



# TOWN OF FORTVILLE



714 E. Broadway, Fortville, IN 46040  
(317) 485-4044 | www.Fortville.IN.gov

Tuesday, September 2<sup>nd</sup>, 2025 | 6:30 p.m.

## Town Council Meeting Agenda

### Elected Officials

\*4- Year Terms

#### 1<sup>st</sup> District

- Tonya Davis, 1/1/24-12/31/27
- Vanessa Battaglia, 1/1/24-12/31/27

#### 2<sup>nd</sup> District

- Ryan Rummell, 1/1/23-12/31/26
- Libby Wyatt, 1/1/24-12/31/27

#### At-Large

- Fred "Fritz" Fentz, 1/1/23-12/31/26

#### Clerk-Treasurer

- Melissa Glazier, 1/1/24-12/31/27

### Town Staff Members

- Joe Renner, *Town Manager*
- Patrick Bratton, *Police Chief*
- Adriana Krueger, *Deputy Clerk*
- Alex Intermill, *Attorney*

### Livestream via Zoom

- Call-In Number: 1-305-224-1968
- Meeting ID: 886 5185 8108
- Link:  
<https://us02web.zoom.us/j/88651858108>
- Meeting recording available the next business day on YouTube -  
[@townoffortville1865](https://www.youtube.com/@townoffortville1865)

### 1. Meeting Opening

- A. Call Meeting to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Declaration of Quorum
- E. The Council will **consider approval of, or any changes to, the evening's meeting agenda.**
- F. The Council will **consider approval of the minutes** of the previous meeting:
  1. August 18<sup>th</sup>, 2025, council meeting

### 2. Old Business

- A. The Council will consider the 2<sup>nd</sup> Reading of Ordinance 2025-8D, a Rezone of one (1) acre from Residential 3.5 to Community Commercial at the northeast corner of Broadway & Ohio St.

### 3. New Business

- A. The Council will hear **rank promotion announcements** within the Fortville Police Department, presented by Chief Patrick Bratton.
- B. The Council President will reappoint **Sean Simmons to the Board of Zoning Appeals.**
- C. The Council will reappoint **Libby Wyatt to the Economic Development Commission.**
- D. The Council President will reappoint **Robert Holland to the Economic Development Commission.**
- E. The Council will **recess the regular meeting.**
- F. The Council will open a **Public Hearing to discuss the Landmark Park Build-Operate-Transfer (B.O.T.) proposal.**
- G. The Council will **close the Public Hearing.**
- H. The Council will **reconvene the regular meeting.**
- I. The Council will consider **Resolution No. 2025-9A**, awarding the Landmark Park B.O.T. project to Reynolds Construction.
- J. The Council will hear a **presentation from VS Engineering regarding the regional lift station and associated contract.**
- K. The Council will review and consider **bids for two service trucks for the Street & Utilities Department.**

### 4. Department Reports

- A. Town - Joe Renner, *Town Manager*
- B. Planning & Building - Adam Zaklikowski, *AICP*
- C. Parks & Recreation - Heath Luther, *Parks Manager*
- D. Police - Chief Patrick Bratton
- E. Clerk-Treasury - Missy Glazier / Adriana Krueger
- F. Legal - Alex Intermill | *Bose, McKinney, & Evans LLP*

### 5. Public Comments (2 minutes per person)

### 6. Council Member Comments

### 7. Meeting Closure

- A. The Council will consider approving & signing the vouchers.
- B. The Council will consider adjourning the meeting.

Under the Americans with Disabilities Act (ADA), the Town of Fortville will, upon request, provide appropriate aid or assistance leading to effective participation for people with disabilities. Anyone whom may require such assistance should contact Andy Williams - Office Manager, at (317) 485-4044, Ext. 1003, or via email at [awilliams@fortville.in.gov](mailto:awilliams@fortville.in.gov) at least forty-eight (48) hours before the scheduled meeting.

**TOWN OF FORTVILLE**

**ORDINANCE NO. 2025-8D**

**Change of Zoning Classification - NEC Broadway & Ohio**

RECITALS

1. Pursuant to Indiana Code §§ 36-7-4-600 *et seq.*, the Town Council of the Town of Fortville (“Council” and “Town,” respectively) has lawfully adopted a Zoning Ordinance, the terms of which are applicable to the geographic area consisting of the incorporated area of the Town, and which Zoning Ordinance has been codified in the Town’s Code of Ordinances.
2. Pursuant to Indiana Code § 36-7-4-602, the Council is authorized to amend the map that is part of the Zoning Ordinance.
3. The Fortville Advisory Plan Commission (“Plan Commission”) rendered a Positive Recommendation after conducting a Public Hearing at their meeting on August 26, 2025 regarding a request to Rezone certain real property of approximately one (1) acre from Residential: 3.5 (R3.5) to Commercial: Community (CC) as depicted in attached Exhibit A (Legal Description) and Exhibit B (Map).
4. In accordance with Indiana Code § 36-7-4-605, the Plan Commission certified its recommendation regarding the Rezone to the Town Council.
5. The Council has considered the Plan Commission’s recommendation and, in accordance with Indiana Code § 36-7-4-608, desires to adopt the proposed change in zoning for the Real Estate.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Council as follows:

SECTION 1. The official Zoning Map accompanying and made part of the Zoning Ordinance is hereby amended to change the zoning classification of the real property from Residential: 3.5 (R3.5) to Commercial: Community (CC).

SECTION 2. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed.

SECTION 3. This Ordinance shall be in full force and effect upon adoption.

**[Signature Page Follows]**

Introduced and filed on the 18<sup>th</sup> day of August, 2025.

Duly ordained and passed on the \_\_\_\_\_ day of \_\_\_\_\_, 2025 by the Town Council of the Town of Fortville, Hancock County, Indiana, having been passed by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

TOWN OF FORTVILLE, INDIANA, BY ITS TOWN COUNCIL

AYE		NAY
	Tonya Davis President	
	Ryan Rummell Vice President	
	Frederick (Fritz) Fentz Member	
	Elizabeth (Libby) Wyatt Member	
	Vanessa Battaglia Member	

ATTEST:

\_\_\_\_\_  
Melissa Glazier  
Clerk-Treasurer

Approved as to Form by: Alex Intermill, Town Attorney, Bose McKinney & Evans LLP

Prepared by: Adam Zaklikowski, AICP, Planning & Building Director

Exhibit A - Legal Description

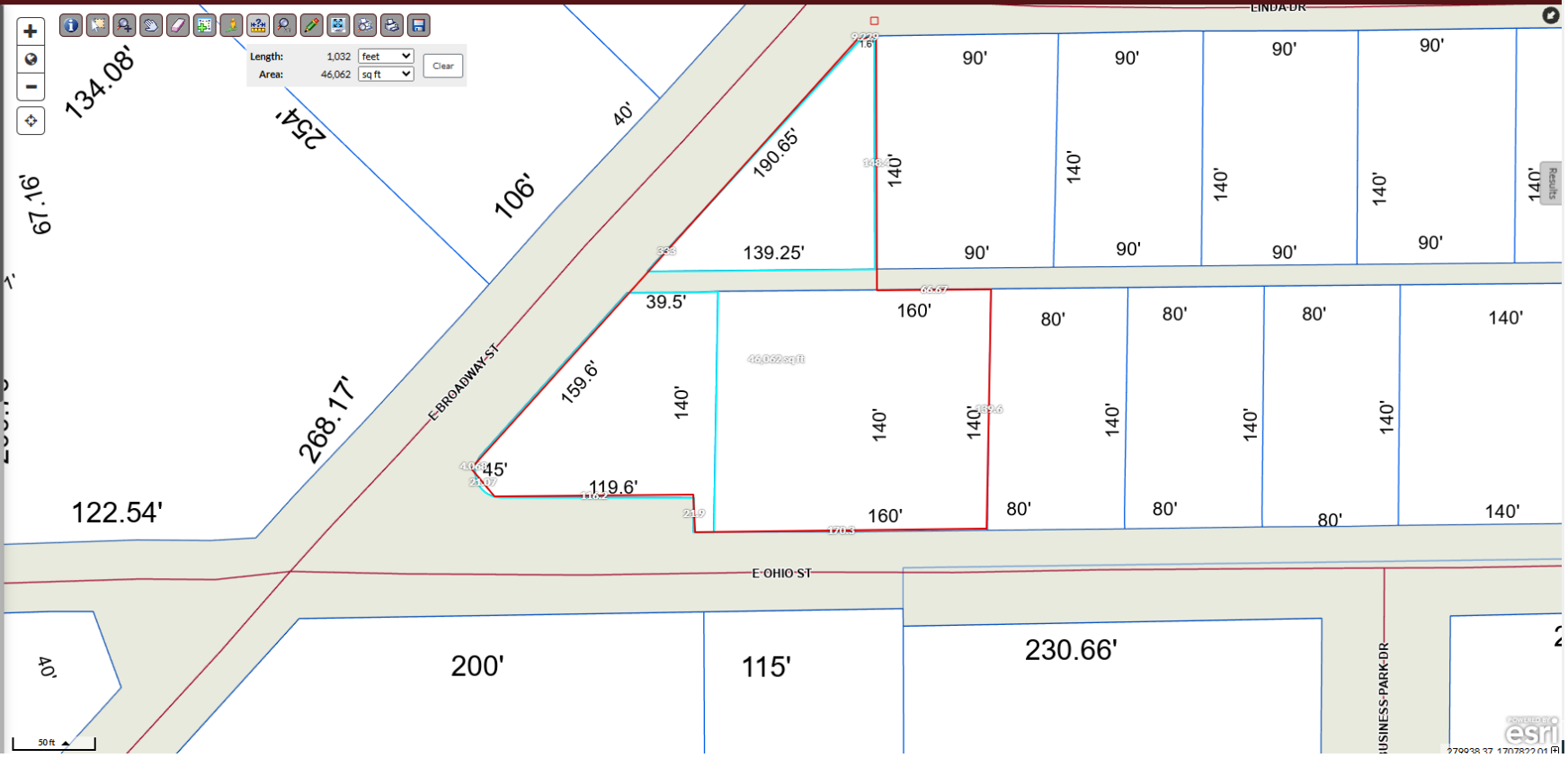
Lot Numbered One (1), Two (2), Three (3), and Sixty-five (65), in Colonial Village Subdivision, being a part of the East half of the Northwest Quarter of Section Ten (10), Township Seventeen (17) North, Range Six (6) East, as per plat thereof recorded November 28, 1953 in Plat Book 5, page 2, in the Office of the Recorder of Hancock County, Indiana.

INCLUDES THE EASEMENT/ROW BETWEEN LOTS 1 AND 65

Exhibit B - Map

(See following page.)

- Layer List Legend
- Quick Links:
  - Real Estate Property Search
  - Personal Property Search
  - View Map
- Layers:
  - Cemeteries
  - Comprehensive Plan
  - Addresses
  - Mobile\_Homes
  - Historic Structures
  - Fire Territory Boundaries
  - Contours
  - Regulated Drain
  - Aerials
    - 2023 Ortho Photos
    - 2021 Ortho Photos
    - 2019 Ortho Photos
    - 2017 Ortho Photos
    - 2015 Ortho Photos
    - 2011 Ortho Photos
  - Roads
  - Townships
  - Subdivisions
  - Rights of Way
  - Approx. Acreage
  - Lot Numbers
  - Parcel Numbers
  - Parcel Search
  - Parcels
  - Parcel Dimensions
  - Personal Property Search
    - Soils
  - Assessor
    - PLSS
    - Monuments
    - Recorded Surveys
    - Sections
  - Landuse
    - Building Outlines





**ADVISORY PLAN COMMISSION  
EST. 2020**

Members of the Fortville Town Council:

In accordance with Indiana Code § 36-7-4-605 (3), the Fortville Advisory Plan Commission hereby certifies to you, the legislative body, that a POSITIVE Recommendation was issued on August 26, 2025 for Ordinance No. 2025-8D "Change of Zoning Classification – NEC Broadway & Ohio Street" to change the zoning from Residential: 3.5 (R3.5) to Commercial: Community (CC) as presented. A Public Hearing was conducted in accordance with Indiana Code.

Additional Conditions Issued:

---

---

---

---

---

On the Recommendation, 6 ~~5~~ Members voted I, 0 Members voted Nay, and 7 ~~1~~ Members Abstained or were not present.

Nathan Sturdevant, President

ATTEST:

Sarah Waldron  
Sarah Waldron, Recording Secretary



# **Town of Fortville Plan Commission**

**Staff Report / Presentation  
Case No. RZ-01-2025  
NEC Broadway & Ohio Rezone**

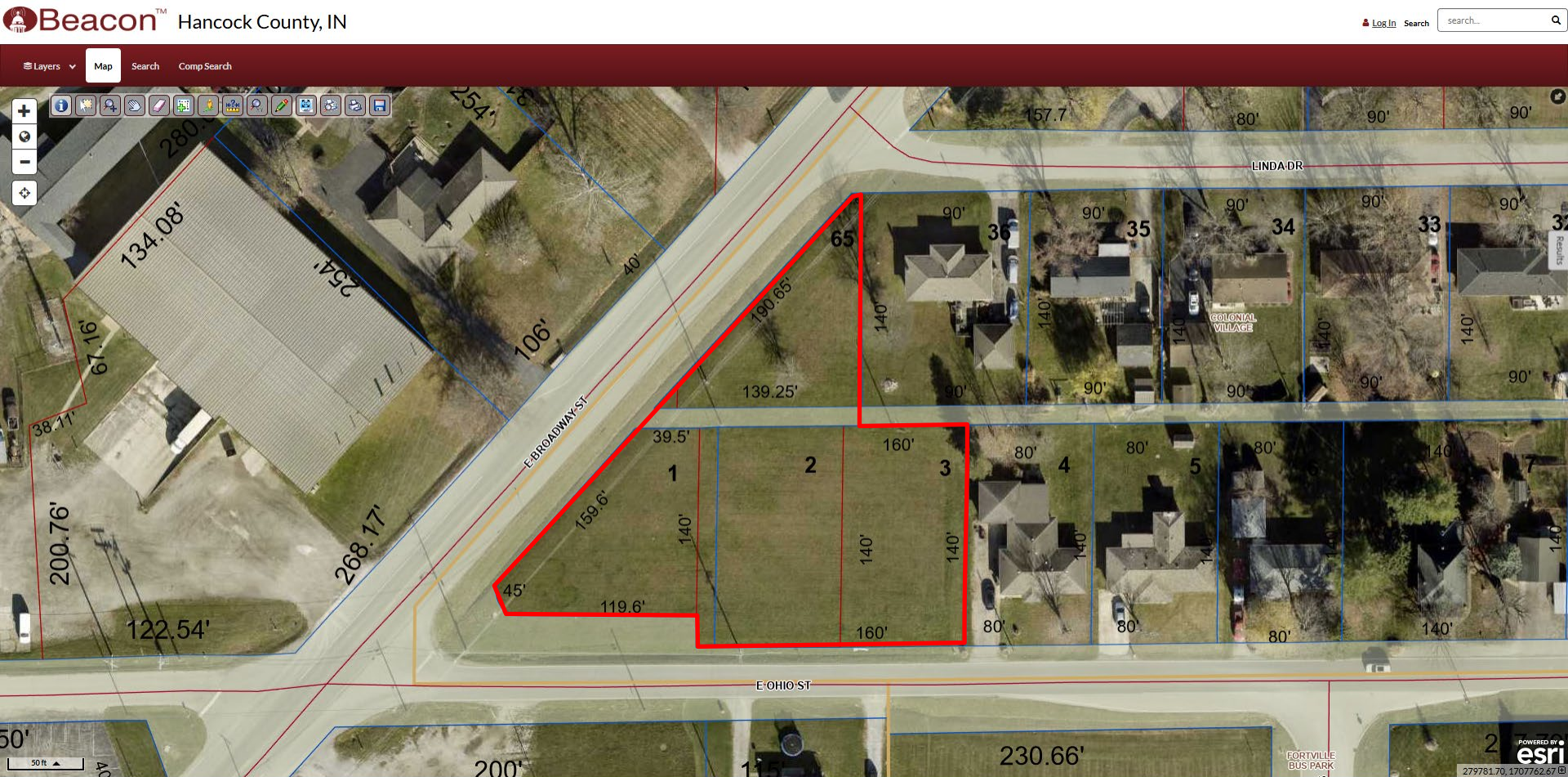
**Adam Zaklikowski, AICP  
Planning & Building Director**

**August 26, 2025 Meeting**

# NEC Broadway & Ohio Rezone

- Location: Northeast corner of Broadway & Ohio Street.
- Owner: MAC and Mike, LLC (c/o Michael Crouse, Sr. and Mike Thompson)
- Petitioner: Mike Thompson
- Zoning: Residential: 3.5 (R3.5); Seeking Rezone to Commercial: Community (CC).
- Property Use: Vacant; Empty grassy lots
- Size: About 1 acre.
- Request / Background:
  - ◆ The property consists of 4 undeveloped residential lots in the Colonial Village platted subdivision (Lots 1, 2, 3, 65).
  - ◆ The owners would like to sell the property and believe that allowing for a commercial use on the property would be the highest and best use for the property.
  - ◆ There are no commercial buyers that have committed to purchase of the property at this time.

# Aerial Photo (2023) / Parcel Map



# Oblique Aerial Photo (2023)

CONNECTEXPLORER

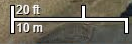


Workspaces



© 2025 EagleView

map: Auto (Oblique) ▾ Dates: Latest ▾ < image 1 of 11 > 03/12/2025



8/25/2025

Search Google Maps



Share



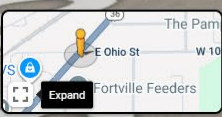
800 US-36

Fortville, Indiana

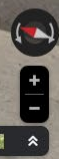


Google Street View

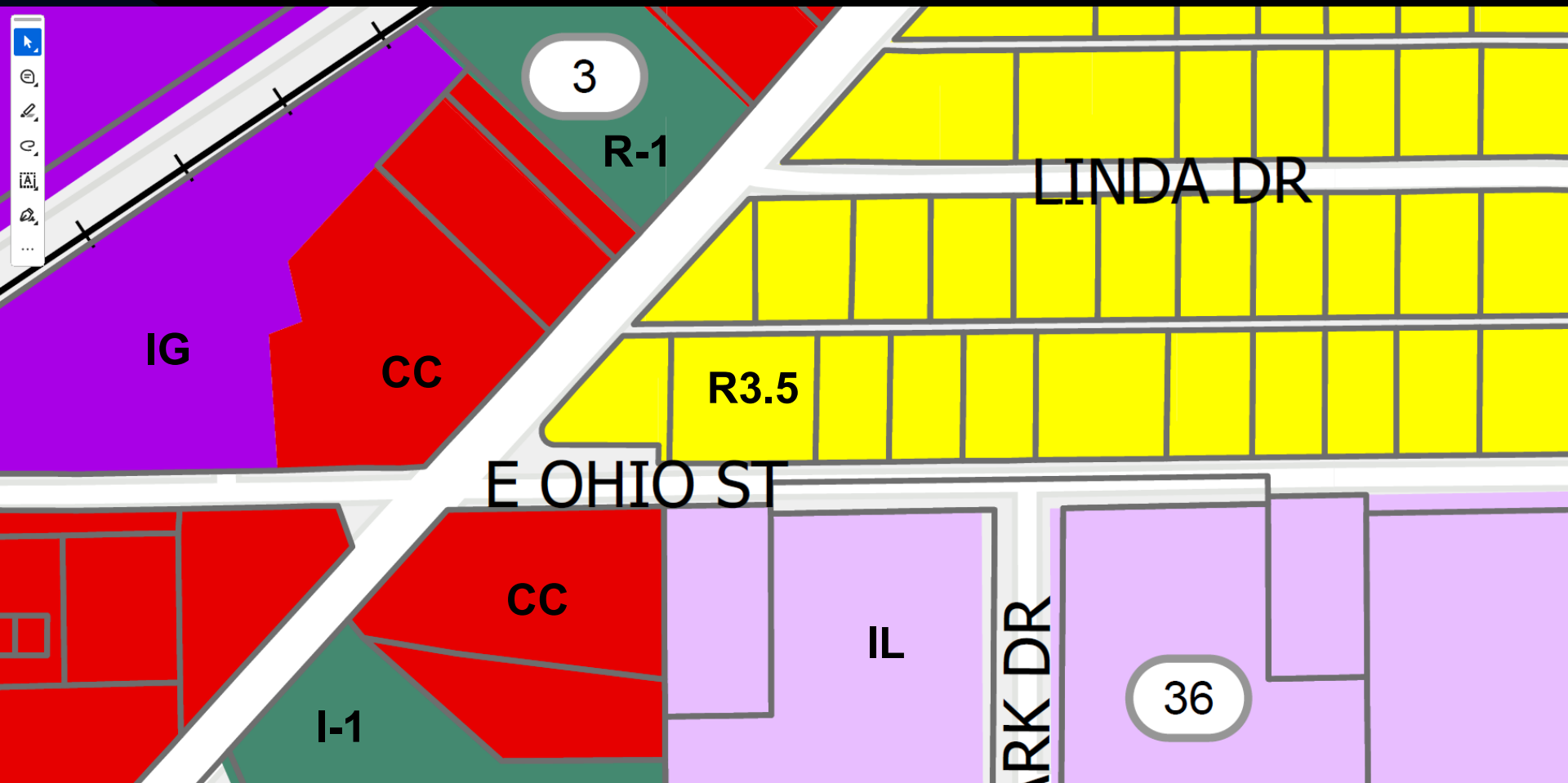
Aug 2024 See more dates



Google



# Zoning Map - Current

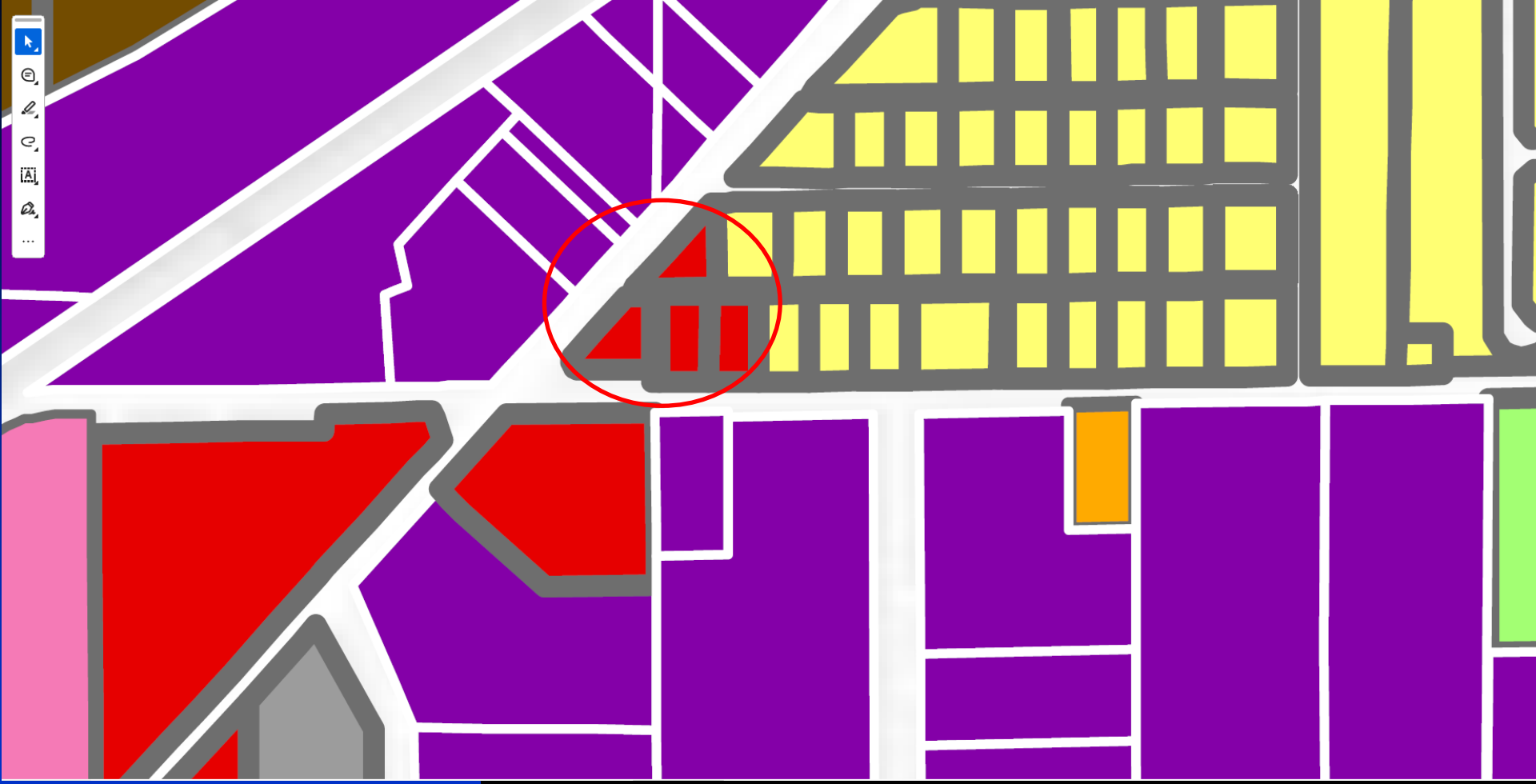


# NEC Broadway & Ohio Rezone

Evaluation Criteria for Rezones per Indiana Code:

- 1) Consistent with the Comprehensive Plan?
  - ◆ Yes. *The adopted Town of Fortville 10-Year Comprehensive Plan Map (2034) (As Amended January 2025) designates these 4 parcels as suitable for “Commercial – Suburban” land uses. The zoning district of Commercial: Community (CC) aligns with this intended land use.*

# Comprehensive Plan Map



# NEC Broadway & Ohio Rezone

Evaluation Criteria for Rezones per Indiana Code:

- 2) Consistent with current conditions/character of current structures?
  - ◆ *Not applicable. There are no current structures on the parcels.*

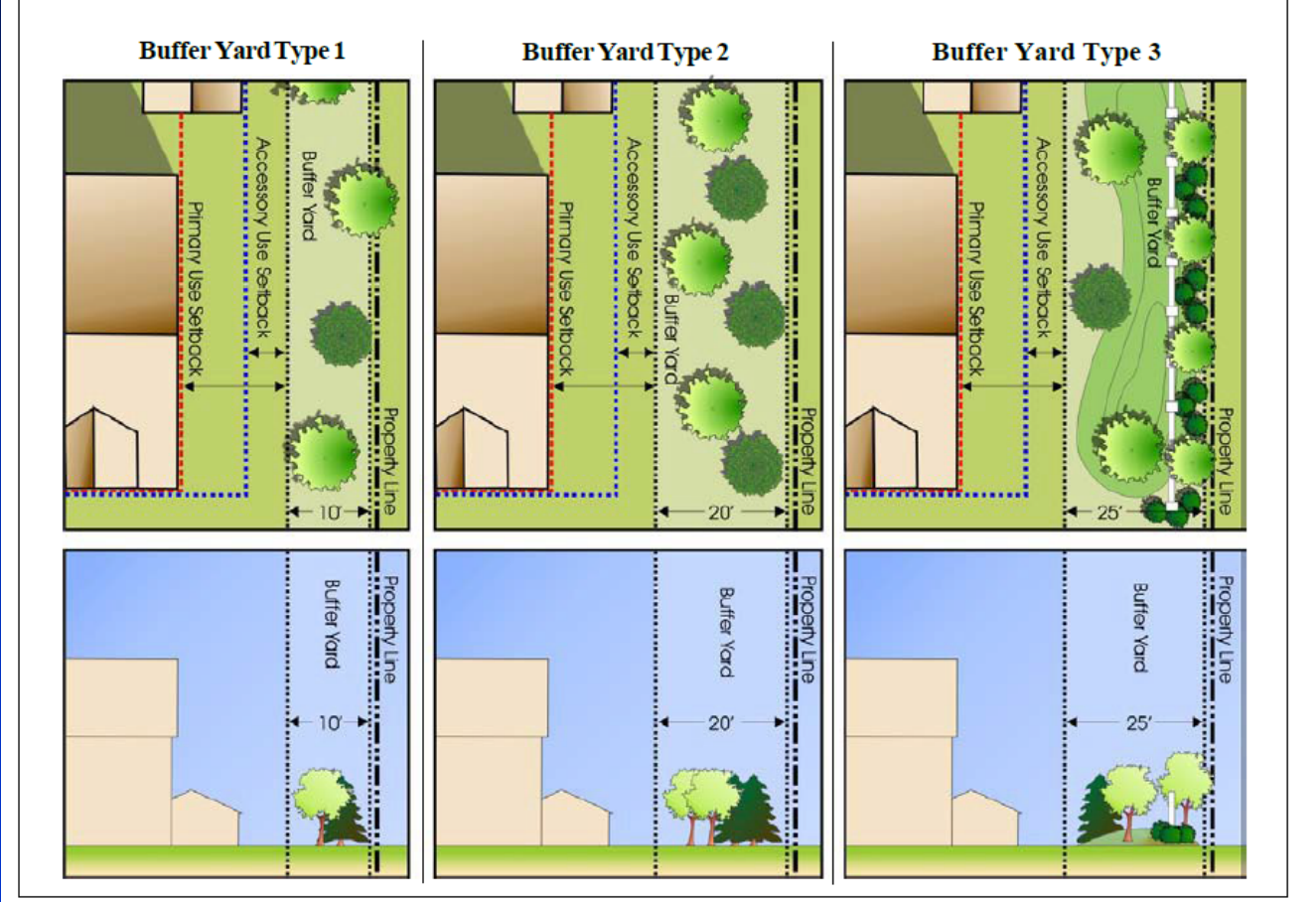
# NEC Broadway & Ohio Rezone

## Evaluation Criteria for Rezones per Indiana Code:

- 3) Consistent with most desirable use of land?
  - ◆ *Yes. These 4 lots have been vacant lots since their platting in 1953. The adopted Comprehensive Plan map sets forth the most desirable uses of land and it is consistent with that commercial designation.*

# Evaluation Criteria for Rezones per Indiana Code:

- 4) Consistent with conservation of property values throughout the jurisdiction?
  - Yes. There is no evidence to suggest that property values would be negatively impacted. Additionally, buffer yards and setbacks will need to be provided.
    - East: 25' buffer yard (Type 3) + 15' setback.



# NEC Broadway & Ohio Rezone

- 5) Consistent with responsible growth and development?
  - ★ *Yes. The highly-traveled intersection is suitable for commercial development. Buffer yards and setbacks will need to be provided per the Zoning Ordinance to protect the residential areas nearby.*

# Town Council Comments

- 1<sup>st</sup> Reading (introductory reading) of the Rezone ordinance occurred on August 18, 2025.
- Some Council members seemed supportive; Others were concerned about proximity to residential areas nearby (and wanted to ensure proper buffering); Some were concerned about a possible gas station.
  - ◆ A gas station has not been proposed; If proposed in the future, a Special Exception is required from the Board of Zoning Appeals subject to a public hearing.

# Community Response

- All public hearing requirements have been met (sign posting, mailing to nearby property owners, newspaper publication in Greenfield Reporter).
- Some Fortville residents have expressed concern about a potential future gas station use and commercial uses near a residential area.
- 1 letter of remonstrance received.

# NEC Broadway & Ohio Rezone

Staff Recommendation: Staff recommends that the Plan Commission grant a Favorable Recommendation to the Town Council of the Rezone.

Note, if desired by the Plan Commission (or Council) to prevent a gas station:

1) Could require a Zoning Commitment from the petitioner to restrict out a gas station use that would run with the land. Lifting this Commitment would require a review by the Plan Commission and Council approval, in addition to the Special Exception from the BZA.

**RESOLUTION NO. 2025 – 9A**

**RESOLUTION OF THE TOWN OF FORTVILLE APPROVING AWARD OF BUILD-OPERATE-TRANSFER CONTRACT WITH REYNOLDS CONSTRUCTION, LLC**

WHEREAS, the Town of Fortville (the “Town”) has identified a series of projects (the “Projects”) which would, among other benefits, have a positive economic impact on the Town and its residents, enhance the quality of life for its residents, and is in the best interest of the citizens of the Town;

WHEREAS, the Town issued a Request for Proposals (“RFP”) for development of the Projects through a public-private partnership in a manner consistent with Indiana law, including I.C. 5-23, *et seq.* (the “Act”);

WHEREAS, the administration has received and evaluated proposals received pursuant to said RFP, and has recommended that the Town select Reynolds Construction, LLC (“Reynolds”) to develop and/or finance the Projects under a Build-Operate-Transfer Agreement or Agreements pursuant to the Act;

WHEREAS, the Council, as the fiscal body for the Town, has considered the selection recommendation from the administration and has duly noticed and held a public hearing regarding the same for purposes of receiving public comment and remonstrance, as required by the Act.

WHEREAS, the Council, being duly advised in the premises, has determined that it is in the Town’s best interest to accept the recommendation of the Administration and select Reynolds Construction to deliver the Projects.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORTVILLE AS FOLLOWS:

1. Reynolds is hereby selected to deliver the Projects through a public-private partnership consistent with the Act.
2. The President of the Council are hereby authorized to take all such actions and to execute all such instruments as are necessary and desirable to carry out the transactions contemplated by this Resolution, in such forms as the President shall deem proper, to be evidenced by the execution thereof.
3. This resolution shall be deemed to take effect immediately upon adoption by the Council.

Duly Resolved and passed this 2nd day of September 2025 by the Town Council of the Town of Fortville, Hancock County, Indiana, having been passed by a vote of \_\_ in favor and \_\_opposed.

TOWN OF FORTVILLE, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:

Voting Opposed:

\_\_\_\_\_  
Tonya Davis, President

\_\_\_\_\_  
Tonya Davis, President

\_\_\_\_\_  
Ryan Rummell, Vice President

\_\_\_\_\_  
Ryan Rummell, Vice President

\_\_\_\_\_  
Frederick "Fritz" Fentz

\_\_\_\_\_  
Frederick "Fritz" Fentz

\_\_\_\_\_  
Elizabeth Wyatt

\_\_\_\_\_  
Elizabeth Wyatt

\_\_\_\_\_  
Vanessa Battaglia

\_\_\_\_\_  
Vanessa Battaglia

ATTEST:

\_\_\_\_\_  
Melissa Glazier  
Clerk-Treasurer