

COMMITTEE SESSION

AGENDA

FORT WAYNE COMMON COUNCIL

AUGUST 28, 2007

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

DONALD J. SCHMIDT
PRESIDENT

SECRETARY OF THE COMMITTEE
SESSION OF THE COMMON COUNCIL

SANDRA E. KENNEDY
CITY CLERK

LEGAL ADVISORS TO MEMBERS
OF THE COMMON COUNCIL

JOSEPH G. BONAHOOM
PHILIP H. LARMORE
COUNCIL ATTORNEYS

CRAWFORD _____, DIDIER _____, HAYHURST _____,
HINES _____, PAPE _____, SCHMIDT _____,
SHOAFF _____, SMITH _____, TALARICO, JR. _____,

ORDER OF THE AGENDA

1. ROLL CALL

2. LEGAL PUBLIC HEARINGS – PAGES 3 AND 4

3. PRIOR APPROVAL REQUESTS – PAGE 5

**4.. DISCUSSION OF PENDING
ORDINANCES AND RESOLUTIONS – PAGES 6 THRU 9**

LEGAL PUBLIC HEARINGS

FINANCE COMMITTEE

SAMUEL J. TALARICO, JR. - CHAIR
THOMAS E. SMITH - CO-CHAIR
ALL COUNCIL MEMBERS

R-07-08-15

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12..1 for property commonly known as 6712 High Point Drive, Fort Wayne, Indiana 46818 (SWS-Trimac Indiana, Inc.)

Real and personal property improvements in the amount of \$1,290,000 – construction of a new 13,000 square foot office and warehouse building. They will also purchase new equipment. Fifteen full-time and two part-time jobs will be created as a result of this project

REGULATIONS COMMITTEE

TIM PAPE - CHAIR
JOHN N. CRAWFORD - CO-CHAIR
ALL COUNCIL MEMBERS

G-07-08-02

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive (“Master”) Plan of the City Comprehensive (“Master”) Plan by vacating public right-of-way and a dedicated utility easement Councilmanic District #4

Oriole Court and an 8 foot platted utility easement that encumbers Lots 1-13 & 15 as established by the plat of Ridgewood Addition

LEGAL PUBLIC HEARINGS CONTINUED
REGULATIONS COMMITTEE

G-07-08-03

AN ORDINANCE for the purpose of vacating a portion of a dedicated utility easement- Councilmanic District #4

A 64 square foot portion of a 40' X 170' utility easement on the southern most portion of Lot #18 in the Amended Plat of Covington Lake Estates Section A

PRIOR APPROVAL REQUESTS

CITY UTILITIES COMMITTEE

**THOMAS E. HAYHURST - CHAIR
GLYNN A. HINES - CO-CHAIR
ALL COUNCIL MEMBERS**

“PRIOR APPROVAL REQUEST” Pine Mills-Chanterelle Drive Storm Sewer Improvements – contract was awarded to Bercot, Inc. in the amount of \$157,826

“PRIOR APPROVAL REQUEST” Contract A-Aeration Blower #5 Replacement in the amount of \$1,830,000, Contract B-Digester #6 Upgrade in the amount of \$2,128,000, and improvement Contract C-Filter Valve Replacement, Phase 1 in the amount of \$2,518,700 – contract was awarded to Weigand Construction

**ORDINANCES AND RESOLUTIONS
UP FOR DISCUSSION**

FINANCE COMMITTEE

**SAMUEL J. TALARICO, JR - CHAIR
THOMAS E. SMITH - CO-CHAIR
ALL COUNCIL MEMBERS**

ACTION

R-07-08-15

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 6712 High Point Drive, Fort Wayne, Indiana 46818 (SWS-Trimac Indiana, Inc.)

Real and personal property improvements in the amount of \$1,290,000 – they will construct a new 13,000 square foot office and warehouse building. They will also purchase new equipment. Fifteen full-time and two part-time jobs will be created as a result of the project

REGULATIONS COMMITTEE

TIM PAPE - CHAIR
JOHN N. CRAWFORD - CO-CHAIR
ALL COUNCIL MEMBERS

ACTION

G-07-08-03

AN ORDINANCE for the purpose of vacating a portion of a dedicated utility easement - Councilmanic District #4

A 64 square foot portion of a 40' x 170' utility easement on the southern most portion of Lot #18 in the amended Plat of Covington Lake Estates Section A

Z-07-06-01

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-2 (Sec. 11 of Aboite Township) - Councilmanic District #4

9121 Illinois Road - this rezoning will facilitate the construction of a dental office for two dentists and 14 employees

Z-07-07-01

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H-3 (Sec. 9 of Wayne Township) - Councilmanic District #4

2515, 2529 & 2627 Ardmore Ave. - The Greer's wish to enter into a lease agreement which would allow them to use this property to allow the training and pasturing of horses

ACTION

Z-07-07-02

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-42 (Sec. 17 of Washington Township – Councilmanic District #3

6901 Huguenard Road - This rezoning would facilitate the construction of a multiple family housing complex

Z-07-07-03

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-23)Sec. 30 of Adams Township) – Councilmanic District #6

Northwest corner of Hessen Cassel Road and Frosch Drive – This rezoning would allow for the construction of a retail facility – The Family Dollar Store

Z-07-07-04

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. T-19 & U-19 (Sec. 21 of Adams Township) – Councilmanic District #6

Northwest corner of Adams Center Road and East Paulding Road – Rezoning is to allow unspecified industrial and commercial uses consistent with the land use to the north and east

Z-07-07-05

AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos L2, L10, M3 & M6 (Sections 2 & 11 of Wayne Township) – Councilmanic District #5

Multiple properties within the Harrison Square Project between W Jefferson Blvd, So Harrison St, Ewing St and Baker St – This rezoning would accommodate the Harrison Square Project which will include a minor league baseball stadium, a hotel, residential and retail development as well as a park and a parking garage

PUBLIC WORKS COMMITTEE

**THOMAS F. DIDIER - CHAIR
JOHN SHOAFF - CO-CHAIR
ALL COUNCIL MEMBERS**

ACTION

No Ordinances or Resolutions up for discussion

CITY UTILITIES COMMITTEE

**THOMAS E. HAYHURST - CHAIR
GLYNN A. HINES - CO-CHAIR
ALL COUNCIL MEMBERS**

No Ordinances or Resolutions up for discussion

REGULAR SESSION

AGENDA

FORT WAYNE COMMON COUNCIL

AUGUST 28, 2007

REGULAR SESSION
IMMEDIATELY FOLLOWING COMMITTEE SESSION
COMMON COUNCIL CHAMBERS ROOM 126

PRESIDING OVER THE STANDING
COMMITTEE OF THE COMMON COUNCIL

DONALD J. SCHMIDT
PRESIDENT

SECRETARY OF THE REGULAR
SESSION OF THE COMMON COUNCIL

SANDRA E. KENNEDY
CITY CLERK

LEGAL ADVISORS TO MEMBERS
OF THE COMMON COUNCIL

JOSEPH H. BONAHOOM
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COUNCIL ATTORNEYS

CRAWFORD _____, DIDIER _____, HAYHURST _____,
HINES _____, PAPE _____, SCHMIDT _____,
SHOAFF _____, SMITH _____, TALARICO, JR. _____,

ORDER OF THE AGENDA

PRESENTATION OF NATIONAL COLORS

SERGEANT-AT-ARMS

ROLL CALL

SANDRA E. KENNEDY
CITY CLERK

PRESIDENT'S REPORT AND COMMENTS

DONALD J. SCHMIDT
PRESIDENT

INTRODUCTION OF ORDINANCES AND RESOLUTIONS – PAGES 3 THRU 5

PASSAGE OF ORDINANCES AND RESOLUTIONS – PAGES 6 THRU 11

MISCELLANEOUS BUSINESS

CHAIR OPEN FOR COMMENTS – FROM CITIZENS AND COUNCIL MEMBERS

RETIREMENT OF COLORS

ADJOURNMENT

**ORDINANCES AND RESOLUTIONS
UP FOR INTRODUCTION**

FINANCE COMMITTEE

SAMUEL J. TALARICO, JR. - CHAIR
THOMAS E. SMITH - CO-CHAIR
ALL COUNCIL MEMBERS

ACTION

R-07-08-25

A RESOLUTION finding, determining and approving an Inducement Resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of Economic Development authorizing the issuance and sale of Economic Development Revenue Bonds of the City of Fort Wayne in an amount not to exceed \$4,738,000 for the purpose of inducing the applicant, Eastern Sleep-Fort Wayne LLC, to proceed with the acquisition, construction and equipping of the project

Total cost of \$4,738,000

R-07-08-26

A RESOLUTION approving the purchase of certain real estate for the City of Fort Wayne, Division of City Utilities - located at 646 Wagner Street

Total cost of \$14,000

REGULATIONS COMMITTEE

**TIM PAPE - CHAIR
JOHN N. CRAWFORD - CO-CHAIR
ALL COUNCIL MEMBERS**

ACTION

G-07-08-21

**AN ORDINANCE to amend Chapter 99: “Streets and Sidewalks;
Trees and Shrubs” in the Fort Wayne Code of Ordinances**

R-07-08-24

**A RESOLUTION approving credit for past service with another Indiana
Political Subdivision for Nishantha “Shan” R. Gunawardema**

R-07-08-27

**A RESOLUTION of the Common Council of the City of Fort Wayne,
Indiana, approving an Interlocal Agreement between the City of Fort
Wayne, by and through its Board of Public Works, and the Allen
County, Indiana, Board of Commissioners for the financing of a portion
of the local share of the Dupont Road Public Trail Improvement Project**

PUBLIC WORKS COMMITTEE

**THOMAS F. DIDIER - CHAIR
JOHN SHOAFF - CO-CHAIR
ALL COUNCIL MEMBERS**

No Ordinances or Resolutions up for introduction

CITY UTILITIES COMMITTEE

THOMAS E. HAYHURST - CHAIR
GLYNN A. HINES - CO-CHAIR
ALL COUNCIL MEMBERS

ACTION

S-07-08-22

**AN ORDINANCE approving construction contract #1838-2007, Hickory Grove Addition Storm Drainage Improvement between Land Construction and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$604,705**

S-07-08-23

**AN ORDINANCE approving Resolution #1644-2004, Contract A-A-Aeration Blower #5 replacement; Resolution #1786-2005, Contract B-Digester #6 Upgrade; and Resolution #1725-2004, Contract C-Filter Valve Replacement Phase I between Weigand Construction and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$6,476,700**

S-07-08-28

**AN ORDINANCE approving the awarding of RFQ #2546-annual requirements for the purchase of ductile iron pipe by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Underground Pipe and Valve for the Water Maintenance Service
Total cost of \$189,461.57**

**ORDINANCES AND RESOLUTIONS
UP FOR PASSAGE**

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FINANCE COMMITTEE

**SAMUEL J. TALARICO, JR. - CHAIR
THOMAS E. SMITH - CO-CHAIR
ALL COUNCIL MEMBERS**

ACTION

R-07-08-15

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” property 6712 High Point Drive (SWS-Trimac Indiana, Inc.)

**Total cost of \$1,290,000 – 15 full-time and 2 part-time jobs
Will created as a result of the project**

DO PASS S-07-08-06

AN ORDINANCE approving the need for the services of a consultants to provide professional engineering services year three of the Primaries Project

Total cost will be in excess of \$100,000

DO PASS S-07-08-07

AN ORDINANCE approving the need for the services of a consultants to provide professional Resident Project (engineer) Representative services year three of the Primaries Project

Total cost will be in excess of \$100,000

FINANCE COMMITTEE

CONTINUED

ACTION

DO PASS S-07-08-11
AN ORDINANCE establishing Fund (000 Pooled Cash) and Fund (GFA Fixed Assets) to support the implementation of the Munis Financial System
Funds to be established are 000 – Pooled Cash & GFA Fixed Assets

DO PASS S-07-08-16
AN ORDINANCE approving the services of consultants to provide professional engineering services – Sludge Digester No. 6 Upgrade of the Primaries Project
Total cost will be in excess of \$100,000

DO PASS S-07-08-17
AN ORDINANCE establishing the Harrison Square Project Fund Accounting for financial resources/pledges for the Preparation, development and construction of Harrison Square Project Fund

DO PASS S-07-08-18
AN ORDINANCE establishing the Affordable Housing Trust Fund

DO PASS R-07-08-12
RESOLUTION approving the use of Munis Financial System Generated Forms

REGULATIONS COMMITTEE

TIM PAPE - CHAIR
JOHN N. CRAWFORD – CO - CHAIR
ALL COUNCIL MEMBERS

ACTION

G-07-08-03

**AN ORDINANCE for the purpose of vacating a portion of a dedicated utility easement – Councilmanic District #4
A 64 square foot portion of a 40 x 170' utility easement**

Z-07-06-01

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-2 (Sec. 11 of Aboite Township) Councilmanic District #4
9121 Illinois Road**

Z-07-07-01

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H-3 (Sec. 9 of Wayne Township) – Councilmanic District #4
2515, 2529 & 2627 Ardmore Ave.**

Z-07-07-02

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-42 (Sec. 17 of Washington Township – Councilmanic District #3
6901 Huguenard Road**

**REGULATIONS COMMITTEE
CONTINUED**

ACTION

Z-07-07-03

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-23 (Sec. 30 of Adams Township) Councilmanic District #6

Northwest corner of Hessen Cassel Road and Frosch Drive

Z-07-07-04

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. T-19 & U-19 (Sec. 21 of Adams Township) – Councilmanic District #6
Northwest corner of Adams Center Road and East Paulding Road**

Z-07-07-05

**AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos L2, L10, M3 & M6 (Sections 2 & 11 of Wayne Township) – Councilmanic District #5
Multiple properties within the Harrison Square Project**

DO PASS S-07-08-08 (AS AMENDED)

**AN ORDINANCE designating a Historic Preservation District
The Grace E. Crosby House 413 W. Dewald Street**

DO PASS S-07-08-09 (AS AMENDED)

**AN ORDINANCE designating a Historic Preservation District
Sauerteig Block 1122-1124 and 1126 Broadway**

DO PASS S-07-08-10 (AS AMENDED)

**AN ORDINANCE designating a Historic Preservation District
Broadway Commercial District
1006, 1010, 1012 & 1014-16 Broadway**

REGULATIONS COMMITTEE CONTINUED

ACTION

DO PASS R-07-08-20

A RESOLUTION approving credit for past service with another Indiana Political Subdivision for Andrew J. Riley

PUBLIC WORKS COMMITTEE

**THOMAS F. DIDIER - CHAIR
JOHN SHOAFF - CO-CHAIR
ALL COUNCIL MEMBERS**

No Ordinances or Resolutions up for passage

CITY UTILITIES COMMITTEE

**THOMAS E. HAYHURST - CHAIR
GLYNN A. HINES - CO-CHAIR
ALL COUNCIL MEMBERS**

DO PASS S-07-08-04

**AN ORDINANCE approving construction contract - South
McMillen Park Area Reconstruction, Contract 2 - Board of Public
Works**

Total cost of \$130,607.50

CITY UTILITIES COMMITTEE CONTINUED

ACTION

DO PASS S-07-08-05

**AN ORDINANCE approving construction contract, Southbend
Drive Phase 2 (Getz Road to Northridge Road) Water Main
Extension - Board of Public Works**

Total cost of \$113,757

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

**SANDRA E. KENNEDY
CITY CLERK**

