

COMMITTEE SESSION

AGENDA

FORT WAYNE COMMON COUNCIL

NOVEMBER 13, 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 THRU 5

3. PRIOR APPROVAL REQUEST – PAGE 6

**4. DISCUSSION OF PENDING
ORDINANCES AND RESOLUTIONS – PAGES 7 THRU 11**

LEGAL PUBLIC HEARINGS

FINANCE COMMITTEE

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

R-07-10-15

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 3424 Centennial Drive, Fort Wayne, Indiana 46808 (Benco Dental Supply Company)

Total cost of \$522,508 – they will purchase additional new logistical

Distribution equipment. Seven full-time jobs will be created as a Result of the project

R-07-10-17

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 1115 South Clinton Street and 206 East Jefferson Boulevard, Fort Wayne, Indiana 46802 (Subway Systems, Inc. for Subway Sandwiches)

Total cost of \$450,000 – They will construct a 1,580 square foot restaurant. Three full-time and nine part-time jobs will be created

R-07-10-19

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction on Real Property Improvements (Form 322/RE) for PMMP #1, LLC/Mullinix Packages, Inc.

Approval of this resolution and granting a waiver of noncompliance will allow PMMP#1, Mullinix Packages, Inc. to recoup four years of real property tax abatement that it lost due to the late filed deduction forms

LEGAL PUBLIC HEARING CONTINUED

FINANCE COMMITTEE - CONTINUED

ACTION

R-07-10-20

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction on Real Property Improvements (Form 322/RE) for Johnioz Family, LLC

Approval of this resolution and granting a waiver of noncompliance will allow Johnioz Family, LLC to recoup one year of real property tax abatement that it lost due to the late filed deduction forms

R-07-10-21

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction of Real Property Improvements (Form 322/RE) for JD Ventures III, LLC - 3204 Congressional Parkway

Approval of this resolution and granting a waiver of noncompliance will allow J.D. Ventures, LLC to recoup two years of real property tax abatement that it lost due to the late filed deduction forms

R-07-10-22

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction on Real Property Improvements (Form 322/RE) for JD Ventures III, LLC - 3216 Congressional Parkway

Approval of this resolution and granting a waiver of noncompliance will allow J.D. Ventures, LLC to recoup one year of real property tax abatement that it lost due to the late filed deduction forms

LEGAL PUBLIC HEARINGS CONTINUED

REGULATIONS COMMITTEE

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

ACTION

G-07-10-13

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive (“Master”) Plan by vacating public right-of-way - Councilmanic District #5

East-West alley lying between Lots 1, 2, 3, 4, 5 & 6 in Jefferson Park Addition to the City of Fort Wayne, IN - the properties are protected by advancing the ongoing development maintenance of existing properties

PRIOR APPROVAL REQUEST

CITY UTILITIES COMMITTEE

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

**“PRIOR APPROVAL REQUEST” Flood Control Program: Woodhurst
Area –
Contract was awarded to Michael Kinder & Sons, Inc. in the amount of
\$2,922,422.28**

ORDINANCES AND RESOLUTIONS UP FOR

DISCUSSION

FINANCE COMMITTEE

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

ACTION

R-07-10-15

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I. C. 6-1.1-12.1 for property commonly known as 3424 Centennial Drive, Fort Wayne Indiana 46808 (Benco Dental Supply Company)

Total cost of \$522,508 – they will purchase additional new logistical distribution equipment. Seven full-time jobs will be created as a result of the project

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A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 1115 South Clinton Street and 206 East Jefferson Boulevard, Fort Wayne, Indiana 46802 (Subway Systems, Inc. for Subway Sandwiches)

Total cost of \$450,000 – They will construct a 1,580 square foot restaurant. Three full-time and nine part-time jobs will be created

FINANCE COMMITTEE CONTINUED

ACTION

R-07-10-19

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction on Real Property Improvements (Form 322/RE) for PMMP #LLC/Mullinix Packages, Inc.

Approval of this resolution and granting a waiver of noncompliance will allow PMMP#1, Mullinix Packages, Inc. to recoup four years of real property tax abatement that it lost due to the late filed deduction forms

R-07-10-20

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction on Real Property Improvements (Form 322RE) for Johnioz Family, LLC

Approval of this resolution and granting a waiver of noncompliance will allow Johnioz Family, LLC to recoup one year of real property tax abatement that it lost due to the late filed deduction forms

R-07-10-21

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction of Real Property Improvements (Form 322/RE) for JD Ventures III, LLC - 3204 Congressional Parkway

Approval of this resolution and granting a waiver of noncompliance will allow J.D. Ventures, LLC to recoup two years of real property tax abatement that it lost due to the late filed deduction forms

ACTION

R-07-10-22

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction on Real Property Improvements (Form 322/RE) for Ventures III, LLC - 3216 Congressional Parkway

Approval of this resolution and granting a waiver of Noncompliance will allow J.D. Ventures, LLC to recoup one year of real property tax abatement that it lost due to the late

Deduction forms

S-07-10-18

AN ORDINANCE approving the awarding of ITB #2718 - McCormick Park Pavilion Renovations by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Harold McComb & Son for the Parks and Recreation Department

Total cost of \$113,900

PRIOR APPROVAL WAS RECEIVED 10-23-07

S-07-10-25

AN ORDINANCE establishing three separate funds for the Harrison Square Project

This fund will be known as "Harrison Square BAN Fund"

REGULATIONS COMMITTEE

**TIM PAPE - CHAIR
JOHN N. CRAWFORD - CO-CHAIR**

ALL COUNCIL MEMBERS

ACTION

Z-07-10-01

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-14 (Sec. 32 of St. Joe Township) - Councilmanic District #1 4101 Lake Avenue - To correct classification for the existing use, a used car lot

Z-07-02-02

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K-14 (Sec. 34 of Washington Township) - Councilmanic District #4 1036 Huffman Street & 1704 St. Mary's Ave. - to allow reuse a legal non-conforming commercially built structure. - also restrict the allowed uses

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**

ACTION

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

S-07-10-24

AN ORDINANCE of the Common Council of the City of Fort Wayne, Indiana, 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

S-07-10-26

AN ORDINANCE approving Resolution #1839-2007, Smith-Roosevelt Area Sewer System Improvements between Geiger Developing and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$433,841

REGULAR SESSION

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AGENDA

FORT WAYNE COMMON COUNCIL

NOVEMBER 13, 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
PHILIP H. LARMORE
COUNCIL ATTORNEYS

.....
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

COMMUNICATIONS:

1. FROM C&ED – ZONING AMENDMENTS – 2

INTRODUCTION OF ORDINANCES AND RESOLUTIONS – PAGES 3 THRU 7

PASSAGE OF ORDINANCES AND RESOLUTIONS – PAGES 8 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

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

PUBLIC HEARING - 11-27-07 - 5:30 P.M.

R-07-11-05

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

S-07-11-07

AN ORDINANCE approving the awarding of ITB NO. 2722-Demolitions and Lot Restorations by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Palermo, Oxendine and Ries Services for the Neighborhood Code Enforcement

Total cost of \$103,756

S-07-11-15

AN ORDINANCE fixing the compensation of elected officials for the City of Fort Wayne, Indiana, for the year 2008

MAYOR	\$123,600
COMMON COUNCIL MEMBERS	\$ 21,414
CITY CLERK	\$ 73,451

FINANCE COMMITTEE

CONTINUED

ACTION

R-07-11-11

A DECLARATORY 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)

Total cost of \$1,600,000

TO BE PASSED THIS EVENING

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)

Total cost of \$1,600,000

PUBLIC HEARING 11-27-07 - 5:30 P.M.

R-07-11-13

RESOLUTION approving the 2008 Budget for the Downtown Fort Wayne Economic Improvement District

REGULATIONS COMMITTEE

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

R-07-11-14

A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana, approving an Interlocal Cooperation Agreement between the City of Fort Wayne, by and through its Community Development Division, and the County of Allen

**REGULATIONS COMMITTEE
CONTINUED**

ACTION

Z-07-11-01

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB-2 (Sec. 10 of Aboite Township) – Councilmanic District #4 9817, 9819, 9831 & 9915 Illinois Road

Z-07-11-02

**AN ORDINANCE amending the City of Fort Wayne Zoning Map
No. K-46 (Sec. 10 of Washington Township) – Councilmanic
District #3**

**Northeast corner of Lima Road and Cook Road
(1610 West Cook Road)**

Z-07-11-03

**AN ORDINANCE amending the City of Fort Wayne Zoning Map
No. DD-2 (Sec. 9 of Aboite Township) - Councilmanic District #4
11309 Illinois Road**

G-07-11-04

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

**Periodic update of glitches and typos; updating the
Parking section to be more flexible and market friendly
and adding a CM5C – Neighborhood Commercial Corridor
Zoning District**

PUBLIC WORKS COMMITTEE

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

ACTION

No Ordinances or Resolutions up for introduction

CITY UTILITIES COMMITTEE

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

S-07-11-08

AN ORDINANCE approving Resolution #1985-1007, W.O. #75198, General Open Cut Sewers 2007 between Gerig-Ottenweller Contracting and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$164,869

S-07-11-09

AN ORDINANCE approving Resolution #1811-2005, W.O. #75068, Southwest Interceptor Cipp between Reynolds Inliner, LLC and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$2,053,605

CITY UTILITIES COMMITTEE CONTINUED

ACTION

S-07-11-10

AN ORDINANCE approving Resolution #1990-2007, W.O. #65714, Backwash Retention Tank Pump Replacement Project between Gerig-Ottenweller contracting and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$108,661

**ORDINANCES AND RESOLUTIONS
UP FOR PASSAGE**

.....
FINANCE COMMITTEE

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

ACTION

R-07-10-15

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” property 3424 Centennial Drive (Benco Dental Supply Company)

Total cost of \$522,508 – Seven full-time jobs will be Created as a result of the project

R-07-10-17

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” property 1115 South Clinton Street and 206 East Jefferson Boulevard (Subway Systems, Inc. for subway Sandwiches)

Total cost of \$450,000 – Three full-time and nine part-time Jobs will be created as a result of the project

R-07-10-19

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction LLC/Mullinix Packages, Inc.

R-07-10-20

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction Johnioz Family, LLC

FINANCE COMMITTEE

CONTINUED

ACTION

R-07-10-21

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction JD Ventures III, LLC – 3204 Congressional Parkway

R-07-10-22

A RESOLUTION approving a Waiver of noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction JD Ventures III, LLC – 3216 Congressional Parkway

R-07-11-11

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” property 3200-3300 East Paulding Road, (Casselwood Investors, LLC)

Total cost of \$1,600,000

S-07-10-18

AN ORDINANCE awarding – McCormick Park Pavilion Renovations – Parks and Recreation Department

Total cost of \$113,900

S-07-10-25

AN ORDINANCE establishing three separate funds for the Harrison Square Project

REGULATIONS COMMITTEE

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

ACTION

Z-07-10-01

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-14 (Sec. 32 of St. Joe Township) – Councilmanic District #1
4101 Lake Avenue**

Z-07-02-02

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K-14 (Sec. 34 of Washington Township) – Councilmanic District #4

1036 Huffman Street & 1704 St. Mary's Avenue

PUBLIC WORKS COMMITTEE

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

ACTION

No Ordinances or Resolutions up for passage

CITY UTILITIES COMMITTEE

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

ACTION

S-07-10-26

**AN ORDINANCE approving Smith-Roosevelt Area Sewer
System Improvements in connection with the Board of Public
Works**

Total cost of \$433,841

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

**SANDRA E. KENNEDY
CITY CLERK**

