

RESOLUTION NO. __ R051523F __

**A RESOLUTION OF THE COMMON COUNCIL FOR THE CITY
OF FISHERS, HAMILTON COUNTY, INDIANA APPROVING
CERTAIN PARKING FEES FOR GEIST WATERFRONT PARK**

WHEREAS, the City of Fishers, Hamilton County, Indiana (“City”) has made significant investments in providing its residents with the opportunity to access Geist Reservoir (“Geist”);

WHEREAS, Geist Waterfront Park (“GWP”) is being developed on the last significant, undeveloped parcel of Geist;

WHEREAS, the purpose of GWP is to allow all Fishers residents to enjoy Geist without having to own a house or dock on the reservoir (“Public Purpose”);

WHEREAS, in pursuit of its Public Purpose, the City has invested approximately Thirty Million Dollars (\$30,000,000) to develop GWP;

WHEREAS, on or around July 5, 2018, the City acquired approximately seventy (70) acres of real property previously owned by the Marina Limited Partnership (“MLP”) and Irving Materials, Inc. (“IMI”), commonly referred to as 0 Olivo Road, Fishers, Indiana 46040 (the “Real Estate”), for Fifteen Million Seven Hundred Sixty Thousand Dollars (\$15,760,000) (the “Acquisition”);

WHEREAS, the Real Estate includes GWP and an adjoining parking lot facility (the “GWP Parking Lot”);

WHEREAS, GWP will be built in phases, and the total construction cost for Phase I of the park is approximately Fourteen Million Six Hundred Seventy-Five Thousand Eight Hundred Seventy and no/100 Dollars (\$14,675,870);

WHEREAS, in furtherance of its Public Purpose, and in order to support GWP and its unique offerings, the City has made a substantial investment in staffing, where GWP will be supported by approximately five (5) head lifeguards, thirty-five (35) regular lifeguards, five (5) gate attendants, and various public works staff including laborers, maintenance technicians, foreman, and a superintendent;

WHEREAS, total capacity for the GWP Parking Lot is approximately 240 spots (“Lot Capacity”), and total capacity for swimming in the cove is approximately 300 people (“Water Capacity”);

WHEREAS, as the City adds recreational amenities, its residents enjoy them; for example, the Nickel Plate District Amphitheater hosts more than one hundred (100) events each year and welcomes approximately 250,000 visitors per year; Fishers’ award-winning Farmers Market hosts an average of 4,500 attendees each weekend during the summer season; and Spark!Fishers, the annual community Independence Day festival, engages more than 20,000 residents each year;

WHEREAS, based on historical data and the popularity of similar amenities previously offered by the City of Fishers Department of Parks & Recreation (“Parks”), the City anticipates GWP to be highly utilized and often at or near both Lot Capacity and Water Capacity;

WHEREAS, Ind. Code § 36-9-11-7 authorizes the Board to fix rates and charges to be collected for the parking of vehicles in connection with the operation of any parking facility, including a parking lot, or for any other use of the facility, and adopt rules governing the use and operation of the facility so as to promote the maximum use of the facility by the public in a safe, orderly, and efficient manner;

WHEREAS, on or around May 9, 2023, the City of Fishers Board of Public Works & Safety (“Board”), in accordance with Ind. Code §§36-9-6-2, 36-9-6-3, 36-10-3-10, 36-9-11-3, and 36-9-11-7, adopted Resolution R050923B, attached hereto and incorporated herein as Exhibit A, which, in part, approved a non-resident parking fee at the GWP Parking Lot in the amount of \$50 per day during “Beach Season” (generally, Memorial Day weekend through a date no later than November 1, with the specific end date to be determined annually by the Director of Recreation & Wellness) (the “Parking Fee”);

WHEREAS, in accordance with Ind. Code § 36-9-11-7, the Parking Fee must be approved by the Common Council for the City of Fishers, Hamilton County, Indiana (“City Council”) prior to taking effect; and

WHEREAS, due to its Public Purpose, the City’s large investment in developing and operating GWP in furtherance of its Public Purpose, and the capacity concerns presented by the anticipated popularity of a unique, world-class amenity, the City Council now desires to affirm the Board’s action by approving the Parking Fee, as further set forth herein.

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. Parking Fee during Beach Season. The City Council hereby approves the Parking Fee during Beach Season (which, for purposes of this resolution, shall be defined as Memorial Day weekend through a date no later than November 1, with the specific end date to be determined annually by the Director of Recreation & Wellness).
- Section 2. Non-residents who do not utilize the GWP Parking Lot may otherwise enter the park for free.
- Section 3. This Resolution shall be of full force and effect from and upon its adoption and in accordance with Indiana law.

ALL OF WHICH IS RESOLVED BY the Common Council for the City of Fishers, Hamilton County, Indiana this 15th day of May, 2023.

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

R051523F

YAY

NAY

ABSTAIN

	John Weingardt, President		
	Cecilia Coble Vice President		
	C. Pete Peterson, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Jocelyn Vare, Member		
	Crystal Neumann, Member		
	David Giffel, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the 15th day of May , 2023 at p.m.

ATTEST: _____
Jennifer L. Kehl, Fishers City Clerk



MAYOR'S APPROVAL

Scott A. Fadness, Mayor

 May 15, 2023
DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey M. 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.” /s/ Lindsey M. Bennett

Exhibit A

[Board Resolution]