

**COMMITTEE SESSION**

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**AGENDA**

**FORT WAYNE COMMON COUNCIL**

**NOVEMBER 27, 2007**

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

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

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**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**

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**CRAWFORD \_\_\_\_\_, DIDIER \_\_\_\_\_, HAYHURST \_\_\_\_\_,**  
**HINES \_\_\_\_\_, PAPE \_\_\_\_\_, SCHMIDT \_\_\_\_\_,**  
**SHOAFF \_\_\_\_\_, SMITH \_\_\_\_\_, TALARICO, JR. \_\_\_\_\_,**

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## ORDER OF THE AGENDA

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**1. ROLL CALL**

**2. TO APPEAR BEFORE COMMON COUNCIL:**

**LAWRENCE DeBOER , PROFESSOR DEPARTMENT OF AGRICULTURAL  
ECONOMICS AT PURDUE UNIVERSITY**  
**JOHN STAFFORD, DIRECTOR OF COMMUNITY RESEARCH  
INSTITUTE AT IPFW**

**OVERVIEW ON TAX REFORM**

**3. LEGAL PUBLIC HEARINGS – PAGE 3**

**4. PRIOR APPROVAL REQUESTS – PAGE 4**

**5. DISCUSSION OF PENDING  
ORDINANCES AND RESOLUTIONS – PAGES 5 THRU 7**

# LEGAL PUBLIC HEARINGS

## FINANCE COMMITTEE

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

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### **A-07-11-06**

**AN ORDINANCE appropriating monies into certain accounts for the 2007 Budgets of various funds and departments of the City of Fort Wayne, reducing the unappropriated and unobligated balance of the particular fund involved as required to meet obligations for the remainder of 2007**

**Additional monies is needed to 2007 budgets to provide sufficient Operating funds for the remainder of 2007**

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### **R-07-11-12**

**A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3200-3300 East Paulding Road, Fort Wayne, Indiana 46816 (Casselwood Investors, LLC)**

**Real property improvements in the amount of \$1,600,000. They will renovate and rehabilitate the shopping center. Total cost of \$1,600,000. 14 full-time and 29 part-time jobs are projected to be created by retailers leasing space at the center**

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## **PRIOR APPROVAL REQUESTS**

### **FINANCE COMMITTEE**

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

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**"PRIOR APPROVAL REQUEST" Ardmore Ave: Taylor St. to Jefferson Blvd. Landscape Architecture - contract was awarded to Heritage Landscapes in the amount of \$136,800**

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**"PRIOR APPROVAL REQUEST" Ardmore Ave: Taylor St. to Jefferson Blvd. Design Engineering - contract was awarded to CrossRoad Engineers not to exceed the amount of \$357,100**

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**"PRIOR APPROVAL REQUEST" purchase of trees. Due to additional purchases made by the Parks Department earlier this year, this final purchase of budgeted Council CREDIT funds and Park Bond funds have exceeded \$100,000**

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### **CITY UTILITIES COMMITTEE**

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

**"PRIOR APPROVAL REQUEST" additional funds are needed to purchase pebble lime through 2007 for the Three Rivers Filtration Plant. The increase will be \$188,000 due to the increased quantity of water treated and increased total hardness of raw water**

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**ORDINANCES AND RESOLUTIONS UP FOR**  
**DISCUSSION**

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**FINANCE COMMITTEE**

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

**ACTION**

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**A-07-11-06**

**AN ORDINANCE appropriating monies into certain accounts for the 2007 Budgets of various funds and departments of the city of Fort Wayne, reducing the unappropriated and unobligated balance of the particular funds involved as required to meet obligations for the remainder of 2007**

**Additional monies is needed to provide sufficient operating funds for the remainder of 2007**

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**R-07-11-12**

**A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3200-33 East Paulding Road, Fort Wayne, Indiana 6816 (Casselwood Investors, LLC)**

**Real property improvements in the amount of \$1,600,000. They will renovated and rehabilitate Casselwood Shopping Center. 14 full-time and 29 part-time jobs are projected to be created by retailers leasing space at the center**

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**R-07-11-05**

**A RESOLUTION authorizing the transfer of funds between certain accounts within the 2007 budgets of certain City Departments**

**It is necessary to transfer funds to certain accounts in the 2007 budgets of the respective City Departments**

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## **FINANCE COMMITTEE CONTINUED**

### **ACTION**

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**R-07-11-16**

**A RESOLUTION of the Common council of the City of Fort Wayne, Indiana, approving the proposed budgets of the Fort Wayne-Alten Convention and Tourism Authority (d.b.a. Grand Wayne Center) and Fort Wayne-Alten County Convention Visitors Bureau for the Calendar year 2008**

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## **REGULATIONS COMMITTEE**

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

### **ACTION**

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**No Ordinances or Resolutions up for discussion**

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## **PUBLIC WORKS COMMITTEE**

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

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**No Ordinances or Resolutions up for discussion**

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# **CITY UTILITIES COMMITTEE**

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

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**No Ordinances or Resolutions up for discussion**

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# REGULAR SESSION

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## AGENDA

FORT WAYNE COMMON COUNCIL

NOVEMBER 27, 2007

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**REGULAR SESSION**  
**IMMEDIATELY FOLLOWING COMMITTEE SESSION**  
**COMMON COUNCIL CHAMBERS ROOM 126**

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**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**  
**PHILIP H. LARMORE**  
**COUNCIL ATTORNEYS**

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

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## **ORDER OF THE AGENDA**

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**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 8**

**PASSAGE OF ORDINANCES AND RESOLUTIONS – PAGES 9 THRU 12**

**MISCELLANEOUS BUSINESS**

**CHAIR OPEN FOR COMMENTS – FROM CITIZENS AND COUNCIL MEMBERS**

**RETIREMENT OF COLORS**

**ADJOURNMENT**

**ORDINANCES AND RESOLUTIONS  
UP FOR INTRODUCTION**

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**FINANCE COMMITTEE**

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

**ACTION**

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**A-07-11-20**

**AN ORDINANCE appropriating monies into certain accounts for the 2007 Budgets of various funds and departments of the City of Fort Wayne, reducing the unappropriated and unobligated balance of the particular fund involved as required to meet obligations for the remainder of 2007**

**PUBLIC HEARING 12-11-07 - 5:30 P.M.**

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**A-07-11-21**

**AN ORDINANCE disappropriating monies from certain accounts for the 2007 Budgets of various funds and departments of the City of Fort Wayne**

**PUBLIC HEARING 12-11-07 - 5:30 P.M.**

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**S-07-11-32**

**AN ORDINANCE approving the awarding of I.T.B. No. 2728 - Buckner Park Phase One Development by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Hamilton Hunter Builders for the Parks and Recreation Department**

**Total cost of \$1,310,403**

**FINANCE COMMITTEE**

**CONTINUED**

**ACTION**

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**S-07-11-35**

**AN ORDINANCE approving the awarding of I.T.B. No. 2429 – purchase of Trees by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Shade Trees Unlimited for the Division of Community Development  
Total cost of \$100,000+**

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**S-07-11-31**

**AN ORDINANCE approving the awarding of extension of I.T.B. No. 2523 – annual contract for Board-Ups, Eemergency Orders to repair and clean ups by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Lunz Demolition for the Neighborhood Code Enforcement  
Total cost of \$195,000**

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**S-07-11-19**

**AN ORDINANCE approving Work Order #11791, Times Corners Traffic Improvements between Indiana Department of Transportation and the City of Fort Wayne, Indiana, in connection with the Board of Public Works  
Total cost will be in excess of \$100,000**

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**S-07-11-18**

**AN ORDINANCE certifying and approving the need for the services of a consultant to provide professional services for Design Engineering for the Ardmore Avenue: Taylor Street to Jefferson Boulevard Project  
Total cost on an annual basis will be in excess of \$100,000**

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**S-07-11-17**

**AN ORDINANCE certifying and approving the need for the services of a consultant to provide professional services to develop Design Landscape Architecture for the Ardmore Ave.: Taylor St. to Jefferson Blvd. Landscape Architecture Project  
Total cost on an annual basis will be in excess of \$100,000**

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**FINANCE COMMITTEE**

**CONTINUED**

**ACTION**

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**R-07-11-16**

**A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana, approving the proposed budgets of the Fort Wayne-Allen County Convention and Tourism Authority (d.b.a. Grand Wayne Center) and Fort Wayne-Allen County Convention Visitors Bureau for the calendar year 2008**

**TO BE PASSED THIS EVENING**

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**R-07-11-33**

**A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 6901 Huguenard Road, Fort Wayne, Indiana 46818 (Keller Development, Inc.)**

**Total cost of \$4,937,340**

**TO BE PASSED THIS EVENING**

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**R-07-11-34**

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under IC. 6-1.1-12.1 for property commonly known as 6901 Huguenard Road, Fort Wayne, Indiana 46818 (Keller Development, Inc.)**

**Total cost of \$4,937,340**

**PUBLIC HEARING 12-11-07 - 5:30 P.M.**

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**R-07-11-22**

**A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 2727 Independence Drive, Fort Wayne, Indiana 46808 (United Parcel Service)**

**Total cost of \$11,000,000**

**TO BE PASSED THIS EVENING**

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**FINANCE COMMITTEE**

**CONTINUED**

**ACTION**

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**R-07-11-23**

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 2727 Independence Drive, Fort Wayne, Indiana 46808 (United Parcel Service)**

**Total cost of \$11,000,000**

**PUBLIC HEARING - 12-11-07 - 5:30 P.M.**

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**R-07-11-24**

**A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 3508 Focus Drive, Fort Wayne, Indiana 46818 (Haggard & Stocking Associates, Inc.)**

**Total cost of \$850,000**

**TO BE PASSED THIS EVENING**

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**R-07-11-25**

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 3508 Focus Drive, Fort Wayne, Indiana 46818 (Haggard & Stocking Associates, Inc.)**

**Total cost of \$850,000**

**PUBLIC HEARING - 12-11-07 - 5:30 P.M.**

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## **REGULATIONS COMMITTEE**

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

**ACTION**

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**G-07-11-27**

**AN ORDINANCE amending Section 73.42 Sunset Provision: Ardmore Avenue and Freeman Street of the City of Fort Wayne, Indiana, Code of Ordinances**

**Section 73.42**

**Sunset Provision:**

**Ardmore and Freeman Street**

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**G-07-11-26**

**AN ORDINANCE amending various sections of Chapter 91: “Animal Control” of the City of Fort Wayne, Indiana Code of Ordinances  
Animal Care Rules and Regulations**

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**PUBLIC WORKS COMMITTEE**

**THOMAS F. DIDIER - CHAIR**

**JOHN SHOAFF - CO-CHAIR**

**ALL COUNCIL MEMBERS**

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**No Ordinances or Resolutions up for introduction**

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**CITY UTILITIES COMMITTEE**

**THOMAS E. HAYHURST - CHAIR**

**GLYNN A. HINES - CO-CHAIR**

**ALL COUNCIL MEMBERS**

**ACTION**

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**S-07-11-28**

**AN ORDINANCE approving the awarding of Increase/Extension of I.T.B. No. 2536 – annual requirements for the purchase of pebble lime**

for 2007 by the City of Fort Wayne, Indiana, by and through its  
Department of Purchasing and Huron Lime Company for the Three  
Rivers Filtration Plant  
Total cost of \$188,000

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**S-07-11-29**

**AN ORDINANCE approving the awarding of Extension I.T.B.  
No. 2536 – annual requirements for the purchase of pebble lime  
for 2008 by the City of Fort Wayne, Indiana, by and through its  
Department of Purchasing and Huron Lime Company for the  
Three Rivers Filtration Plant  
Total cost of \$1,107,132**

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**S-07-11-30**

**AN ORDINANCE approving the awarding of extension of I.T.B.  
No. 2532 – annual requirements for the purchase of powdered  
activated carbon for 2008 by the City of Fort Wayne, Indiana, by  
and through its Department of Purchasing and Thatcher  
Company of Montana for the Three Rivers Filtration Plant  
Total cost of \$157,267**

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**S-07-11-36**

**AN ORDINANCE approving Development and Option  
Agreement and License Agreement between Sturges  
Development Group, LLC and the City of Fort Wayne, Indiana, in  
connection with the Board of Public Works  
Total cost of in excess of \$100,000+**

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## **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**

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### **ACTION**

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**R-07-11-22**

**A DECLARATORY RESOLUTION designating an “Economic**

**Revitalization Area” property 2727 Independence Drive (United Parcel Service**

**Total cost of \$11,000,000- 25 full-time and 15 part-time jobs Will created as a result of the project**

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**R-07-11-24**

**A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” property 3508 Focus Drive (Haggard & Stocking Associates, Inc.)**

**Total cost of \$859,000 – One part-time and five full-time Jobs will be created**

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**R-07-11-33**

**A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” property 6901 Huguenard Road (Keller Development, Inc.)**

**Total cost of \$4,937,340 – passage would allow 60 newly Constructed apartments on the northwest side of Fort Wayne. Of the 60 units, 57 would be reserves for people at 60% of the median income or less**

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**R-07-11-16**

**A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana, approving the proposed budgets of the Fort Wayne-Allen County Convention and Tourism Authority (d.b.a. Grand Wayne Center) and Fort Wayne-Allen County Convention Visitors Bureau for the calendar year 2008**

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## **FINANCE COMMITTEE CONTINUED**

### **ACTION**

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**A-07-11-06**

**AN ORDINANCE appropriating monies into certain accounts for the 2007 Budgets of various funds and departments of the City of Fort Wayne, reducing the unappropriated and unobligated balance of the particular fund involved as required to meet obligations for the remainder of 2007**

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**R-07-11-12**

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” property 32300-3300 East Paulding Road, (Casselwood Investors, LLC)**

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**R-07-11-05**

**A RESOLUTION authorizing the transfer of funds between certain accounts within the 2007 budgets of certain City Departments**

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**DO PASS S-07-11-07**

**AN ORDINANCE approving the awarding of ITB No. 2722-Demolitions and Lot Restorations for the Neighborhood Code Enforcement**

**Total cost of \$103,756**

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## **REGULATIONS COMMITTEE**

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

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**DO PASS X-07-08-19**

**AN ORDINANCE annexing certain territory commonly known as the Schwartz Road Voluntary Annexation to Fort Wayne and including the same Councilmanic District No. 1**

**SCHARTZ ROAD VOLUNTARY ANNEXATION**

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**PUBLIC WORKS COMMITTEE**

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

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**No Ordinances or Resolutions up for passage**

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**CITY UTILITIES COMMITTEE**

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

**ACTION**

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**DO PASS    S-07-11-08  
                 AN ORDINANCE approving General Open Cut Sewers 2007 - in  
                 connection with the Board of Public Works  
                 Total cost of \$164,869**

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**DO PASS    S-07-11-09  
                 AN ORDINANCE approving Southwest Interceptor - in**

**connection with the Board of Public Works  
Total cost of \$2,053,605**

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**DO PASS S-07-11-10  
AN ORDINANCE approving Backwash Retention Tank Pump  
Replacement project – in connection with the Board of Public  
Works  
Total cost of \$108,661**

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**DO PASS S-07-10-23  
AN ORDINANCE approving the Board of Public Works  
Resolution Number #94-10-10-07-1 for City Utilities purchase of  
the Northern Drinking Water and Sanitary Sewer Assets of Aqua  
Indiana  
Total cost of \$16,910,500**

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## **CITY UTILITIES COMMITTEE CONTINUED**

### **ACTION**

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**DO PASS S-07-10-24  
AN ORDINANCE authorizing the acquisition by the City of Fort  
Wayne, Indiana of certain improvements and extensions to the  
City's Waterworks, the issuance and sale of Revenue Bonds to  
provide funds for the payment of the costs thereof, the issuance  
and sale of bond anticipation notes in anticipation of the  
issuance and sale of such bonds, and the collection, segregation  
and distribution of the revenues of such Waterworks and other  
related matters**

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

**SANDRA E. KENNEDY  
CITY CLERK**

