

**COMMITTEE SESSION**

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**AGENDA**

**FORT WAYNE COMMON COUNCIL**

**DECEMBER 11, 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 – PAGE 6 THRU 8**

# LEGAL PUBLIC HEARINGS

5:30 P.M.

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## FINANCE COMMITTEE

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

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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**

**Appropriate additional monies to the 2007 budgets to provide sufficient operating funds for the remainder of 2007**

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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**

**There is hereby disappropriating from the 2007 budgets accounts of the various departments for the remainder of 2007**

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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 - they will construct a 17,500 square foot addition to accommodate additional package handling machinery and equipment. 25 full-time and 15 part-time jobs will be created as a result of the project**

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# LEGAL PUBLIC HEARINGS

# CONTINUED

## FINANCE COMMITTEE

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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 – they will construct a 12,000 square foot office and warehouse building. One part-time and five full-time jobs will be created**

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**R-07-11-34**

**A CONFIRMING 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 – Keller Development, Inc. will construct a 60-unit apartment complex. Of the 60 units, 57 would be designated for families with income at or below 60% of the median income for Fort Wayne**

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# **PRIOR APPROVAL REQUEST**

## **PUBLIC WORKS COMMITTEE**

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

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**“PRIOR APPROVAL REQUEST” -- On-Call Inspection Contracts for 2008 –  
the contract will exceed \$100,000**

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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-07-11-20**

**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**

**Request to appropriate additional monies to the 2007 budgets to provide sufficient operating funds for the remainder of 2007**

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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**

**Request to disappropriate from the 2007 budget accounts of various departments**

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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 - they will construct a 17,500 square foot addition to accommodate additional package handling machinery and equipment. 25 full-time and 15 part time jobs will be created as a result of the project**

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**FINANCE COMMITTEE**

**CONTINUED**

**ACTION**

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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 – They will construct a 12,000 square foot office and warehouse building. One part-time and five full-time jobs will be created**

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**R-07-11-34**

**A CONFIRMING 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 – They will construct a 60-unit apartment complex. Of the 60 units, 57 would be designated for families with income at or below 60% of the median income for Fort Wayne**

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**REGULATIONS COMMITTEE**

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

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**No Ordinances or Resolutions up for discussion**

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**PUBLIC WORKS COMMITTEE**

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

**ACTION**

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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**

**DECEMBER 11, 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**

**COMMUNICATIONS:**

**INTRODUCTION OF ORDINANCES AND RESOLUTIONS – PAGES 3 THRU 8**

**PASSAGE OF ORDINANCES AND RESOLUTIONS – PAGES 9 THRU 13**

**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-07-12-07**

**AN ORDINANCE certifying and approving the need for the services of a consultant to provide professional management and engineering services for the EPA Long Term Control Plan/Sewer Capacity Program Management Project**

**Total cost on an annual basis, will be in excess of \$100,000**

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**S-07-12-08**

**AN ORDINANCE certifying and approving the need for the services of a consultant to provide professional construction inspection services to the Water Resources Department for the City of Fort Wayne through its Board of Public Works**

**Total cost on an annual basis, will be in excess of \$100,000**

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**S-07-12-14**

**AN ORDINANCE approving the awarding of extension of I.T.B. #2477 - Three Year Contract for the Purchase of Diesel, No-Lead and B-20 Fuel by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Fort Wayne Community School System Cooperative Purchasing Association for the City Fleet Department, WPC Plant, Park Department**

**Total cost of \$2,778,410**

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**FINANCE COMMITTEE**

**CONTINUED**

### ACTION

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**S-07-12-15**

**AN ORDINANCE approving the awarding of I.T.B. #2645- Purchase of Bulk Road Salt by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Cargill Salt for the Street Department**

**Total cost of \$290,000**

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**R-07-12-11**

**RESOLUTION of Fort Wayne Common Council concerning the financing of Economic Development Facilities by Allen County, Indiana, for Indiana Institute of Technology, Inc.  
Total cost not to exceed \$3,600,000**

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**R-07-12-16**

**A RESOLUTION approving the purchase of certain real estate for the City of Fort Wayne, Division of City Utilities  
Total cost for the property is \$16,000**

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**R-07-12-12**

**A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 7910 West Jefferson Boulevard, Fort Wayne, Indiana 46804 (Radiology Oncology Associates, LLP)  
Total cost of \$3,328,367**

**TO BE PASSED THIS EVENING**

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**R-07-12-13**

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 7910 West Jefferson Boulevard, Fort Wayne, Indiana 46804 (Radiology Oncology Associates, LLP)  
Total cost of \$3,328,367**

**PUBLIC HEARING - 1-8-08 -- 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-07-12-06**

**AN ORDINANCE amending Section 154.81 and Section 154.82 of**

**Chapter 154: "Signs," of the City of Fort Wayne, Indiana, Code of Ordinances**

**Certificate of Approval required for certain signs;  
Application**

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**R-07-12-09**

**A RESOLUTION approving credit for past service with another  
Indiana Political Subdivision for Joanne Reising  
Past service credit for Joanne Reising**

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**Z-07-12-01**

**AN ORDINANCE amending the City of Fort Wayne Zoning Map  
No. N-27 (Sec. 25 of Wayne Township – Councilmanic District #5  
6700 US 27 South**

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**Z-07-12-02**

**AN ORDINANCE amending the City of Fort Wayne Zoning Map  
No. Q-10 (Sec. 6 of Adams Township)  
2828 & 2908 Lake Avenue**

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**Z-07-12-03**

**AN ORDINANCE amending the City of Fort Wayne Zoning Map  
No. H-30 (Sec. 21 of Washington Township) – Councilmanic  
District #3  
4830 Hillegas Road**

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**REGULATIONS COMMITTEE  
CONTINUED**

**ACTION**

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**Z-07-12-04**

**AN ORDINANCE amending the City of Fort Wayne Zoning Map  
No. F-6 & G-6 (Sec. 5 of Wayne Township) – Councilmanic**

**District #4  
951 Thomas Road**

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**Z-07-12-05**

**AN ORDINANCE amending the City of Fort Wayne Zoning Map  
Nos. E-6 & M-6 (Sec. 2 & 11 of Wayne Township) – Councilmanic  
District #5**

**An area bounded by Fairfield Avenue, Jefferson  
Boulevard, Washington Boulevard and Webster Street**

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## **PUBLIC WORKS COMMITTEE**

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

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**No Ordinance 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-07-12-10**

**AN ORDINANCE approving contract agreement for biosolids**

processing, handling and marketing operations assistance at the Biosolids and Yard Waste Facility, Lake Ave. between Fox Contractors Corporation, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$950,000

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**S-07-12-19**

**AN ORDINANCE approving the awarding of I.T.B. #2745 – Two Year Contract for HVAC and Boiler Maintenance and Repair by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Havel Brothers, Allied Mechanical and BCS for Property Management, Water Maintenance, The WPC Plant and the Filtration Plant**

Total cost of \$179,494

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**S-07-12-17**

**AN ORDINANCE approving construction contract: 1910-2007 – Turpie-Freuhauf Alley Stormwater Improvements between All Star Construction and the City of Fort Wayne, Indiana, in connection with the Board of Public Works**

Total cost of \$104,189.50

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**S-07-12-18**

**AN ORDINANCE approving construction contract: 1959-2007 Wheelock Road Sanitary Sewer Extension between Kurtz Excavating and the City of Fort Wayne, Indiana, in connection with the Board of Public Works**

Total cost of \$111,706.19

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## **CITY UTILITIES COMMITTEE CONTINUED**

### **ACTION**

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**G-07-12-20**

**AN ORDINANCE amending Chapter 50: Garbage and Refuse of the City of Fort Wayne, Indiana, Code of Ordinances  
Chapter 50: Garbage and Refuse**

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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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**A-07-11-20**

**AN ORDINANCE appropriating monies into certain accounts for the 2007 Budgets of various funds for the remainder of 2007**

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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**

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**R-07-11-23**

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” property 2727 Independence Drive (United Parcel Service)**

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

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**R-07-11-25**

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

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

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**FINANCE COMMITTEE**

**CONTINUED**

## **ACTION**

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**R-07-11-34**

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

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

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**R-07-12-12**

**A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” property 7910 West Jefferson Boulevard**

**(Radiology Oncology Associates, LLP)**

**Total cost of \$3,328,367 – five full-time and two part-time  
Jobs will be created as a result of the project**

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**DO PASS S-07-11-17**

**AN ORDINANCE approving the need for the services of a  
consultant to provide professional services: Taylor St. to  
Jefferson Blvd. Landscape Architecture Project**

**Total cost of on an annual basis, will be in excess of  
\$100,000**

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**DO PASS S-07-11-18**

**AN ORDINANCE approving the need for services of a consultant  
to provide professional services: Taylor Street to Jefferson  
Boulevard Project**

**Total cost of on an annual basis, will be in excess of  
\$100,000**

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**DO PASS S-07-11-19**

**AN ORDINANCE approving Work Order #11791, Time Corners  
Traffic Improvements – Board of Public Works**

**Total cost of \$100,000**

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## **FINANCE COMMITTEE CONTINUED**

### **ACTION**

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**DO PASS S-07-11-31**

**AN ORDINANCE approving of annual contract for Board-Ups,  
Emergency Orders to Repair and Clean Ups – Neighborhood  
Code Enforcement**

**Total cost of \$195,000**

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**DO PASS S-07-11-32**

**AN ORDINANCE approving Buckner Park Phase One  
Development – Parks and Recreation Department**

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

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**DO PASS S-07-11-35**

**AN ORDINANCE approving purchase of Trees – Division of  
Community Development  
Total cost of \$100,000+**

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**DO PASS R-07-11-13**

**RESOLUTION approving the 2008 budget for the Downtown Fort  
Wayne Economic Improvement District**

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**REGULATIONS COMMITTEE**

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

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**DO PASS G-07-11-26**

**AN ORDINANCE amending various sections of Chapter 91:  
“Animal Control” Fort Wayne, Indiana, Code of Ordinances  
Dangerous Animals**

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**REGULATIONS COMMITTEE  
CONTINUED**

**ACTION**

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**DO PASS G-07-11-27**

**AN ORDINANCE amending Section 73.42 Sunset Provision:  
Ardmore Avenue and Freeman Street, Code of Ordinances**

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**DO PASS R-07-11-14**

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

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**DO PASS G-07-11-04 (AS AMENDED)**

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

**Municipal Code  
Periodic update of Ordinance**

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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-07-11-28  
AN ORDINANCE approving annual requirements for the  
purchase of pebble lime for 2007 - Three Rivers Filtration Plant  
Total cost of \$188,000**

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**DO PASS S-07-11-29  
AN ORDINANCE approving annual requirements for the  
purchase of pebble lime for 2008 - Three Rivers Filtration Plant  
Total cost of \$1,107,132**

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**DO PASS S-07-11-30**

**AN ORDINANCE approving annual requirements for the purchase of powdered activated carbon for 2008 – Three Rivers Filtration Plant**

**Total cost of \$157,267**

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**DO PASS S-07-11-36**

**AN ORDINANCE approving Development and Option Agreement and License Agreement – Board of Public Works**

**Total cost of \$100,000+**

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

**SANDRA E. KENNEDY  
CITY CLERK**

