

**Fishers City Council
Minutes
November 11, 2021**

BOARD/COMMISSION: City Council Meeting

DATE: 11/15/2021

DIRECTIONS: [Fishers City Hall](#)

EXECUTIVE SESSION, 6:30 p.m., Administrative Conference Room

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

1. Meeting Called to Order with the Pledge of Allegiance

- President Selina Stoller called the meeting to order. Present were John Weingardt, Todd Zimmerman, Jocelyn Vare, David Giffel, Brad DeReamer, Crystal Newmann Cecilia Coble, and Pete Peterson.
- Others Present were: Mayor Scott Fadness, City Clerk Jenifer Kehl, Deputy Mayor Elliott Hultgren, Chris Greisl, Larry Lannan, John Barbush, Paul Green, Abraham Wondergem, Scott Zarazee, Megan Baumgartner, Lisa Bradford, Jason Taylor, Megan Vukusich, Andy Card, Sandra Avery, Brandon Avery, Rachel Quade, Susan Brandon, Steve Harden, Scott Baldwin, Robby Slauchter, Dayna Colbert, Jenny Massey, Dave Wilhite, Doug Allman, and Tiffanie Davidson.

2. Announcements:

- Mayor Scott Fadness presented David George a plaque for his years of service to the Town Board, City Council, and the City of Fishers.

3. Proclamations: None

4. Presentations: Scott Zarazee from the Indiana Attorney General's office spoke on the duties of the Attorney General's office.

5. Finance Committee Report: John Weingardt gave a brief report from this evening's meeting

6. Department Reports:

- a. **Health Department Update:** [Report](#) (The attached report is also available on the city website.)

7. Election of Officer

- Elections were held to replace David George as Vice President of the City Council.
- President Selina Stoller opened the nominations for the above listed position.
- Pete Peterson made a motion to nominate John Weingardt as the Vice President of the City Council. Cecilia Coble seconded the motion. There were no other nominations, and the nominations were closed. All members voted yay to elect John Weingardt as Vice President.

8. Consent Agenda:

- a. Request to approve the previous meeting minutes from [October 11, 2021](#).
 - Pete Peterson made a motion to approve the Consent Agenda. Todd Zimmerman seconded the motion. Jocelyn Vare made motion to amend the motion to have the council minutes removed from the Consent Agenda. The previous meetings minutes will be moved to the end of the agenda.

- b. **R111521** - 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 item 8b., resolution R111521 on the Consent Agenda. Todd Zimmerman seconded the motion. There was no remonstrance and all members voted yay. The motion passed.

REGULAR AGENDA

Economic Development

9. **R111521B** - A Request to Approve Project Agreement with List Biotherapeutics, Inc.: [Council Action Form](#) | [Exhibit A](#) | [Resolution](#) **SIGNED ADOPTION**
 - Megan Baumgartner made her presentation to the city council members.
 - City is offering a 50% tax abatement for 15 years if the expansion occurs there will be another 15 years of the tax abatement, 65,000 in personal property tax abatement and 15 acres.
 - Pete Peterson, Todd Zimmerman and John Weingardt praised Megan Baumgartner and her staff for their efforts.
 - Jocelyn Vare asked Megan Baumgartner to share the Life Science Strategy. Megan Baumgartner shared that their entrepreneurial spirit linked back to Launch Fishers, the cost of living in Fishers and how the city strategized with the companies to come up with solutions. The mayor stated the city provides infrastructure that supports drugs that have already been discovered to deploy them.
 - Pete Peterson made a motion to approve resolution, **R111521B**. Todd Zimmerman second the motion. There was no remonstrance and all members voted yay. The motion passed.

10. **R111521C** - A Request to Approve Amended SB-1 (Genezen Laboratories, Inc.): [Council Action Form](#) | [Exhibit A](#) | [Resolution](#) **SIGNED ADOPTION**
 - Megan Baumgartner made her presentation to the city council members.
 - Dave Wilhite from Genezen spoke. They also started in Launch Fishers.
 - Pete Peterson made a motion to approve resolution R111521C. Crystal Newmann seconded the motion. There was no remonstrance and all members voted yay. The motion passed.

Budget/Financial

11. 101121 - A Request to Approve the City of Fishers 2021 General Obligation Bonds- 2nd Reading: [Council Action Form](#) | [Ordinance](#) ***SIGNED ADOPTION***

- Lisa Bradford made her presentation to the city council members.
- The infrastructure may not be built this year but will be appropriated this year.
- Jocelyn Vare asked for a list of the items in this bond.
 - Geist Greenway Design
 - SE Pkwy/Cyntheanne Road RAB construction
 - Cumberland Road widening construction
 - 10th/hoosier RAB design
 - 136th Street Widening between SE Pkwy and Cyntheanne Rd
 - Olio Road/SE RAB design
 - 126th Street/SE RAB design
 - Misc. Gaps in pedestrian facilities
 - Eller Trails
 - Lantern Road near Jehovah Witness location
 - Portion for NLT Grant match
 - 106th Street to NPT
 - 131st Street to NPT
- Pete Peterson made a motion to approve ordinance 101121. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.

12. R111521A - A Resolution Appropriating the 2021 General Obligation Bonds- **Public Hearing**: [Council Action Form](#) | [Resolution](#) ***SIGNED ADOPTION***

- Lisa Bradford made her presentation to the city council members.
- Selina Stoller opened the meeting for a **Public Hearing**. No one came forward. The Public Hearing was closed.
- Pete Peterson made a motion to approve resolution **R111521A**. Cecilia Coble seconded the motion. There was no remonstrance and all members voted yay. The motion passed.

13. 101121A - An Ordinance of the City of Fishers Amending Rates and Charges for the Use of and Services Rendered by the City of Fishers Sewages Works- 2nd Reading: [Council Action Form](#) | [Ordinance](#) ***SIGNED ADOPTION***

- Chris Greisl made his presentation to the city council members.
- There is no rate increase. The new utility will be incorporated into our City of Fishers Sewer Works.
- Pete Peterson made a motion to approve ordinance **101121A**. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.

- 14. 101121B** - An Ordinance of the City of Fishers Amending Chapters 33.22(A),35.30(B) Schedule II, 35.30(C), and 180 of the City of Fishers Code of Ordinances (Fee Updates for Various Departments) - **2nd Reading:** [Council Action Form](#) | [Exhibit A](#) | [Ordinance](#) ***SIGNED ADOPTION***
- Lisa Bradford made her presentation to the city council members.
 - Pete Peterson made a motion to approve ordinance **101121B**. Todd Zimmerman seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
- 15. 111521B** - An Ordinance amending the City of Fishers Refunding Bonds from 2020D to Series 2021 - **1st, 2nd, and 3rd Reading:** [Council Action Form](#) | [Ordinance](#) ***SIGNED ADOPTION***
- Lisa Bradford made her presentation to the city council members.
 - This is only a name change from 2020 to 2021.
 - Jocelyn asked if there was an urgency to approve this bond. The mayor stated that this bond was approved by the city council last meeting it is just a name change. There is a chance of a higher interest rate if the bond is not approved tonight.
 - Pete Peterson made a motion to suspend the rules and approve ordinance **111521B**. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
 - Pete Peterson made a motion to approve ordinance **111521B**. Cecilia Coble seconded the motion. There was no remonstrance and all members voted yay. The motion passed.
- 16. 111521A** - An Ordinance of the City of Fishers Approving Short Term Loan Financing for the 2022 Fleet Loan- **1st Reading:** [Council Action Form](#) | [Ordinance](#)
- Lisa Bradford made her presentation to the city council members.
 - Pete Peterson made a motion to have the **1st Reading**.

Government/ Miscellaneous

- 17. R111521D** - A Resolution of the Common Council Approving an Interlocal Agreement with the City of Noblesville related to Fishers' acquisition of Hamilton-Southeastern Utilities: [Council Action Form](#) | [Exhibit A](#) | [Resolution](#) ***SIGNED ADOPTION***
- Chris Greisl made his presentation to the city council members.
 - This agreement is to agree the City of Fishers will provide sewer service to a small portion of undeveloped property north of I-69 in the Noblesville corporation boundaries.
 - Pete Peterson made a motion to approve resolution **R111521D**. Todd Zimmerman seconded the motion. There is no remonstrance and all members voted yay. The motion passed.

Planning & Zoning

- 18. 111521E** - An Ordinance Amending Chapter 156 of the City of Fishers Code of Ordinances regarding Road & Bridge Impact Fees - **1st Reading:** [Council Action Form](#) | [Exhibit A](#) | [Ordinance](#)
- Jason Taylor made her presentation to the city council members.
 - Pete Peterson made a motion to have the **1st Reading**.

19. **101121D** - Consideration of a Text Amendment to the Kincaid PUD. Property is located east of Interstate 69, south of 106th St. Project is known as the Highline at Delaware Park, case #RZ-21-8 - **Final Reading:** [Council Action Form](#) | [Exhibit A](#) | [Exhibit B](#) | [Exhibit C](#) | [Staff Report](#) |

[Ordinance](#) ***SIGNED ADOPTION***

- Megan Vukusich made her presentation to the city council members.
- David Giffel stated he knocked on about 100 doors in this area and 66% did not want this development for several reasons including traffic congestion.
- Jocelyn Vare stated the updated 2040 plan for this area was considered Commercial or Employee Node. Megan Vukusich stated the land use description does support the retail/apartments.
- Brad DeReamer stated over the last 2-4 years the developers ask what are you going to do for my employees? They want apartments, close restaurants, trails, etc.
- David Giffel stated that 36% of all households are apartments.
- John Weingardt stated his employees want to move to Fishers,
- Pete Peterson said the city received a study done about the apartments. He asked Megan to make the study available to all councilors.
- Pete Peterson made a motion to approve ordinance **101121D**. Todd Zimmerman seconded the motion. Cecilia Coble, John Weingardt, Brad DeReamer, Selina Stoller and Crystal Newmann voted yay. David Giffel and Jocelyn Vare voted nay. The vote was 7-Yay and 2-Nay. The motion passed.

20. **101121G** - Consideration of a Text Amendment to the Unified Development Ordinance to establish the Nickel Plate Trail (NPT) Overlay - **Final Reading:** [Council Action Form](#) | [Staff Report](#) | [Ordinance](#) ***SIGNED ADOPTION***

- Megan Vukusich made her presentation to the city council members.
- Pete Peterson said there were some remonstrators at the Plan Commission Meeting. Megan did a great job answering the issues.
- Todd Zimmerman made a motion to approve ordinance **101121G**. Pete Peterson seconded the motion. There was no remonstrance and all members voted yay. The motion passed.

21. **101121H** - Consideration of a Text Amendment to various sections of the Unified Development Ordinance (UDO) - **Final Reading:** [Council Action Form](#) | [Staff Report](#) | [Ordinance](#) ***SIGNED ADOPTION***

- Megan Vukusich made her presentation to the city council members.
- Pete Peterson made a motion to approve **101121H**. John Weingardt seconded the motion. There was no remonstrance and all members voted yay. The motion passed.

22. **101121E** - Consideration of a rezone of 24 acres from PUD-C to PUD-R for 292 multifamily units. Property is generally located on the southeast corner of E 136th St and Cyntheanne Rd. Project is known as the Bel Canto PUD, case #RZ-21-7 - **1st Reading**: [Council Action Form](#) | [Petitioner's Packet](#)

- Megan Vukusich made her presentation to the city council members.
- Steve Harden made his presentation. He invited Sandra Avery up to speak on behalf of Bel Canto who is a Legacy Builder.
- Brad De Reamer made a motion for the **1st Reading**.

REGULAR ITEMS

23. Any other Unfinished / New Business

- 8a. Request to approve the previous meeting minutes from **October 11, 2021**.
 - Pete Peterson made a motion to approve the October 11, 2021 City Council minutes. John Weingardt seconded the motion.
 - Jocelyn Vare made a motion to amend the motion to approve the October City Council minutes at the December council meeting so additional detail could be added to six items in the minutes with council comments.
 - Pete Peterson asked legal counsel Chris Greisl if the council meetings are video recorded. Chris responded yes. Pete Peterson stated that the residents can go back and watch the meeting.
 - Jocelyn Vare is wanting council comments added to the minutes rather than a general statement that council members made comments. This would be more transparent.
 - Brad DeReamer and Crystal Newmann also spoke.
 - Pete Peterson addressed Jocelyn Vare directly.
 - Selina Stoller stated she spoke with the clerk.
 - Jennifer Kehl spoke and stated that she spoke with her deputy clerk and asked her to be more detailed with the council comments when she is not able to attend the meeting. She also stated that she would be more than happy if asked to go back and watch the video, add the additional information, have deputy clerk review the comments and sign off on the minutes.
 - Jocelyn Vare made a motion to amend the minutes to address council comments on six items in the October 11, 2021 City Council meeting minutes. Crystal Newmann seconded the motion. Jocelyn Vare and Crystal Newmann voted Yay. Selina Stoller, John Weingardt, Todd Zimmerman, David Giffel, Brad DeReamer, Cecilia Coble and Pete Peterson voted Nay. The vote was 2-Yay and 7-Nay. The motion did not pass.
 - Pete Peterson made a motion to approve the October 11, 2021 minutes. Todd Zimmerman seconded the motion. Selina Stoller, John Weingardt, Todd Zimmerman, David Giffel, Brad DeReamer, Cecilia Coble and Pete Peterson voted Yay. Jocelyn Vare and Crystal Newmann voted Nay. The vote was 7-Yay and 2-Nay. The motion passed.

24. Community Comment

- Doug Allman came forward to speak on resolution **101121E** - Consideration of a rezone of 24 acres from PUD-C to PUD-R for 292 multifamily units. Property is generally located on the southeast corner of E 136th St and Cyntheanne Rd. Project is known as the Bel Canto PUD, case #RZ-21-7. He was not aware this item was going to be on the agenda. He is concerned that the school system may need this property in the future for a school.
- Rachel Quade came forward to speak on the number of apartments and production builders in Fishers. She asked where are the custom home developers?
- **Previously submitted comments:** [Documents](#)

25. Meeting Adjournment

- Pete Peterson made a motion to adjourn the meeting. John Weingardt seconded the motion. The meeting was adjourned at 8:45p.m.

Respectfully Submitted,



Jennifer L. Kehl
Fishers City Clerk