. Used mobile clinic trailer to deliver health education and routine vaccinations for children entering 6th grade.
- April social media to spotlight lead testing changes, public health week, staff profiles, community events, and Narcan (Naloxone) training courses.
- FHD's first Teen Public Health Academy now accepting applications [here](#).

Emergency Preparedness:

- Completing Improvement Plan based on COVID After Action Report.

Grants and Funding:

- FHD will be host-site for Indiana Public Health Association public health student internship opportunity.
- Senate Bill 4 currently working through state legislature, in combination with HB 1001, with potential to



substantially increase funding for public health at the local level. Senate Bill 1 has high potential to impact behavioral health crisis response system, if passed. We are actively monitoring.

- We anticipate a third year of CoAg grant funding, which supports our school liaison position and efforts to improve relationships and services with our schools.
- We anticipate a third year of COVID Supplemental funding which will continue to support our Community Health Advocate position as well as COVID testing and vaccination efforts.
- We are awaiting word on VFC grant funding. This funding supports staff to provide all scheduled vaccinations, and vaccinations for underinsured and uninsured children.
- We have collected \$2,896,541.21 to date from IDOH to date for COVID vaccines administered.

Open Positions

- Health educator, Kacy Brobst, hired. Full-time role starts June 5.
- Health Department Social Worker, Brittany Cheviron, LCSW, LSSW, started April 10. Grant funded position.



CDC COVID-19 COMMUNITY LEVEL LOW



INDICATOR	DESCRIPTION
15.5	New COVID-19 cases per 100,000 people in the past 7 days
4.7	New COVID-19 admissions per 100,000 population (7-day total)
1.7%	Percent of staffed inpatient beds occupied by COVID-19 patients (7-day average)

► = increasing
◄ = decreasing
■ = no change

Updated on 04/10/2023



To: Fishers City Council
From: Jason Taylor, P.E. –Director of Engineering
Date: April 18, 2023

RE: Barrett Law of Commercial Private Roadways – Britton Park/Trade Center and Publishers Business Parks

Purpose

The purpose of this memorandum is to provide the City Council with information concerning the current status of the Barrett Law of Commercial Private Roadways. Specifically, the private roadways within the Britton Park/Trade Center and Publishers Business Parks. (exhibits included)

Summary

Since 2022, the City and the business owners within the above mentioned business parks have been collaborating on ways the private roadways can be improved and what support the City can provide to the business owners. Through the discussions, it was determined the Barrett Law process was an avenue that allowed the improvements to occur while not requiring the businesses to bear the costs in a single lump sum. Once the Barrett Law process was determined to be a way to accomplish the improvements while spreading the payments over time, the Department of Engineering communicated with the businesses of the intent through a series of presentations and one-on-one meetings.

On March 14th, the Board of Public Works & Safety approved the preliminary resolution to begin the Barrett Law process for both commercial private roadways. Those resolutions can be found here: [Barrett East](#) and [Barrett West](#). Per Indiana Code 36-9-36, the City mailed official notifications to the property owners/businesses that a Public Hearing will be held at the Board of Public Works and Safety meeting on March 28, 2023. Although not required, the City provided additional information to the property owners/businesses concerning the construction costs that can be expected. An example letter is included as an attachment in this memo.

Approximately eight (8) of the property and/or business owners, including the property manager, were in attendance at the March 28, 2023 meeting for the public hearing. Comments were provided and the video of the meeting can be found [here](#). One property owner hired an attorney, of which was present and spoke against the project with the other property owners being generally supportive of the need of the improvements but had concerns related to the total costs. As such, the mayor and other board members requested the Department of Engineering to revisit the scope of the work to determine if there were other methods for the improvements that could be explored and provide an alternate of the work being performed in 2024.

Since those meetings, the Department of Engineering and City Attorney have communicated the allocation percentage to the property/business owners through the property manager, but due to the requirements of IC-36-9-36, the total costs of the project will not be determined until after full completion of the improvements.

With the feedback and direction from the board, an updated timeline (60 days) for the project has been determined:

- May 1st – Complete revised scope of work
- May 1st through 19th
 - Advertise for bids
 - Explore ways to reduce financing costs
- May 19th through May 26th – Open contractor bids
- June 13th – Present updates to Board of Public Works & Safety

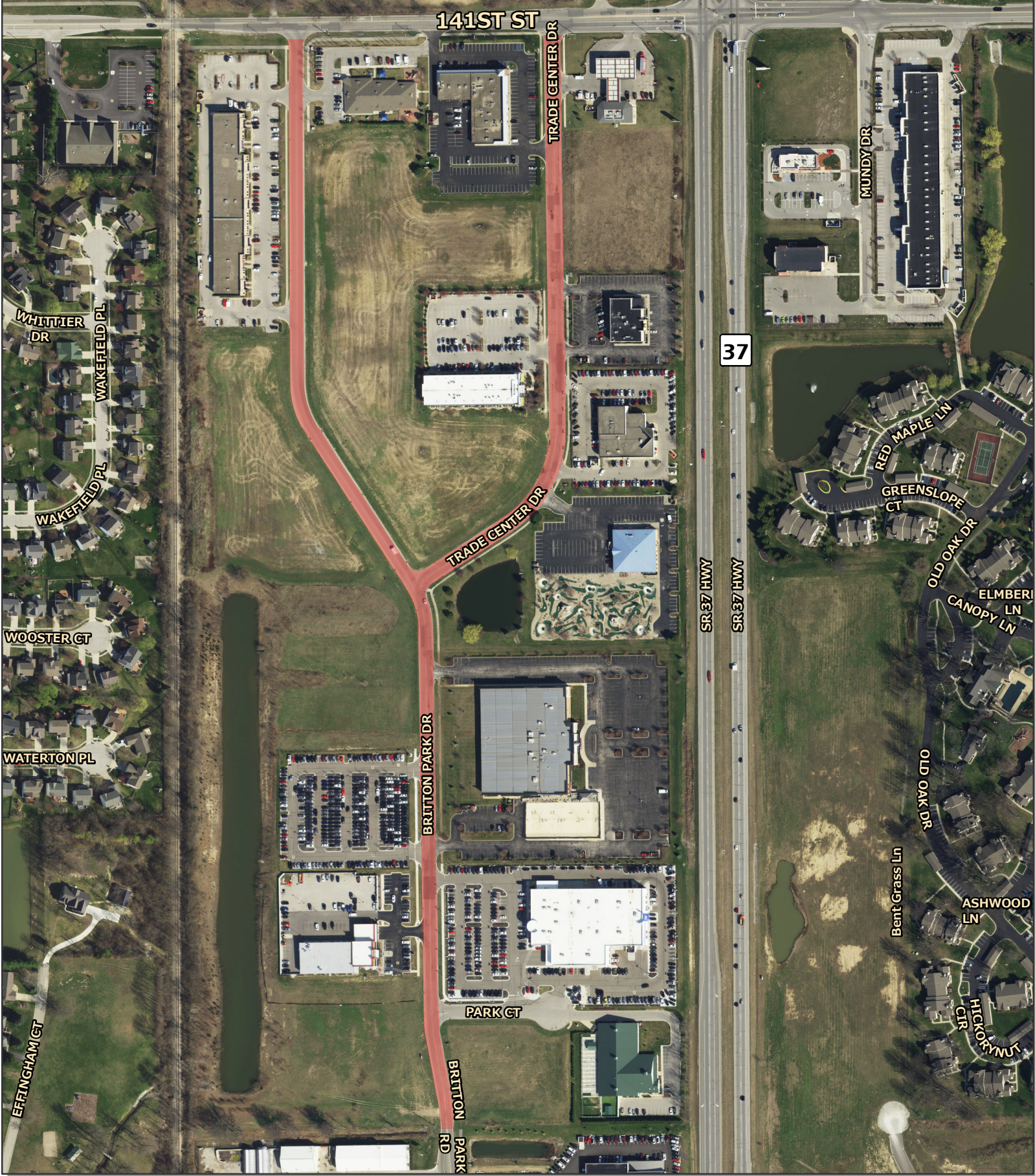
As can be seen from the information above, the Engineering Department is continuing to work with the Controller's Office and City Attorney to determine and provide the allocation apportionment and financial information to the property owners/businesses as quickly as possible. The intent is still for the roadways to be under construction and completed prior to the end of the 2023 construction season, but it has been communicated the work may move to 2024 due to pricing.



Parkside Dr, Publishers Dr, and Enterprise Dr

Legend
Project Limits

1 inch = 300 feet



Britton Park Rd and Trade Center Dr

Legend
Project Limits

1 inch = 300 feet





Form Name:	Public Meeting Comment Form
Submission Time:	April 1, 2023 1:08 pm
Browser:	Chrome 111.0.0.0 / Windows
IP Address:	68.45.38.31
Unique ID:	1086321214
Location:	39.9564, -85.9651

Name	Carol Richardson
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Address	11301 Avery Circle Fishers, IN 46038
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Email	mctr@sbcglobal.net
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Subdivision or business name	Burberry Place
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Please select the meeting to which you would like to submit a public comment	City Council Planned Unit Development Committee Meeting Redevelopment Authority Redevelopment Commission
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Meeting Date	Apr 12, 2023
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Project Name/Resolution Number	Maple Del location
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Comment	Hello!
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The Maple Del neighborhood would be a fabulous location for an over 55 new home community. Not a rental community. Please!!! We have too many apartments and not enough housing for over 55. If it could be affordable, under \$400,000 for each home or \$360,000 for condominiums, that would be great. The older generation would spend their money in downtown Fishers. Walkability would be awesome. It would be a peaceful neighborhood due to the age and we need affordable housing for this age group. Thank you!!
Carol Richardson

Would you like to receive email communications and updates from the City of Fishers?	Yes
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Form Name:	Public Meeting Comment Form
Submission Time:	April 17, 2023 9:45 am
Browser:	Mobile Safari / iOS
IP Address:	166.196.110.141
Unique ID:	1091799718
Location:	38.5774, -90.6709

Name	Matt Dittmar
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Address	12322 Cool Winds Way Fishers, IN 46037
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Email	matt.b.dittmar@gmail.com
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Subdivision or business name	Sumerlin Trails
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Please select the meeting to which you would like to submit a public comment	City Council
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Meeting Date	Apr 17, 2023
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Project Name/Resolution Number	R041723A - City Walk
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Comment	<p>Hello,</p> <p>Thanks for taking my question.</p> <p>While reading the proposed project agreement for the City Walk development, I was not able to determine if there will be planned stipulations on retail/dining offerings and their potential location in the plot.</p> <p>Can you please speak to that (and detail out what those stipulations/quotas might be)?</p> <p>It is fantastic to see the growth, but it would be great to ensure a sufficient allotment of entertainment/dining is provided with city backed projects and hoping there are stipulations in the agreement to facilitate that.</p> <p>I've noticed a great deal of living space added to downtown fishers, but the growth in retail/dining appears to be trailing behind by a wide margin. I understand the current economic conditions are not conducive to business boon, but that further lends to city backed projects incorporating those stipulations within their contracts.</p> <p>Thanks, Matt</p>
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Would you like to receive email communications and updates from the City of Fishers?	Yes
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Form Name:	Public Meeting Comment Form
Submission Time:	April 17, 2023 10:01 am
Browser:	Safari 16.3 / OS X
IP Address:	73.168.228.82
Unique ID:	1091806291
Location:	40.0623, -86.0585

Name	Randy Siebert
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Address	129 Northland Street Fishers, IN 46038
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Email	mail.siebert@att.net
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Subdivision or business name	Sunblest
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Please select the meeting to which you would like to submit a public comment	City Council
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Meeting Date	Apr 17, 2023
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Project Name/Resolution Number	R041723A - A Request to Approve a Project Agreement (City Walk):
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Comment	<p>I have several concerns with what I see as this plan.</p> <ol style="list-style-type: none">1. I see close to 250 condos/apartments replacing 16 homes. The traffic added to an already busy Lantern Road, and intersection at 116th Street will be huge. I do not see anything addressing this significant increase in traffic.2. Six stories will be the tallest building in Fishers, and it is being plopped down right next to residential homes (Sunblest) and the two-story apartments. This is way too much building for this area, and will destroy the nature of the area.3. It appears from the drawing that buildings will be built right on top of the Nickel Plate Trail. Will the trail users have to navigate around the huge buildings. Looks more like a dark downtown alley way and could be dangerous. It also means rerouting the Nickel Plate trail will erase the continued use of the rail bed, and I thought it was specifically indicated this would be maintained when the NPT was initially proposed.
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Would you like to receive email communications and updates from the City of Fishers?	Yes
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