

Fishers City Council Meeting Minutes

July 18, 2022

BOARD/COMMISSION: City Council Meeting

DATE: 7/18/2022

DIRECTIONS: Fishers City Hall

WORK SESSION, 5:30p.m., City Hall Auditorium

WORK SESSION DOCUMENT

- Code Enforcement Update – Todd Suchy discussed the inspection failure fees charged by the city to builders in Fishers. Todd Suchy believes the fail rate is 90% - 95% of the first inspection, with the exception of concrete work. The fail rate for the second inspection is 75% - 80%. The city currently charges \$75.00 for the first failed inspection, \$150.00 for the second failed inspection and \$500.00 for the third failed inspection. It is believed that builders are using city staff (inspectors) to find the issues/problems and what needs to be fixed. Paying the city's fines is less expensive than the builder hiring an inspector or two and making sure the build will pass all inspections. A new fee structure may be needed. Proposed new fee structure is \$300.00 for first failed inspection, \$500.00 for second failed inspection and \$1,000.00 for the third failed inspection. Perhaps the fee increase would not change builder behavior, but it would help cover costs better for the city. Discussion included suggestions such as telling the builder they can no longer build in Fishers, teaming up with other municipalities and moving forward together. Brad DeReamer reached out to all the municipalities in Hamilton County and invited them to the work session; no one attended. Mayor Fadness, Selina Stoller, Brad DeReamer were in favor of increasing the fees. Jocelyn Vare stated the city council should have a say regarding what builders can build in Fishers. Todd Zimmerman agreed with her. Jocelyn Vare is not in favor of raising the fees. Cecilia Coble asked if builders get a checklist for inspection. Todd Suchy replied that they do not receive a checklist; the builders/superintendents should be knowledgeable of state laws. Next steps is to bring a few different options to present to the city council at the August council meeting.
- Chronic Nuisance – Chris Griesl presented. Document attached.
- IFA Sewer – Jason Taylor presented. City of Fishers entered into a relationship with Indiana Finance Authority (IFA). Roseanna Village neighborhood is approximately 35 houses in far East Hamilton County, currently unincorporated Fishers. All homes are on septic. Septic is failing. Very expensive to replace septic. City sewers are to be installed and IFA will use funds to finance approximately 95% of this project. The homeowners have signed voluntarily annex papers, to take place after the sewers have been installed. Pete asked if this annexation would provide proximity access to Flat Fork and Vermillion neighborhoods for their annexation. Mayor Fadness and Chris Greisl replied yes, Flat Fork and Vermillion annexation would probably be discussed at the same council meeting as Roseanna Village neighborhood.

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

1. Meeting Called to Order with the Pledge of Allegiance

- Todd Zimmerman called the meeting to order. Present were Cystal Neumann, Pete Peterson, Cecilia Coble, Brad DeReamer, David Giffel and Jocelyn Vare. John Weingardt and Selina Stoller were absent.

- Others present were Mayor Fadness, Deputy City Clerk Kim Greiner, Deputy Mayor Elliott Hultgren, Chris Greisl, Lisa Bradford, Megan Vukusich, Megan Baumgartner, Jason Taylor, Larry Lannan, Josh Huser, Josh Morris, Joerg Neumann, Ross Reinhardt, S Druelinger, A. Thompson, Tina Robinson, Gwynne Achmidtke, Lynne Goodin, Dawn Overend, Shirley Yacok, Frant Whitney, N Patton, Bran Robinson, Cindy Robinson, K Robinson, Owen Robinson, Mackenzie Baker-Robinson and Thomas Brag.
2. **Announcements: None**
 3. **Proclamations: None**
 4. **Presentations:** Fishers Police Department service awards.
 - 20-year service award: Major Mike Pedersen, Sgt Eric Patton, Corey Robinson, Rob Thompson, Sgt Wayne Druelinger and Rob Gaines
 5. **Council Committee Reports:**
 - a. Finance Committee Report – Cecilia Coble reported that the finance committee meeting was held July 13, 2022. R071822, R071822A and R062022C were discussed. **REPORT**
 - b. Non-Profit Committee Report – Cecilia Coble reported that 24 non-profit organizations applied for funding. Nine were approved to receive funds that amount to a total of \$120,000.00. The final vote will be made in August.
 6. **Department Reports:**
 - a. Health Department Report – Brad DeReamer stated the report could be found online. **REPORT**
 7. **Consent Agenda:**
 - a. Request to approve the previous meeting minutes for June 20, 2022
 - b. **R071822** - A Resolution of the Common Council Authorizing the City Controller to Transfer Certain Funds **SIGNED ADOPTION**
 - Pete made a motion to approve the Consent Agenda. Crystal Neumann second the motion. Cecilia Coble and Pete Peterson abstained. The motion passed.

REGULAR AGENDA

Economic Development

8. **R071822B** - A resolution Approving First Amendment to Economic Development Agreement by and between the City of Fishers and Maple Sturup, LLC. **SIGNED ADOPTION**
 - Megan Baumgartner presented. Pete Peterson made a motion to approve. Cecilia Coble second the motion. Brad DeReamer voted nay. The motion passed.

Budget/Financial

9. **R071822A** - A Resolution Receiving and Approving the Petition of Taxpayers Requesting the Leasing of Certain Municipal Facilities and Approving Matters Related Thereto (City of Fishers Arts & Municipal Complex) **SIGNED ADOPTION**
 - Lisa Bradford presented. Pete Peterson made a motion to approve. Cecilia Coble second the motion. There was no remonstrance and all members voted yay. The motion passed.
10. **R062022C** - A Resolution of the Common Council of The City of Fishers, Hamilton County, Indiana making a preliminary determination to enter a lease with the Fishers Town Hall Building Corporation and approving matters related thereto (City Arts & Municipal Complex) – **2nd Reading and 2nd Public Hearing** **SIGNED ADOPTION**
 - Lisa Bradford presented.

- Todd Zimmerman opened the meeting for a public hearing. No one came forward. The public meeting was closed.
- Pete Peterson made a motion to approve. Cecilia Coble second the motion. There was no remonstrance and all members voted yay. The motion passed.

Planning & Zoning

Collins Property Annexation

11. 071822 - Request to approve a voluntary annexation of 16.9 acres, known as the Colling property. Subject site is generally located Southwest of Southeastern Pkwy and Florida Rd, with a common address of 12301 Florida Rd. Case ANX-22-8 – **1st Reading & Public Hearing**.

- Megan Vukusich presented.
- Todd Zimmerman opened the meeting for a public hearing. No one came forward. The public meeting was closed.

Farr Property Annexation

12. 071822A - Request to approve a voluntary annexation of 0.8 acres, known as the Farr property. Subject site is generally located north of Cedarstone Ln and west of Olio Rd, with a common address of 13562 E. 116th St. Case ANX-22-9 – **1st Reading & Public Hearing**.

- Megan Vukusich presented.
- Todd Zimmerman opened the meeting for a public hearing. No one came forward. The public meeting was closed.

REGULAR ITEMS

13. Any other Unfinished/New Business – None

14. Community Comment – None

15. Meeting Adjournment

- Pete Peterson made a motion to adjourn the meeting. Crystal Neumann second the motion. The meeting was adjourned at 7:20 p.m.

Respectfully Submitted,



Kimberly Greiner
Fishers Deputy Clerk

Chronic Nuisance Ordinance

What is a chronic nuisance ordinance?

- Chronic nuisance ordinances are put in place by communities who find that excessive police/emergency calls to “trouble spots” place an undue burden on public safety and may result in decreased public safety services to the rest of the city
- These properties that are “trouble spots” are declared a chronic nuisance by the city, and can be fined for excessive calls
 - These fines are meant to encourage the property to take actions that would decrease the amount of public safety calls to that location
- Chronic nuisance ordinances have been put in place by cities across the nation

General Outline of the Ordinance

- ❑ Intent - Why this legislation is important for the community
- ❑ Defining Chronic nuisance
- ❑ Established pattern of nuisance activity/criteria (violations/ time period)
 - ❑ Exceptions to the criteria
- ❑ Notification of Chronic Nuisance Status to Property Owner
- ❑ Remediation Agreements/ Action Plan
- ❑ Penalties

Nuisance Activity Defined

- Varied by community, some list specific city/state codes that if violated would be designated as nuisance activity (Disorderly conduct, liquor, gambling, prostitution, assault, battery, etc.) others simply defined it as any violation of state or municipal law

Established Pattern of Activity

- Each community has a different amount of calls that would result in the designation of a property as a chronic nuisance (examples of criteria to the right)
- There are exceptions to calls that are not counted as evidence of repeated nuisance activity including:
 - Domestic violence calls
 - Any calls from a victim of a crime

Fort Wayne, IN

	Commercial Property
<u>90 day period</u>	-been the subject of 12 or more valid complaints for offense under federal, state, or local law -been the subject of 12 or more compliance letters/orders/citations for violations of state or local law by the fire dept, dept of health, neighborhood code compliance, animal care and control and Fort Wayne legal dept

South Bend, IN

	Property	Property with more than 50 units/dwellings
<u>60 day period</u>	Five or more citations for any property	
<u>90 day period</u>		Twelve or more citations for hotels/apartments

Danville, IL

	Not Commercial property	Commercial property
Within 30 days	Three or more responses	Five or more responses
Within 6 Months	Seven or more responses	Twenty or more responses

Fishers

Police Calls (2017-2021)

Top 10 Call Locations

Location	Number of Calls	Type
Location A	1422	Large Retail Business
Location B	776	Large Retail Business
Location C	536	Large Retail Business
Hotel A	521	Hotel
Location E	439	Large Retail Business
Location F	355	Large Retail Business
Hotel B	343	Hotel
Hotel C	277	Hotel
Location I	226	Nursing Home
Location J	222	Nursing Home

Top 5 Call Locations (Hotels)

Location	Number of Calls
Hotel A	521
Hotel B	343
Hotel C	277
Hotel D	220
Hotel E	215

- Fishers businesses with the most amount of police calls averaged **10-30 calls per month**

Fire Calls (2017-2021)

Top 10 Call Locations

Location	Number of Calls	Type
Location A	572	Nursing Home
Location B	478	Nursing Home
Location C	431	Nursing Home
Location D	380	Nursing Home
Location E	330	Nursing Home
Location F	325	Nursing Home
Location G	316	Nursing Home
Location I	296	Nursing Home
Location J	139	Nursing Home
Hotel A	127	Hotel

- Fishers businesses with the most amount of fire calls averaged **3-11 calls per month**

- Of the **3415** calls to nursing homes from 2017-2021, **3030** of those calls were to assist with falls

Action Plan / Appeal of Nuisance Status

- When a property is notified by the city that they have reached the amount of calls to be classified as a chronic nuisance they have **15 days** to draft an action plan
- This Action Plan is designed to “curtail or eliminate” the recurrence of nuisance activities and would be presented by the property owner to the city for approval
- Action plan may include
 - Hiring of private security
 - Installation of security cameras
 - Written lease agreements
 - Criminal background checks for potential tenants
 - Posting “No Trespassing” signs
 - Etc.

Chronic Nuisance Service Order

- In the event that the Action Plan is not approved by the city / or no Action Plan is presented by the property owner a Chronic Nuisance Service Order is placed against the property which details the fines incurred for calling public safety services
- South Bend, IN
 - “After a property has been designated as a chronic problem property each citation issued shall impose a fine of two hundred fifty dollars (\$250.00) and for every citation issued thereafter which shall be payable through the Office of the City Clerk.”
- Fort Wayne, IN
 - “Any subsequent violations after a property has been designated as a chronic problem (...) will result in a \$250 fine.”

Chronic Nuisance Timeline

- ½ way to violation (i.e., 6/12 calls) - Warning notification -
- Property declared a chronic nuisance by the city
- 15 days given to the property to form and present an action plan/ follow through on the remediation agreement provided to the city
 - If action plan is presented and approved- the process halts
 - Action plan is evaluated 45 days after it is approved by the city, if the property fails this check-in, a chronic nuisance service order may be put on property
 - If action plan is presented but revisions are requested by the city- 10 days are given to make changes – if the action plan that is presented fails 3 times- a chronic nuisance service order is levied against the property
- If no action plan is presented or the remediation stage fails- a chronic nuisance service order is put in place by the city
- Nuisance service orders last for a year then are reevaluated by the city
 - Time given back for good behavior

**BUDGET & FINANCE COMMITTEE REPORT
COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

* This is a Report of the Budget & Finance Committee. Minutes of the committee meeting can be found online at www.fishers.in.us/agendacenter

John Weingardt, Chairperson
Todd Zimmerman, Committee Member
Cecilia Coble, Committee Member
Jocelyn Vare, Committee Member

Meeting Date: June 15, 2022

- I. **Resolution R062022-** A Resolution Authorizing the City Controller to transfer certain funds.

Committee Recommendation:

- Passage
 Non-Passage
 Amendment
 No Recommendation

- II. **Resolution R062022A –** Request to approve a resolution to appropriate additional Motor Vehicle Highway Funds.

Committee Recommendation:

- Passage
 Non-Passage
 Amendment
 No Recommendation

- III. **Resolution R062022B –** Request to approve a resolution to appropriate additional Local Roads and Street Funds.

Committee Recommendation:

- Passage
 Non-Passage
 Amendment
 No Recommendation

IV. **Resolution R062022C** – Resolution of the Common Council of the City of Fishers, Indiana making a Preliminary Determination to Enter into a Lease with the Fishers Town Hall Building Corporation and Approving Matters Related Thereto.

Committee Recommendation


- Passage
- Non-Passage
- Amendment
- No Recommendation - *No action required. 1st Reading and Public Hearing only in June. 2nd Reading and Public Hearing in July.*

V. **Ordinance 051622A** – An Ordinance amending Ordinance No. 081516J with respect to the use of the proceeds of the City of Fishers, Indiana Taxable Economic Development Revenue Bonds, Series 2018C. (2nd Reading)

Committee Recommendation

- Passage
- Non-Passage
- Amendment
- No Recommendation

ATTEST:

 6/15/2022
Jennifer L. Kehl, Fishers City Clerk

This instrument prepared by: Christopher P. Greisl, City Attorney, City of Fishers, Hamilton County, Indiana, 1 Municipal Drive, Fishers, Indiana, 46038.



Fishers Health Department Update 7/15/2022

COVID-19 Updates:

Vaccines & Testing:

- Pfizer and Moderna COVID-19 vaccines for children six months to five years of age were approved on June 21. 582 vaccines have been administered to this group by FHD as of 7/14/22.
- Current weekly vaccine and testing demand 300 and 250, respectively. Testing is by appointment.
- Estimated vaccination uptake for residents six months and older: 85.1% first dose and 80.5% fully vaccinated.

COVID Community Rates:

- Reported cases are increasing, likely driven by new Omicron subvariants BA.4 and BA.5. Fishers CDC COVID-19 Community Level remains in the Low category but may move into Medium category with the increase in cases and admissions. Cases are likely significantly underreported in part due to the availability of at-home tests. We are relying on community members to get vaccinated and boosted, test, isolate and quarantine as appropriate.
- Local wastewater surveillance shows increasing COVID-19 rates. This typically increases ahead of case rates.
- Guidance for individual and community level protection is available on the FHD website.



CDC COVID-19 COMMUNITY LEVEL

LOW



INDICATOR	DESCRIPTION
145.3	New COVID-19 cases per 100,000 people in the past 7 days
9.8	New COVID-19 admissions per 100,000 population (7-day total)
3.5%	Percent of staffed inpatient beds occupied by COVID-19 patients (7-day average)

▶ = increasing
 ◀ = decreasing
 ■ = no change

Updated on 7/15/2022

Funding and Reimbursement:

- FEMA reimbursement received to date is just under \$6 million. FEMA support continues at 90% through the end of the year.
- Received grant funding to continue testing through end of the year.
- Received grant funding to support COVID-19 vaccine efforts.



General Update:

Community Health Assessment:

- Ongoing in secondary data analysis phase.

Core Health Services:

- Non-COVID-19 vaccines and TB testing are available by appointment during all clinic hours.
- Series of back-to-school vaccine clinics being offered at the schools (HSE, FHS, HIJH). Typically, incoming kindergarteners, 6th graders and 12th graders will need vaccines.
- Communicable disease investigations continue. Latent TB makes up majority of complaints investigated by FHD.

Health education & Outreach:

- Community courses offered throughout summer include: QPR, Nutrition, Youth Mental Health First Aid Training, Narcan administration and ServSafe training. Working with area schools and organizations to create additional training opportunities.
- FHD, Fishers Parks and Community Health Network collaboration on monthly “Walk About Health” series ongoing throughout summer. Next event July 26.
- Revamping web, social media and outreach strategy.

Stigma-Free Fishers:

- Caregiver Support Group, 2nd Tuesday of every month, 5-6pm in Pavilion.
- Revamping web resources.
- Participating in Hamilton County Behavioral Health Collaborative.

Inspections & Environmental Health:

- West Nile Virus reported in Indiana and Hancock County. We are monitoring and proactively treating according to our vector control plans.
- Working on updating Health Inspections process for retail food establishments; move to letter grade system.

Emergency Preparedness:

- Reviewing plans for potential monkeypox infections. Marion County recently reported their first 2 cases.
- COVID-19 After Action Report completed on June 30, 2022.

Grants and Funding:

- Currently, there are 7 positions in the health department that are not grant funded. All other staff are funded through grants. Most vaccine and testing staff are temporary.
 - Two Health Issues and Challenges grants received. One supports social worker for two years to work in coordination with community paramedicine on preventative health issues. The other supports case management and remediation for children with elevated blood lead levels. An increase in cases is expected due to a lowering of blood lead limits. Fishers typically has very low rates of lead in children.
 - Received grant to support general immunization efforts.
 - Received grant for public health emergency preparedness.
 - Received grant from FDA for training and aligning inspections with FDA standards.
 - We also received COVID testing supplies and services, vaccines, naloxone and other tests
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DATE: July 18, 2022

PLEASE PRINT NAME	STAFF/ BUSINESS NAME / RESIDENT ADDRESS / OTHER
1 Josh Huser	12863 Shakespeare Way
2 Josh Morris	11231 Duncan Drive
3 Joerg Neumann	14018 Parkey Lane
4 Ross Reinhardt	7704 Greer Side Ct.
5 S. Drueling	13860 Wendessa
6 A. Thompson	15969 Oakhurst Ln.
7 Tina Robinson	15270 Trebbiano Dr.
8 Gwynne Schmitz	13230 Bordeaux Way
9 Lynne Goodin	16144 Brookmere Ave
10 DAWN OVEREND	16139 WIRE VALLEY DRIVE
11 Shirley Vaccar	10620 ELLER ROAD
12 FRANK WHITNEY	13469 RAVENWOOD TRL
13 N PATTEN	11181 Albatross Cir
14 BRAN ROBINSON	802 SUNFACES BLDG
15 CINDY ROBINSON	"
16 K Robinson	7310 E 108th
17 Owen Robinson	7310 E 108 St
18 Mackenzie Baker - Robinson	9718 Hamilton Hills Ln
19 Thomas Bray	9718 Hamilton Hills Ln
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