

COMMITTEE SESSION

AGENDA

FORT WAYNE COMMON COUNCIL

SEPTEMBER 14, 2010

5:30 P.M. **COMMITTEE SESSION**
COMMON COUNCIL
CONFERENCE ROOM 128

5:30 P.M. **LEGAL PUBLIC HEARINGS**
COMMON COUNCIL
CONFERENCE ROOM 128

PRESIDING OVER THE STANDING
COMMITTEE OF THE COMMON COUNCIL

MARTY A. BENDER
PRESIDENT

SECRETARY OF THE COMMITTEE
SESSION OF THE COMMON COUNCIL

SANDRA E. KENNEDY
CITY CLERK

LEGAL ADVISOR TO MEMBERS
OF THE COMMON COUNCIL

JOSEPH G. BONAHOOM
COUNCIL ATTORNEY

BENDER_____, BROWN_____, DIDIER_____,
GOLDNER_____, HARPER_____, HINES_____,
PAPE_____, SHOAFF_____, SMITH_____

ORDER OF THE AGENDA

- 1. ROLL CALL**
- 2. LEGAL PUBLIC HEARINGS – PAGE 3**
- 3. PRIOR APPROVAL REQUEST – PAGE 4**
- 4. DISCUSSION OF PENDING
ORDINANCES AND RESOLUTIONS – PAGES 5 THRU 7**

LEGAL PUBLIC HEARINGS

FINANCE COMMITTEE

*Thomas E. Smith - Chair
Tim Pape - Co-Chair
All Council Members*

R-10-08-11

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 300 East Washington Boulevard, Fort Wayne, Indiana 46802 (LL Fort Wayne Realty, LLC and LL Fort Wayne, LLC d/b/a Lamplight Inn at Fort Wayne)

Total cost \$686, 000 - they will make improvements to a former downtown hotel to convert it into a residential facility for seniors. 35 full-time and 15 part-time jobs will be created as a result of the project

REGULATIONS COMMITTEE

*Mitch Harper - Chair
Karen E. Goldner - Co-Chair
All Council Members*

G-10-08-08

AN ORDINANCE for the purpose of vacating a portion of a dedicated utility easement

Vacate a 14-foot wide utility easement of Production Park - petitioner wishes to construct a building addition over the easement

PUBLIC HEARING ONLY

PRIOR APPROVAL REQUEST

CITY UTILITIES COMMITTEE

Glynn A. Hines - Chair
Thomas F. Didier - Co-Chair
All Council Members

“PRIOR APPROVAL REQUEST” purchase of additional bituminous material. The Street Department is requesting prior approval to meet the increased cost of AC20 used to produce asphalt. The increase is for an additional \$250,000 to the current vendor, K-Tech Specialty

PUBLIC WORKS COMMITTEE

John Shoaff - Chair
Elizabeth M. Brown - Co-Chair
All Council Members

“PRIOR APPROVAL REQUEST” Naquage Drive Concrete Street Reconstruction - contract was awarded to Hipkind Concrete in the amount of \$109,623

**ORDINANCES AND RESOLUTIONS UP FOR
DISCUSSION**

CITY UTILITIES COMMITTEE

ACTION

No Ordinances or Resolutions up for discussion

FINANCE COMMITTEE

*Thomas E. Smith - Chair
Tim Pape - Co-Chair
All Council Members*

R-10-08-11

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 300 East Washington Boulevard, Fort Wayne, Indiana 46802 (LL Fort Wayne Realty, LLC and LL Fort Wayne, LLC d/b/a Lamplight Inn at Fort Wayne)

Total cost of \$686,000 - they will make improvements to a former downtown hotel to convert it to a residential facility for seniors - 35 full-time and 15 part-time jobs will be created as a result of the project

FINANCE COMMITTEE CONTINUED

ACTION

R-10-09-05

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 7625 Disalle Boulevard, Fort Wayne, Indiana 46825 (S&W Investments, LLC for Voss Automotive, Inc.)

Total cost of \$350,000

This resolution is to be introduced and voted upon for passage this evening at the Regular Session

REGULATIONS COMMITTEE

Mitch Harper - Chair
Karen E. Goldner - Co-Chair
All Council Members

ACTION

Z-10-07-16

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N- 62 (Sec. 33 of Perry Township)

To rezone property from AR-Low Intensity Residential to CM1- Professional Offices and Personal Services - 227 East Dupont Road

REGULATIONS COMMITTEE

ACTION

G-10-07-26

AN ORDINANCE amending Chapter 37, Finance and Revenue Code, and Chapter 38: "City Policies"; of the City of Fort Wayne, Indiana Code of Ordinances

Chapter 37 of the Code "Finance and Revenue" shall be amended to delete Section 37.17 and replaced -
Section 37.17 -- Approval or Ratification required - All purchases and/or leases and such contracts entered into without such prior approval or subsequent ratification shall be null and void

G-10-08-06

AN ORDINANCE amending Chapter 38, of the Fort Wayne Municipal Code of Ordinances

Chapter 38 of the Code shall be amended to add Section 38.05 to read as follows:
Disclosure required by all purchasers or sellers

PUBLIC WORKS COMMITTEE

ACTION

No Ordinances or Resolutions up for discussion

REGULAR SESSION

AGENDA

FORT WAYNE COMMON COUNCIL

SEPTEMBER 14, 2010

REGULAR SESSION
IMMEDIATELY FOLLOWING COMMITTEE SESSION
COMMON COUNCIL CHAMBERS ROOM 126

PRESIDING OVER THE STANDING
COMMITTEE OF THE COMMON COUNCIL

MARTY A. BENDER
PRESIDENT

SECRETARY OF THE REGULAR
SESSION OF THE COMMON COUNCIL

SANDRA E. KENNEDY
CITY CLERK

LEGAL ADVISOR TO MEMBERS
OF THE COMMON COUNCIL

JOSEPH G. BONAHOOM
COUNCIL ATTORNEY

BENDER_____, BROWN_____, DIDIER_____,
GOLDNER_____, HARPER_____, HINES_____,
PAPE_____, SHOAFF_____, SMITH_____

ORDER OF THE AGENDA

PRESENTATION OF NATIONAL COLORS

SERGEANT-AT-ARMS

ROLL CALL

SANDRA E. KENNEDY
CITY CLERK

PRESIDENT'S REPORT AND COMMENTS

MARTY A. BENDER
PRESIDENT

COMMUNICATIONS:

FROM BOARD OF PUBLIC SAFETY –
REGULATORY RESOLUTIONS (8)

INTRODUCTION OF ORDINANCES AND RESOLUTIONS – PAGES 3 THRU 9

PASSAGE OF ORDINANCES AND RESOLUTIONS – PAGES 10 THRU 15

MISCELLANEOUS BUSINESS

CHAIR OPEN FOR COMMENTS – FROM CITIZENS AND COUNCIL MEMBERS

RETIREMENT OF COLORS

ADJOURNMENT

ORDINANCES AND RESOLUTIONS UP FOR INTRODUCTION

CITY UTILITIES COMMITTEE

Glynn A. Hines - Chair
Thomas F. Didier - Co-Chair
All Council Members

ACTION

S-10-09-14

AN ORDINANCE approving General Cipp 2010 Package #1 #2338-2010, W.O. #75482 between Reynolds Inliner and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$1,435,769

S-10-09-13

AN ORDINANCE approving amendment A to Professional Services Agreement for Three Rivers Filtration Plant Ultraviolet Disinfection - Res. #2304 - Ultraviolet Disinfection - Res. #2304-2010, W.O. # 65942 between Black and Veatch and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$759,500

S-10-09-19

AN ORDINANCE approving Professional Services Agreement to provide construction management and resident project representatives for additional raw wastewater pumps and secondary clarifier hydraulic improvements project at the Water Pollution Control Plant/Res. #3302-2209, W.O. #75397 between GAI Consultants, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$222,300

CITY UTILITIES COMMITTEE CONTINUED

ACTION

S-10-09-20

**AN ORDINANCE approving Professional Service Agreement Amendment #1 to provide additional design services for the WPCP Digester Electrical Building and Structural Improvements - Resolution #21287-2009, W.O. #2187-2009, W.O. #75386 between Greeley and Hansen, LLC. And the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$654,000**

FINANCE COMMITTEE

*Thomas E. Smith - Chair
Tim Pape - Co-Chair
All Council Members*

S-10-09-01

AN ORDINANCE of the Common Council fixing, establishing and ratifying compensation for certain Civil City employees of the City of Fort Wayne, Indiana, represented by the International Association of Machinists and Aerospace Workers Local Lodge #2569

This ordinance is necessary to ratify, fix and establish such compensation for Civil City employees - Civil City for the years 2010, 2011 and 2012 and to approve the other provisions of said agreement

FINANCE COMMITTEE

CONTINUED

ACTION

S-10-09-03

AN ORDINANCE of the Common Council ratifying a collective bargaining agreement for employees of the City of Fort Wayne represented by the International Union of Operating Engineers Local 399 Civil City - the years 2010-2012

This ordinance is necessary to ratify, fix and establish such compensation for said Civil City employees - Civil City for the years 2010, 2011 and 2012 and to approve the other provisions of said agreement

S-10-09-10

AN ORDINANCE of the Common Council fixing, establishing and ratifying compensation for certain Civil City employees of the City of Fort Wayne, Indiana, represented by the American Federation of State, County and Municipal Employees, AFL-CIO, Council 62

This ordinance is necessary to ratify, fix and establish such compensation for said employees for the years 2010, 2011 and 2012 and approve the other provisions of said agreement

S-10-09-11

AN ORDINANCE of the Common Council fixing, establishing and ratifying compensation for certain Civil City employees of the City of Fort Wayne, Indiana, represented by the N.C.F.O. #7- Water Maintenance & Service Department

This ordinance is necessary to ratifying, fix and establish such compensation for said employees for the years 2010, 2011 and 2012

And to approve the other provisions of said Agreement

FINANCE COMMITTEE

CONTINUED

ACTION

S-10-09-12

AN ORDINANCE of the Common Council fixing, establishing and ratifying compensation for certain Civil City employees of the City of Fort Wayne, Indiana, represented by the Chauffeurs, Teamsters, and Helpers Local No. 414 - Water Pollution Control Maintenance

This ordinance is necessary to ratify, fix and establish such compensation for said employees for the years 2010, 2011 and 2012 and to approve the other provisions of said agreement

R-10-09-05

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 7625 Disalle Boulevard, Fort Wayne, Indiana 46825 (S&W Investments, LLC for Voss Automotive, Inc.)

Total cost of \$350,000 - Seven full-time jobs will

Be created and 13 full-time jobs will be retained

As a result of the project

TO BE PASSED THIS EVENING

R-10-09-06

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area under I.C. 6-1.1-12.1 for property commonly known as 7625 Disalle Boulevard, Fort Wayne, Indiana 46825 (S&W Investments, LLC for Voss Automotive, Inc.)

Total cost of \$350,000 - Seven full-time jobs will

Be created and 13 full-time jobs will be retained as

A result of the project

PUBLIC HEARING - 9-28-10 - 5:30 P.M.

FINANCE COMMITTEE

CONTINUED

ACTION

S10-09-17

AN ORDINANCE fixing the salaries of each and every appointed officer, employee, deputy assistant, departmental and institutional head of the Civil City and City Utilities of the City of Fort Wayne for the 2011

**CIVIL CITY AND CITY UTILITIES SALARY
ORDINANCE FOR YEAR 2011**

S-10-09-18

AN ORDINANCE fixing the salaries of all members of the Division of Public Safety of the City Fort Wayne, Indiana for the year 2011

**PUBLIC SAFETY SALARY ORDINANCE FOR
THE YEAR 2011**

S-10-09-04

**AN ORDINANCE approving the awarding of ITB #3169 by the City of Fort Wayne, Indiana, by and through its department of Purchasing and K-Tech for the Fort Wayne Street Department
Total cost of \$919,000**

S-10-09-02

AN ORDINANCE approving agreement for Fire Protection Services between the City of Fort Wayne, Indiana and Fort Wayne Community School

Total annual fee of \$4,031.75 - the fee shall increase annually during the term of the Agreement by three percent (3%) - The term will commence August 1, 2010 and continue until July 31, 2020

FINANCE COMMITTEE CONTINUED

ACTION

S-10-09-21

AN ORDINANCE approving Agreement for Fire Protection Services between the City of Fort Wayne, Indiana and Fort Wayne Community School Corporation

Total annual fee of (\$6,050) (A fee of \$3,025 PER School per year) - the fee shall increase annually during the term of the Agreement by three percent (3%) - The term of Agreement will commence August 1, 2010 and continue until July 31, 2020

REGULATIONS COMMITTEE

Mitch Harper - Chair

Karen E. Goldner - Co-Chair

All Council Members

G-10-09-07

AN ORDINANCE amending Chapter 157 and Chapter 154 of the City of Fort Wayne Municipal Code

To amend the Fort Wayne Zoning Ordinance and Sign Ordinance by revising multiple sections of both ordinances

G-10-09-09

AN ORDINANCE for the purpose of vacating a portion of a dedicated utility easement

A request to vacate a 4-foot wide utility easement - Southview Addition

PUBLIC HEARING 9-28-10 - 5:30 P.M.

REGULATIONS COMMITTEE CONTINUED

ACTION

Z-10-09-08

**AN ORDINANCE amending the City of Fort Wayne Zoning Map
No. D-03 (Sec. 7 of Wayne Township)
2350 Getz Road the location of the Canopy
Corners Shopping center**

PUBLIC WORKS COMMITTEE

*John Shoaff - Chair
Elizabeth M. Brown - Co-Chair
All Council Members*

S-10-09-15

**AN ORDINANCE approving construction contract: 7286-10 –
Reindeer Road Concrete Street Repairs / Work Order: 12204
between Garcia Concrete and the City of Fort Wayne, Indiana, in
connection with the Board of Public Works
Total cost of \$153,517**

S-10-09-16

**AN ORDINANCE approving construction contract: 7278-10 &
7297-10: Tacoma Avenue Phases 2 and 3: Work Order: 12216 &
12218 between Garcia Concrete and the City of Fort Wayne,
Indiana, in connection with the Board of Public Works
Total cost of \$141,624.50**

ORDINANCES AND RESOLUTIONS UP FOR PASSAGE

CITY UTILITIES COMMITTEE

Glynn A. Hines - Chair
Thomas F. Didier - Co-Chair
All Council Members

ACTION

DO PASS S-10-08-14

**AN ORDINANCE approving contract for Old Lantern Trail Lift Station Improvements: Resolution 2178-2009; Work Order #75375 between Bercot, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$228,434**

DO PASS S-10-08-16

**AN ORDINANCE approving the awarding of increase of ITB #2929 - purchase and delivery of Liquid Sodium Hypochlorite by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Brenntag for the Water Pollution Control Plant
Total cost of \$157,000
(total amount for 2010 - \$342,000)**

DO PASS S-10-08-17

**AN ORDINANCE approving the awarding of increase of ITB #2941-purchase and delivery of Liquid Sodium Bisulfite by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and PVS for the Water Pollution Control Plant
Total cost of \$75,000
(total amount for 2010 - \$150,000)**

CITY UTILITIES COMMITTEE CONTINUED

ACTION

DO PASS S-10-08-23

AN ORDINANCE approving the awarding of Resolution #2304-2010 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and MaCallister Power System for the Three Rivers Filtration Plant

Total cost of \$735,400

FINANCE COMMITTEE

*Thomas E. Smith - Chair
Tim Pape - Co-Chair
All Council Members*

R-10-08-11

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 300 East Washington Boulevard, Fort Wayne, Indiana 46802 (LL Fort Wayne Realty, LLC and LL Fort Wayne, LLC d/b/a Lamplight Inn at Fort Wayne

Total cost of \$686,000 - they will make improvements to a former downtown hotel to convert it to a residential facility for seniors - 35 full-time and 15 part-time jobs will be created as a result of the project

DO PASS S-10-08-12

AN ORDINANCE approving the awarding of ITB #3215 - Taylor’s Dream Boundless Playground Project - Kreager Park Phase I: Site Construction by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Fetter’s Construction

Total cost of \$834,900

FINANCE COMMITTEE CONTINUED

ACTION

DO PASS S-10-08-13

AN ORDINANCE approving the awarding of Award of RFP #3222 – the Kreager Park Splash Pad by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Spear Corporation

Total cost of \$125,000

DO PASS S-10-08-15

AN ORDINANCE approving the awarding of ITB #229 – Demolitions and Lot Restorations for properties throughout the City of Fort Wayne by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Oxendine, Leininger Excavating, Martin's, and Lunz for the Neighborhood Code Enforcement

Total cost of \$189,750 (Oxendine (13) - \$108,067; Leininger (2) - \$27,085; Martin's (4) - \$13,389; Lunz (11) - \$41,209)

R-10-09-05

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 7625 Disalle Boulevard, Fort Wayne, Indiana 46825 (S&W Investments, LLC Voss Automotive, Inc.)

Total cost of \$350,000 --- will construct an Addition to the facility - 13 full-time jobs will

Be created

REGULATIONS COMMITTEE

Mitch Harper - Chair
Karen E. Goldner - Co-Chair
All Council Members

Z-10-07-16

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N- 62 (Sec. 33 of Perry Township) 227 East Dupont Road - to allow for the development plan of a medical service office with related supply sales

G-10-07-26

AN ORDINANCE amending Chapter 37, Finance and Revenue Code, and Chapter 38: "City Policies"; of the city of Fort Wayne, Indiana Code of Ordinance

Chapter 37 "Finance and Revenue" shall be amended to delete Section 37.17 with the following

All such purchases and/or leases and such

Contracts entered into without such prior approval or subsequent ratification shall be null and void

G-10-08-06

AN ORDINANCE amending Chapter 38, of the fort Wayne Municipal Code of Ordinances

Chapter 38 of the Code is hereby amended to add Section 38.05 which section shall read:

Section 38.05 - Disclosure requires by all purchasers or sellers

REGULATIONS COMMITTEE CONTINUED

ACTION

DO PASS R-10-08-18

A RESOLUTION approving Compliance with Statement of Benefits (CF-1) form filings for 2010 for properties with approved "Economic Revitalization Areas" under I.C. 6-1.1-12.1

Will allow property owners with existing economic revitalization area designations To continue to receive their tax abatement Benefits

DO PASS G-10-08-24

AN ORDINANCE amending Chapter 38 of the City of Fort Wayne, Indiana, Code of Ordinances that establishes a requirement for Publication of Contracts for Goods and Services and a listing of City and City Utility Expenditures for Goods and Services by the City of Fort Wayne, Indiana

Added to Section 38:

38:05 Publication of Contracts for Goods

And Services and City Expenditures

PUBLIC WORKS COMMITTEE

John Shoaff - Chair

Elizabeth M. Brown - Co- Chair

All Council Members

DO PASS S-10-08-19

AN ORDINANCE approving contract for Solid Waste Collection between Republic Services of Indiana, LP, D/B/A National Serv-All and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total estimated cost per year is SOLID

WASTE COLLECTION: \$4,083,972

\$4.35 PER MONTH PER OCCUPIED

SINGLE, FAMILY AND MULTI-FAMILY

DWELLING

PUBLIC WORKS COMMITTEE CONTINUED

ACTION

DO NOT PASS S-10-08-20
AN ORDINANCE approving contract for Solid Waste Disposal Between Republic Services of Indiana, LP, D/B/A National Serv-All and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total estimated cost per year is SOLID WASTE DISPOSAL: \$2,420,600
\$24.70 PER TON

DO PASS S-10-08-21
AN ORDINANCE approving contract for Recycling Collection between Republic Services of Indiana, LP, D/B/A National Serv-All and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total estimated cost per year is \$1,304,992
\$1.39 PER OCCUPIED SINGLE-FAMILY AND MULTI-FAMILY DWELLING

DO PASS S-10-08-22
AN ORDINANCE approving contract for Recycling Processing between Republic Services of Indiana, LP, D/B/A National Serv-All and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total estimated cost per year is \$198,860
\$19.87 PER TON

**PREPARED BY THE OFFICE
OF THE CITY CLERK**

**SANDRA E. KENNEDY
CITY CLERK**

