

# COMMITTEE SESSION

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## AGENDA

### FORT WAYNE COMMON COUNCIL

OCTOBER 23, 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. LEGAL PUBLIC HEARINGS – PAGES 3 AND 4**

**3. PRIOR APPROVAL REQUEST – PAGE 5**

**4. DISCUSSION OF PENDING  
ORDINANCES AND RESOLUTIONS – PAGES 6 AND 7**

## **LEGAL PUBLIC HEARINGS**

### **FINANCE COMMITTEE**

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

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**R-07-10-12**

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 7640 South Anthony Boulevard, Fort Wayne, Indiana 46816 (McDonalds Real Estate)**

**Total cost of \$1,961,000 – construct a new fast food restaurant – 55 Full-time and 25 part-time jobs will be created**

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### **REGULATIONS COMMITTEE**

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

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**G-07-10-02**

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

**A north/south alley bounded by Broadway/Taylor/Lindley and Parkview Avenue – to allow redevelopment of the entire block without the internal setbacks**

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**LEGAL PUBLIC HEARINGS CONTINUED**

# REGULATIONS COMMITTEE

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**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**

**SCHWARTZ ROAD VOLUNTARY ANNEXATION**

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## **PRIOR APPROVAL REQUEST**

### **FINANCE COMMITTEE**

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

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**“PRIOR APPROVAL REQUEST” RE: McCormick Park Pavilion Renovations - The Parks and Recreation Department respectfully requests “Prior Approval” for the above mentioned project due to timing issues with the contractor and their schedule. The cost of the project is \$113,900 and will be awarded to Harold McComb and Son**

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### **CITY UTILITIES COMMITTEE**

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

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**“PRIOR APPROVAL REQUEST” Times Corner Drainage Improvements - contract was awarded to Scheidleman Excavating in the amount of \$693,161.01**

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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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**R-07-10-12**

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 7640 South Anthony Boulevard, Fort Wayne, Indiana 46816 (McDonalds Real Estate)**

**Total cost of \$1,961,000 – for both real and personal property improvements in the amount of \$1,961,000 – McDonalds Real Estate Company will construct a new McDonalds restaurant – 55 full-time and 25 part-time jobs**

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## REGULATIONS COMMITTEE

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

### ACTION

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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**

**SCHWARTZ ROAD VOLUNTARY ANNEXATION**

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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 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**

OCTOBER 23, 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**

**INTRODUCTION OF ORDINANCES AND RESOLUTIONS – PAGES 3 THRU 7**

**PASSAGE OF ORDINANCES AND RESOLUTIONS – PAGES 8 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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**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**

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**S-07-10-25**

**AN ORDINANCE establishing three separate funds for the Harrison Square Project**

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**R-07-10-14**

**A DECLARATORY 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**

**TO BE PASSED THIS EVENING**

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**FINANCE COMMITTEE                      CONTINUED**

**ACTION**

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**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**

**PUBLIC HEARING 11-13-07 – 5:30 P.M.**

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**R-07-10-16**

**A DECLARATORY 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**

**TO BE PASSED THIS EVENING**

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**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**

**PUBLIC HEARING 11-13-07 - 5:30 P.M.**

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**FINANCE COMMITTEE**

**CONTINUED**

**ACTION**

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**R-07-10-22**

**A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction ,forms for J.D. Ventures III on real estate improvements at 3216 Congressional Parkway for D & M Enterprises d/b/a/ Custom Poly Packaging**

**PUBLIC HEARING 11-13-07 - 5:30 P.M.**

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**R-07-10-21**

**A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction forms for J.D. Ventures III, LLC on real estate improvements at 3204 Congressional Parkway for Advanced Healthcare**

**PUBLIC HEARING 11-13-07 – 5:30 P.M.**

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**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, at 4413 Airport Expressway, United Art and Education**

**PUBLIC HEARING 11-13-07 – 5:30 P.M.**

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**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, Incl**

**PUBLIC HEARING 11-13-07 – 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-07-10-13**

**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**

**PUBLIC HEARING 11-13-07 – 5:30 P.M.**

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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 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-10-07-23**

**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**

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**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**

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**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**

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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**

**ACTION**

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**R-07-10-12**

**A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" property 7640 South Anthony Boulevard (McDonalds Real Estate)**

**Total cost of \$1,961,000 - 55 full-time and 25 part-time jobs  
Will be created**

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**R-07-10-14**

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

**Total cost of \$522,508**

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**R-07-10-16**

**A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” property 1115 South Clinton Street (Subway Systems, Inc. for Subway Sandwiches)**

**Total cost of \$450,000**

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**DO PASS S-07-10-08**

**AN ORDINANCE approving construction of a new maintenance facility for Shoaff Park Golf Course – Parks and Recreation Department**

**Total cost of \$320,400**

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## **FINANCE COMMITTEE CONTINUED**

### **ACTION**

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**WITHDRAWN**

**S-07-07-14**

**AN ORDINANCE approving renovations to the McCormick Pavilion – Parks and Recreation Department**

**Total cost of \$137,049**

**TO BE WITHDRAWN**

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## **REGULATIONS COMMITTEE**

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

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**DO PASS      Z-07-09-17**  
**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K-38 (Sec. 15 of Washington Township) – Councilmanic District #3**  
**1500 Block of West Washington Center Road**

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**DO PASS      Z-07-09-18**  
**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K-38 (Sec. 15 of Washington Township) – Councilmanic District #3**  
**5938 Lima Road**

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**DO PASS      Z-07-09-19**  
**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-11 & C-11 (Sec. 13 of Aboite Township) – Councilmanic District #4**  
**Northwest corner of Aboite Center Road**  
**And West Jefferson Boulevard**

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## **REGULATIONS COMMITTEE CONTINUED**

### **ACTION**

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**DO PASS      G-07-08-02**  
**AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive (“Master”) Plan by vacating public right-of-way and dedicated utility easement – Councilmanic District #4**  
**Oriole Circle and an 8 foot platted utility easement that Encumbers Lots 1-13 & 15 as established by the plat of Ridgewood Addition**

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**DO PASS      G-07-08-13 (AS AMENDED) (AS AMENDED)**  
**AN ORDINANCE to amend Chapter 115: “Precious Metals and Stones” of the Fort Wayne, Indiana Code of Ordinances**

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## **PUBLIC WORKS COMMITTEE**

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

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**DO PASS S-07-10-05**  
**AN ORDINANCE approving annual contract for the purchase of bituminous material for the Street Department**  
**Total cost of \$125,000 (total purchase of 2007 is \$790,000)**

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**DO PASS S-07-10-09**  
**AN ORDINANCE approving construction contract Stellhord Road & Wheelock Road - Board of Public Works**  
**Total cost of \$352,330.82**

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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-07-10-03**  
**AN ORDINANCE approving construction contract Flaugh Ditch Area Cipp - Board of Public Works**  
**Total cost of \$415,205**

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**DO PASS S-07-10-04**  
**AN ORDINANCE approving construction contract Huestis-Maple Area Partial Sewer Separation - Board of Public Works**  
**Total cost of \$1,347,206.15**

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**DO PASS S-07-10-06**  
**AN ORDINANCE approving Aeration Basin Cleaning for the**  
**Water Pollution Control Plant**  
**Total cost of \$126,110**

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**DO PASS S-07-10-07**  
**AN ORDINANCE approving Filter Renovations for the Three**  
**Rivers Filtration Plant - Three Rivers Filtration Plant**  
**Total cost of \$148,350**

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## **CITY UTILITIES COMMITTEE CONTINUED**

### **ACTION**

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**DO PASS S-07-10-10**  
**AN ORDINANCE approving construction contract Hobson Road:**  
**State Boulevard to Vance Avenue Water Main Replacement -**  
**Board of Public Works**  
**Total cost of \$288,835**

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

**SANDRA E. KENNEDY  
CITY CLERK**



