

COMMITTEE SESSION

AGENDA

FORT WAYNE COMMON COUNCIL

MAY 13, 2008

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

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

PRESIDING OVER THE STANDING
COMMITTEE OF THE COMMON COUNCIL

THOMAS F. DIDIER
PRESIDENT

SECRETARY OF THE COMMITTEE
SESSION OF THE COMMON COUNCIL

SANDRA E. KENNEDY
CITY CLERK

LEGAL ADVISOR TO MEMBERS
OF THE COMMON COUNCIL

JOSEPH G. BONAHOOM
COUNCIL ATTORNEY

BENDER_____ , BROWN_____ , DIDIER_____ ,
GOLDNER_____ , HARPER_____ , HINES_____ ,
PAPE_____ , SHOAFF_____ , SMITH_____ ,

ORDER OF THE AGENDA

1. ROLL CALL

**2. "DID" -- PRESENTATION AND INTRODUCTION
OF NEW "DID" PRESIDENT, RICH DAVIS**

STEVE BRODY - CHAIRMAN

SHARON FEASEL - REDEVELOPMENT SPECIALIST

3. LEGAL PUBLIC HEARING – PAGE 3

4. PRIOR APPROVAL REQUESTS – PAGE 4

**5. DISCUSSION OF PENDING
ORDINANCES AND RESOLUTIONS – PAGES 5 THRU 8**

LEGAL PUBLIC HEARING

FINANCE COMMITTEE

Mitch Harper - Chair
Thomas E. Smith - Co-Chair
All Council Members

R-08-04-10

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 102 West Superior Street, Fort Wayne, Indiana 46802 (Altivity Packaging, LLC)

Total cost of \$190,500

Personal property improvements – they will purchase new manufacturing equipment. 120 full-time jobs will be retained as a result of the project

PRIOR APPROVAL REQUEST

PUBLIC WORKS COMMITTEE

*Glynn A. Hines - Chair
Liz Brown - Co-Chair
All Council Members*

“PRIOR APPROVAL REQUEST” South Anthony Boulevard: Fairfax to Capitol – contract was awarded to Wayne Asphalt in the amount of \$457,253

“PRIOR APPROVAL REQUEST” Public Sidewalk Curb Ramp Package A-2008 – contract was awarded to Newell Construction in the amount of \$116,378.25

“PRIOR APPROVAL REQUEST” Resurfacing Package B-2008 – contract was awarded to E&B Paving in the amount of \$944,866

“PRIOR APPROVAL REQUEST” Resurfacing Package A-2008 – contract was awarded to E&B Paving in the amount of \$910,922

**ORDINANCES AND RESOLUTIONS
UP FOR DISCUSSION**

FINANCE COMMITTEE

*Mitch Harper - Chair
Thomas E. Smith - Co-Chair
All Council Members*

ACTION

S-08-04-11

**AN ORDINANCE approving the awarding of the Contract for Professional Economic Development Services by the City of Fort Wayne, Indiana by and through its Department of Purchasing and Fort Wayne - Downtown Improvement District for the Division of Community Development
Total cost of \$150,000**

S-08-04-12

**AN ORDINANCE approving the awarding of RFQ No. 2820- Demolitions and Lot Restorations for properties throughout the City of Fort Wayne by and through its Department of Purchasing and Oxendine, Palermo, Leininger Excavating and Feuser Contracting for the Department of Neighborhood Code Development
Total cost of \$115,865**

R-08-04-10

**A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 102 Superior Street, Fort Wayne, Indiana 46802 (Altivity Packaging, LLC)
Total cost of \$190,500 - 120 full-time jobs will be retained as A result of the project**

FINANCE COMMITTEE

CONTINUED

ACTION

S-08-01-07

AN ORDINANCE approving the purchase of an Automated Vehicle Location System For Police Vehicles by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Spillman Technologies for the Police Department

Total cost of \$501,564

(S-08-01-07 had a "Do Pass" out of Committee on 1-15-08 - moved back To committee for additional information

And discussion)

R-08-05-08

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 2710 American Way, Fort Wayne, Indiana 46809 (Quadrant EPP)

Total cost of \$1,725,099

This Resolution is to be introduced and voted

Upon for passage tonight at the Regular Session

R-08-05-10

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 10105 Auburn Park Drive, Fort Wayne, Indiana 46825 (DeBrand Fine Chocolates)

Total cost of \$155,000

This Resolution is to be introduced and voted

Upon for passage tonight at the Regular Session

REGULATIONS COMMITTEE

Tim Pape - Chair
Marty Bender - Co-Chair
All Council Members

R-08-04-14

**A RESOLUTION approving credit for past service with another
Indiana Political Subdivision for Bradley Fisher and Ezra
Bowman**

PUBLIC WORKS COMMITTEE

Glynn A. Hines - Chair
Liz Brown - Co-Chair
All Council Members

ACTION

No Ordinances or Resolutions up for discussion

CITY UTILITIES COMMITTEE

*John Shoaff - Chair
Karen Goldner - Co-Chair
All Council Members*

ACTION

S-08-04-13

AN ORDINANCE approving construction contract for Resolution #08-01: Work Order #12075 - Water Utility Cuts between Robbco, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$821,289.74

PRIOR APPROVAL WAS RECEIVED ON 4-22-08

REGULAR SESSION

AGENDA

FORT WAYNE COMMON COUNCIL

MAY 13, 2008

REGULAR SESSION
IMMEDIATELY FOLLOWING COMMITTEE SESSION
COMMON COUNCIL CHAMBERS ROOM 126

PRESIDING OVER THE STANDING
COMMITTEE OF THE COMMON COUNCIL

THOMAS F. DIDIER
PRESIDENT

SECRETARY OF THE REGULAR
SESSION OF THE COMMON COUNCIL

SANDRA E. KENNEDY
CITY CLERK

LEGAL ADVISOR TO MEMBERS
OF THE COMMON COUNCIL

JOSEPH H. BONAHOOM
COUNCIL ATTORNEY

BENDER_____, BROWN_____, DIDIER_____,
GOLDNER_____, HARPER_____, HINES_____,
PAPE_____, SHOAFF_____, SMITH_____

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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

THOMAS F. DIDIER
PRESIDENT

COMMUNICATION: **BOARD OF PUBLIC SAFETY –**
 REGULATORY RESOLUTIONS (3)

INTRODUCTION OF ORDINANCES AND RESOLUTIONS – PAGES 3 THRU 7

PASSAGE OF ORDINANCES AND RESOLUTIONS – PAGES 8 THRU 10

MISCELLANEOUS BUSINESS

CHAIR OPEN FOR COMMENTS – FROM CITIZENS AND COUNCIL MEMBERS

RETIREMENT OF COLORS

ADJOURNMENT

**ORDINANCES AND RESOLUTIONS
UP FOR INTRODUCTION**

FINANCE COMMITTEE

*Mitch Harper - Chair
Thomas E. Smith - Co-Chair
All Council Members*

ACTION

S-08-05-12

**AN ORDINANCE approving the awarding of ITB #2821 –
Foellinger-Freimann Botanical Conservatory Phase II Mechanical
Renovation Project by the City of Fort Wayne, Indiana, by and
through its Department of Purchasing and Project Design and
Piping, Inc. for the Parks and Recreation Department
Total cost of \$888,870**

S-08-05-14

**AN ORDINANCE approving the awarding of RFP #2831 –
Purchase of 400 DVD Digital in Car Video Cameras by the City
of Fort Wayne, Indiana, by and through its Department of
Purchasing and Watchguard for the Fort Wayne Police
Department
Total cost of \$233,480**

S-08-05-15

**AN ORDINANCE approving the awarding of ITB #1651 –
purchase of 120 Mobile Tactical Computers by the City of Fort
Wayne, Indiana, by and through its Department of Purchasing
and OEM Micro for the Fort Wayne Police Department
Total cost of 653,280**

FINANCE COMMITTEE

CONTINUED

ACTION

R-08-05-08

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 2710 American Way, Fort Wayne, Indiana 46809 (Quadrant EPP)

Total cost of \$1,725,099 jobs will be retained

TO BE PASSED THIS EVENING

R-08-05-09

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 2710 American Wayne, Fort Wayne, Indiana 46809 (Quadrant Engineering Plastic Products)

Total cost of \$1,725,099

PUBLIC HEARING 5-27-08 - 5:30 P.M.

R-08-05-10

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 10105 Auburn Park Drive, Fort Wayne, Indiana 46825 (DeBrand Fine Chocolates)

Total cost of \$155,000 – 22 full-time and 11 part-time jobs Will be retained

TO BE PASSED THIS EVENING

R-08-05-11

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 10105 Auburn Park Drive, Fort Wayne, Indiana 46825 (DeBrand Fine Chocolates)

Total cost of \$155,000 – 22full-time and 11 part-time jobs Will be retained

PUBLIC HEARING 5-27-08 - 5:30 P.M.

FINANCE COMMITTEE

CONTINUED

ACTION

R-08-05-16

**RESOLUTION approving \$1,200,000 of Cedit Funds for restoration and stabilization of the existing sandstone veneer and replacement of the HVAC System for the History Center Building
Total cost of \$1,200,000**

REGULATIONS COMMITTEE

*Tim Pape - Chair
Marty Bender - Co-Chair
All Council Members*

R-08-05-01

A RESOLUTION approving credit for past service with another Indiana Political Subdivision for various employees within the Communications Department

G-08-05-07

**AN ORDINANCE for the purpose of vacating a portion of a dedicated utility easement - Councilmanic District #3
North 10 feet of easement will be vacated and the property Owner will be able to build a private swimming pool**

PUBLIC HEARING - 5-27-08 - 5:30 P.M.

Z-08-05-06

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-02 (Sec. 11 of Wayne Township) - Councilmanic District #05

PUBLIC WORKS COMMITTEE

*Glynn A. Hines - Chair
Liz Brown - Co-Chair
All Council Members*

ACTION

S-08-05-13

**AN ORDINANCE approving construction contract #7181-2008, Public Sidewalk Curb Ramp Package A-2008 between Newell Construction and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$116,378.25**

CITY UTILITIES COMMITTEE

*John Shoaff - Chair
Karen Goldner - Co-Chair
All Council Members*

S-08-05-02

**AN ORDINANCE approving contract #1996 - 2008, General CIPP 2008 between Reynolds Inliner, LLC and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$1,656,833.35**

S-08-05-05

**AN ORDINANCE approving the awarding of #2769 - annual requirements for sewer construction material for 2008 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Midwest Tile; HD Supply; Underground Pipe & Valve; and EJ Prescott for the Water Pollution Control Maintenance Department
Total cost of \$153,000**

CITY UTILITIES COMMITTEE CONTINUED

ACTION

S-08-05-04

AN ORDINANCE certifying and approving the need for the services of a consultant to develop the Fort Wayne Green Infrastructure Initiative: Rain Garden Program

S-08-05-03

AN ORDINANCE certifying and approving the need for professional engineering and planning services for the Water Pollution Control Plant's CSO Treatment and Northern Area Equalization Master Plan - Phase B, between CH2M Hill, Inc. and the City of Fort Wayne, Indiana, in connections with the Board of Public Works

Total cost of \$398,460

**ORDINANCES AND RESOLUTIONS
UP FOR PASSAGE**

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FINANCE COMMITTEE

*Mitch Harper - Chair
Thomas E. Smith - Co-Chair
All Council Members*

ACTION

S-08-04-11

**AN ORDINANCE approving contract for Professional Economic Development Services – Fort Wayne Downtown Improvement District for the Division of Community Development
Total cost of \$150,000**

S-08-04-12

**AN ORDINANCE approving of RFQ No. 2820-Demolitions and Lot Restorations for properties throughout the City of Fort Wayne for the Department of Neighborhood Code Development
Total cost of \$115,865**

R-08-04-10

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” property 102 West Superior Street (Altivity Packaging, LLC)
Total cost of \$190,500**

R-08-05-08

**A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” property 2710 American Way (Quadrant EPP)
Total cost of \$1,725,099 – 110 full-time jobs will be retained**

FINANCE COMMITTEE

CONTINUED

ACTION

R-08-05-10

A DECLARATORY RESOLUTION designating an “Economic

**Revitalization Area” property 10105 Auburn Park Drive (DeBrand
Fine Chocolates)**

**Total cost of \$155,000 – 22 full-time and 11 part-time jobs
Will be retained**

S-08-01-07

**AN ORDINANCE approving the purchase of an AUTOMATED
VEHICLE LOCATION SYSTEM FOR POLICE VEHICLES for
the Police Department**

Total cost of \$501,564

REGULATIONS COMMITTEE

*Tim Pape - Chair
Marty Bender - Co-Chair
All Council Members*

R-08-04-14

**A RESOLUTION approving credit for past service with another
Indiana Political Subdivision for Bradley Fisher and Ezra
Bowman**

PUBLIC WORKS COMMITTEE

*Glynn A. Hines - Chair
Liz Brown - Co-Chair
All Council Members*

ACTION

No Ordinances or Resolutions up for passage

CITY UTILITIES COMMITTEE

*John Shoaff - Chair
Karen Goldner - Co-Chair
All Council Members*

ACTION

S-08-04-13

**AN ORDINANCE approving construction contract for work order
- Water Utility Cuts - Board of Public Works
Total cost of \$821,289.74**

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

**SANDRA E. KENNEDY
CITY CLERK**

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#1135

BILL NO. G-08-05-07

GENERAL ORDINANCE NO. G-_____

**AN ORDINANCE for the purpose of
vacating a portion of a dedicated utility easement.**

WHEREAS, a petition to vacate a portion of a dedicated utility and surface drainage easement within the City of Fort Wayne, Indiana, (as more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne, Indiana; and;

WHEREAS, Common Council of the City of Fort Wayne, Indiana, duly held a public hearing and approved said petition, as provided in I.C. 36-7-3-12.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a portion of a dedicated utility and surface drainage easement within the City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

The North 10 feet of the 20 foot by 80 foot utility and surface drainage easement on Lot 117 in Hearthstone Village, Section I, the plat of which is recorded in Plat Cabinet B, Page 19, and also as Document Number 90-14880, in the Office of the Recorder of Allen County, Indiana.

and which vacating allows the portion of dedicated utility and surface drainage easement to revert to the use of the adjacent property owners, is hereby approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

Carol T. Taylor, City Attorney

BILL NO. R-08-05-01

RESOLUTION NO. R-_____

**A RESOLUTION APPROVING CREDIT FOR PAST SERVICE
WITH ANOTHER INDIANA POLITICAL SUBDIVISION
FOR VARIOUS EMPLOYEES WITHIN THE COMMUNICATIONS
DEPARTMENT**

WHEREAS, Ordinance G-15-92 and City of Fort Wayne/City Utilities Policy and Procedure Number 203 provides employees hired on or after April 2, 1992, may be granted credit for past service with another Indiana political subdivision for the purposes of determining eligibility for vacation leave upon the approval of the Mayor and the Common Council; and

WHEREAS, the City of Fort Wayne currently employs Eric A. Veatch and David C. Walda, Jr. within the Communications Department and desires to grant them credit for their past services with another Indiana political subdivision for the purpose of determining eligibility for vacation leave; and

WHEREAS, approval of the Common Council is necessary to allow credit for various employees within the Communications Department for their past service with another Indiana political subdivision:

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

SECTION 1. The Common Council of the City of Fort Wayne, Indiana, pursuant to Ordinance G-15-92 and City of Fort Wayne/City Utilities Policy and Procedure Number 203, approves Eric A. Veatch and David C. Walda,

Jr. within the Communications Department's credit for past service with another Indiana political subdivision:

| | | | | |
|---------------------|-----------------------------------|------------|----|------------|
| Eric A. Veatch | Allen County Sheriff's Department | 02/14/1994 | to | 04/01/1997 |
| David C. Walda, Jr. | Allen County Sheriff's Department | 12/05/2002 | to | 11/27/2007 |

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 2710 American Way, Fort Wayne, Indiana 46809 (Quadrant EPP)

WHEREAS, Petitioner has duly filed its petition dated April 10, 2008 to have the following described property designated and declared an “Economic Revitalization Area” under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

Attached hereto as “Exhibit A” as if a part herein;

and

WHEREAS, said project will retain 110 full-time, permanent jobs for a total current annual payroll of \$6,300,000, with the average current, annual job salary being \$57,273; and

WHEREAS, the total estimated project cost is \$1,761,000; and

WHEREAS, it appears the said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an “Economic Revitalization Area” under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 6 of this Resolution and shall terminate on December 31, 2011, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 2. That, upon adoption of the Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance requesting a recommendation from said committee concerning the advisability of designating the above area an “Economic Revitalization Area”;
- (c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and substance of this resolution and setting this designation as an “Economic Revitalization Area” for public hearing;
- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to

the Fort Wayne Redevelopment Commission and said designation as an “Economic Revitalization Area” shall not be finally approved unless said Commission adopts a Resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an “Economic Revitalization Area” shall apply to both a deduction of the assessed value of real estate and personal property for new manufacturing and research and development equipment.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of the value of redevelopment or rehabilitation and the estimate of the value of new manufacturing and research and development equipment, all contained in Petitioner’s Statement of Benefits, are reasonable and are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation and from the installation of new manufacturing and research and development equipment.

SECTION 5. That, the current year approximate tax rates for taxing units within the City would be:

- (a) If the proposed development does not occur, the approximate current year tax rates for this site would be \$2.2829/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$2.2829/\$100 (the change would be negligible).
- (c) If the proposed development occurs and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for the site would be \$2.2829/\$100 (the change would be negligible).
- (d) If the proposed new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$2.6067/\$100.
- (e) If the proposed new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.6067/\$100 (the change would be negligible).
- (f) If the proposed new manufacturing equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.6067/\$100 (the change would be negligible).
- (g) If the proposed new research and development equipment is not installed, the approximate current year tax rates for this site would be \$2.6067/\$100.

(h) If the proposed new research and development equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.6067/\$100 (the change would be negligible).

(i) If the proposed new research and development equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.6067/\$100 (the change would be negligible).

SECTION 6. That, this Resolution shall be subject to being confirmed, modified and confirmed, or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 7. That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten years, and the deduction from the assessed value of the new manufacturing and research and development equipment shall be for a period of five years.

SECTION 8. That, the benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

SECTION 9. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

SECTION 10. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases operations at the facility for which the deduction was granted and if the Common Council finds that the property owner obtained the deduction by intentionally providing false information concerning the property owner's plans to continue operation at the facility.

SECTION 11. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Member of Council

APPROVED AS TO FORM AND LEGALITY

Carol Taylor, City Attorney

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 2710 American Way, Fort Wayne, Indiana 46809 (Quadrant Engineering Plastic Products)

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein; and

WHEREAS, said project will retain 110 full-time, permanent jobs for a current annual payroll of \$6,300,000, with the average current annual job salary being \$57,273; and

WHEREAS, the total estimated project cost is \$1,725,099; and

WHEREAS, a recommendation has been received from the Committee on Finance concerning said Resolution; and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously designating the above described property as an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2011, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall apply to a deduction of the assessed value of real estate and personal property for new manufacturing and research and development equipment.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of redevelopment or rehabilitation and estimate of the value of the new manufacturing and research and development equipment, all contained in Petitioner's Statement of Benefits are reasonable and are

benefits that can be reasonably expected to result from the proposed described installation of the new manufacturing and research and development equipment.

SECTION 5. The current year approximate tax rates for taxing units within the City would be:

- (a) If the proposed development does not occur, the approximate current year tax rates for this site would be \$2.2829/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$2.2829/\$100 (the change would be negligible).
- (c) If the proposed development occurs, and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for the site would be \$2.2829/\$100 (the change would be negligible).
- (d) If the proposed new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$2.6067/\$100.
- (e) If the proposed new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.6067/\$100 (the change would be negligible).
- (f) If the proposed new manufacturing equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.6067/\$100 (the change would be negligible).
- (g) If the proposed new research and development equipment is not installed, the approximate current year tax rates for this site would be \$2.6067/\$100.
- (h) If the proposed new research and development equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.6067/\$100 (the change would be negligible).
- (i) If the proposed new research and development equipment is installed, and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.6067/\$100 (the change would be negligible).

SECTION 6. That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten years, and that the deduction from the assessed value of the new manufacturing and research and development equipment shall be for a period of five years.

SECTION 7. That, the benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

SECTION 8. For new manufacturing and research and development equipment, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort Wayne's

Community Development Division and must be included with the deduction application. For subsequent years, the performance report must be updated and submitted along with the deduction application at the time of filing.

SECTION 9. For real property, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office and the City of Fort Wayne's Community Development Division and must be included in the deduction application. For subsequent years, the performance report must be updated each year in which the deduction is applicable at the same time the property owner is required to file a personal property tax return in the taxing district in which the property for which the deduction was granted is located. If the taxpayer does not file a personal property tax return in the taxing district in which the property is located, the information must be provided by May 15.

SECTION 10. The performance report must contain the following information:

- A. The cost and description of real property improvements and manufacturing and research and development equipment acquired.
- B. The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- C. The total salaries of the employees hired through the end of the preceding calendar year as a result of the deduction.
- D. The total number of employees employed at the facility receiving the deduction.
- E. The total assessed value of the real and/or personal property deductions.
- F. The tax savings resulting from the real and/or personal property being abated.

SECTION 11. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

SECTION 12. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases operations at the facility for which the deduction was granted and if the Common Council finds that the property owner obtained the deduction by intentionally providing false information concerning the property owner's plans to continue operation at the facility.

SECTION 13. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Member of Council

APPROVED AS TO FORM A LEGALITY

Carol Taylor, City Attorney

**A DECLARATORY RESOLUTION designating an
“Economic Revitalization Area” under I.C. 6-1.1-
12.1 for property commonly known as 10105
Auburn Park Drive, Fort Wayne, Indiana 46825
(DeBrand Fine Chocolates)**

WHEREAS, Petitioner has duly filed its petition dated April 29, 2008 to have the following described property designated and declared an “Economic Revitalization Area” under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

Attached hereto as “Exhibit A” as if a part herein;

and

WHEREAS, said project will retain 22 full-time and 11 part-time, permanent jobs for a total current annual payroll of \$672,416, with the average current, annual job salary being \$20,376; and

WHEREAS, the total estimated project cost is \$155,000; and

WHEREAS, it appears the said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an “Economic Revitalization Area” under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 6 of this Resolution and shall terminate on December 31, 2011, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 2. That, upon adoption of the Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance requesting a recommendation from said committee concerning the advisability of designating the above area an “Economic Revitalization Area”;
- (c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and substance of this resolution and setting this designation as an “Economic Revitalization Area” for public hearing;

(d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a Resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall apply to a deduction of the assessed value of personal property for new manufacturing and logistical distribution equipment.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of the value of new manufacturing and logistical distribution equipment, all contained in Petitioner's Statement of Benefits, are reasonable and are benefits that can be reasonably expected to result from the proposed described installation of new manufacturing and logistical distribution equipment.

SECTION 5. That, the current year approximate tax rates for taxing units within the City would be:

- (a) If the proposed new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$2.8470/\$100.
- (b) If the proposed new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.8470/\$100 (the change would be negligible).
- (c) If the proposed new manufacturing equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.8470/\$100 (the change would be negligible).
- (d) If the proposed new logistical distribution equipment is not installed, the approximate current year tax rates for this site would be \$2.8470/\$100.
- (e) If the proposed new logistical distribution equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.8470/\$100 (the change would be negligible).
- (f) If the proposed new logistical distribution equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.8470/\$100 (the change would be negligible).

SECTION 6. That, this Resolution shall be subject to being confirmed, modified and confirmed, or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 7. That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the new manufacturing and logistical distribution equipment shall be for a period of five years.

SECTION 8. That, the benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

SECTION 9. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

SECTION 10. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of said chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases operations at the facility for which the deduction was granted and if the Common Council finds that the property owner obtained the deduction by intentionally providing false information concerning the property owner's plans to continue operation at the facility.

SECTION 11. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Member of Council

APPROVED AS TO FORM AND LEGALITY

Carol Taylor, City Attorney

**A CONFIRMING RESOLUTION designating an
“Economic Revitalization Area” under I.C. 6-1.1-
12.1 for property commonly known as 10105
Auburn Park Drive, Fort Wayne, Indiana 46825
(DeBrand Fine Chocolates)**

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described property as an “Economic Revitalization Area” under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

Attached hereto as “Exhibit A” as if a part herein; and

WHEREAS, said project will retain 22 full-time and 11 part-time, permanent jobs for a current annual payroll of \$672,416, with the average current annual job salary being \$20,376; and

WHEREAS, the total estimated project cost is \$155,000; and

WHEREAS, a recommendation has been received from the Committee on Finance on said Resolution; and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA:**

SECTION 1. That, the Resolution previously designating the above described property as an “Economic Revitalization Area” is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an “Economic Revitalization Area” pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2011, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 3. That, said designation of the hereinabove described property as an “Economic Revitalization Area” shall apply to a deduction of the assessed value of personal property for new manufacturing and logistical distribution equipment.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of the value of the new manufacturing and logistical distribution equipment, all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described installation of the new manufacturing and logistical distribution equipment.

SECTION 5. The current year approximate tax rates for taxing units within the City would be:

- (a) If the proposed new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$2.8470/\$100.
- (b) If the proposed new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.8470/\$100 (the change would be negligible).
- (c) If the proposed new manufacturing equipment is installed, and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.8470/\$100 (the change would be negligible).
- (d) If the proposed new logistical distribution equipment is not installed, the approximate current year tax rates for this site would be \$2.8470/\$100.
- (e) If the proposed new logistical distribution equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.8470/\$100 (the change would be negligible).
- (f) If the proposed new logistical distribution equipment is installed, and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.8470/\$100 (the change would be negligible).

SECTION 6. Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the new manufacturing and logistical distribution equipment shall be for a period of five years.

SECTION 7. The benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

SECTION 8. For new manufacturing and logistical distribution equipment, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community Development Division and must

be included with the deduction application. For subsequent years, the performance report must be updated and submitted along with the deduction application at the time of filing.

SECTION 9. The performance report must contain the following information

- (a) The cost and description of real property improvements and/or new manufacturing and logistical distribution equipment acquired.
- (b) The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- (c) The total salaries of the employees hired through the end of the preceding calendar year as a result of the deduction.
- (d) The total number of employees employed at the facility receiving the deduction.
- (e) The total assessed value of the real and/or personal property deductions.
- (f) The tax savings resulting from the real and/or personal property being abated.

SECTION 10. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

SECTION 11. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of said chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases operations at the facility for which the deduction was granted and if the Common Council finds that the property owner obtained the deduction by intentionally providing false information concerning the property owner's plans to continue operation at the facility.

SECTION 12. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Member of Council

APPROVED AS TO FORM AND LEGALITY

Carol Taylor, City Attorney

**RESOLUTION APPROVING \$1,200,000 OF
CREDIT FUNDS FOR RESTORATION AND
STABILIZATION OF THE EXISTING
SANDSTONE VENEER AND REPLACEMENT
OF THE HVAC SYSTEM FOR THE HISTORY
CENTER BUILDING.**

WHEREAS, in September, 1985, The City of Fort Wayne conveyed to the Allen County-Fort Wayne Historical Society, Inc. the 1893 City Hall Building, located at the corner of Barr and Berry Streets, (the “old City Hall building”); and

WHEREAS, the Allen County-Fort Wayne Historical Society, Inc. currently operates the History Center for Historical Society purposes from the old City Hall building; and

WHEREAS, the Warranty Deed provides that if the History Center ceases to use the real estate generally for Historical Society purposes, the title will revert to the City of Fort Wayne; and

WHEREAS, the old City Hall Building is an important building to the City of Fort Wayne; and

WHEREAS, Barr Street has been identified as part of the cultural corridor for the City of Fort Wayne; and

WHEREAS, Barr Street will undergo capital improvements to develop the cultural elements to the Downtown Improvement Plan; and

WHEREAS, it has been identified there is a need to restore and replace existing sandstone veneer to the 1893 City Hall Building to ensure the safety of citizens walking by building; and

WHEREAS, It has also been identified there is a need to replace the HVAC system to preserve the ability of the History Center to remain in the building; and

WHEREAS, It has further been identified there is a need to replace the HVAC system if the History Center would choose to move to another location; and

WHEREAS, estimated costs for the restoration and stabilization of the existing sandstone veneer and the replacement of the HVAC system will coast approximately \$1,300,000.00; and

WHEREAS, the City of Fort Wayne commits to budget \$1,200,000 of CEDIT to be paid at the rate of \$200,000 over a period of six years beginning at the year 2008.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Common Council of the City of Fort Wayne, Indiana, approves to commit to budget \$1,200,000 of CEDIT to be paid at the rate of \$200,000 over a period of six years beginning at the year 2008.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

BILL NO. S-08-05-02

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving CONTRACT #1996-2008, GENERAL CIPP 2008 between REYNOLD'S INLINER, LLC and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the CONTRACT #1996-2008, GENERAL CIPP 2008 by and between REYNOLD'S INLINER, LLC and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, is hereby ratified, and affirmed and approved in all respects, respectfully for:

All labor, insurance, material, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary for completion for "GENERAL CIPP 2008" rehabilitation of approximately 37,100 LF of small diameter (8-inch to 15-inch) and 2,500 LF of medium diameter (18" & 33') sanitary and combination sewer by means of a cured-in-place pipe method;

involving a total cost of ONE MILLION, SIX HUNDRED FIFTY-SIX THOUSAND, EIGHT HUNDRED THIRTY-THREE AND 35/100 DOLLARS - (\$1,656,833.35).

SECTION 2. Prior Approval has been requested from Common Council on APRIL 22, 2008. Said copy is on file in the Office of the City Clerk and made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

AN ORDANCE certifying and approving the need for professional engineering and planning services for the Water Pollution Control Plant's CSO Treatment and Northern Area Equalization Master Plan, - Phase B, between CH2M Hill, Inc. and the City of Fort Wayne, Indiana, in connections with the Board of Public Works.

WHEREAS, In June, 2006, City Utilities selected CH2M Hill to perform Phase A of planning for treatment capacity improvements and site changes for treatment of combined sewage at the Water Pollution Control Plant; and

WHEREAS, CH2M Hill will complete the second phase of planning for treatment capacity improvements at the Water Pollution control Plant; and

WHEREAS, the total compensation for this phase of service is THREE HUNDRED NINETY-EIGHT THOUSAND, FOUR HUNDRED SIXTY AND NO/100 DOLLARS – (\$398,460.00).

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That the professional services agreement, "CSO Treatment and Northern Area Equalization Master Plan, Phase B" by and between CH2M Hill, Inc., and the City of Fort Wayne, Indiana, in connections with the Board of Public Works, is hereby ratified, affirmed, and approved in all respects. A copy of said professional services agreement is on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

AN ORDINANCE CERTIFYING AND APPROVING THE NEED FOR THE SERVICES OF A CONSULTANT TO DEVELOP THE FORT WAYNE GREEN INFRASTRUCTURE INITIATIVE: RAIN GARDEN PROGRAM.

WHEREAS, the Board of Public Works desires to hire a consultant to develop the Fort Wayne Green Infrastructure Initiative: Rain Garden Program; and

WHEREAS, on December 28, 2007, the City of fort Wayne signed a Consent Decree with the Department of Justice to resolve past violations of the Clean Water Act; and

WHEREAS, as part of the Consent Decree and as outlined in the Supplemental Environmental Project, the City is required to construct 20 demonstration rain gardens and implement various activities to support the Rain Garden Program; and

WHEREAS, Rain Gardens provide many benefits to the individual homeowner and the community at-large from cleaning stormwater runoff to providing effective stormwater management; and

WHEREAS, the City of Fort Wayne does not have the capability of performing this work with in-house forces; and

WHEREAS, it is anticipated that the amount to be paid to said consultant, on an annual basis, will be in excess of \$100,000.00.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Common Council of the City of Fort Wayne hereby certifies and approves the need for the services of a consultant to develop the Fort Wayne Green Infrastructure Initiative: Rain Garden Program.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

AN ORDINANCE approving the awarding of #2769 - ANNUAL REQUIREMENTS FOR SEWER CONSTRUCTION MATERIAL FOR 2008 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and MIDWEST TILE; HD SUPPLY; UNDERGROUND PIPE & VALVE; AND EJ PRESCOTT for the WATER POLLUTION CONTROL MAINTENANCE DEPARTMENT.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That #2769 - ANNUAL REQUIREMENTS FOR SEWER CONSTRUCTION MATERIAL FOR 2008 between the City of Fort Wayne, by and through its Department of Purchasing and MIDWEST TILE; HD SUPPLY; UNDERGROUND PIPE & VALVE; AND EJ PRESCOTT for the WATER POLLUTION CONTROL MAINTENANCE DEPARTMENT, respectfully for:

purchase of annual (2008) requirements for sewer construction material for the Water Pollution Control Maintenance Department:

involving a total cost of ONE HUNDRED FIFTY-THREE THOUSAND AND NO/100 DOLLARS - (\$153,000.00) - (MIDWEST - \$95,000.00; HD - \$24,000.00; UNDERGROUND - \$27,000.00; EJ PRESCOTT - \$7,000.00) all as more particularly set forth in said #2769 - ANNUAL REQUIREMENTS FOR SEWER CONSTRUCTION MATERIAL FOR 2008, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect

from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

BILL NO. S-08-05-12

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the awarding of ITB #2821 - FOELLINGER-FREIMANN BOTANICAL CONSERVATORY PHASE II MECHANICAL RENOVATION PROJECT by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and PROJECT DESIGN AND PIPING, INC. for the PARKS AND RECREATION DEPARTMENT.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That ITB #2821 - FOELLINGER-FREIMANN BOTANICAL CONSERVATORY PHASE II MECHANICAL RENOVATION PROJECT between the City of Fort Wayne, by and through its Department of Purchasing and PROJECT DESIGN AND PIPING, INC. for the PARKS AND RECREATION DEPARTMENT, respectfully for:

replacement of 12 air handling units, supply lines, and ductwork to and from the units. Project also includes the replacement of all the controls for the building with a new direct-digital control (DDC) system that is web based and accessible from remote locations to authorized personnel:

involving a total cost of EIGHT HUNDRED EIGHTY-EIGHT THOUSAND, EIGHT HUNDRED SEVENTY AND NO/100 DOLLARS - (\$888,870.00) all as more particularly set forth in said ITB #2821 - FOELLINGER-FREIMANN BOTANICAL CONSERVATORY PHASE II MECHANICAL RENOVATION PROJECT, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things

ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

BILL NO. S-08-05-13

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving CONSTRUCTION CONTRACT #7181-2008, PUBLIC SIDEWALK CURB RAMP PACKAGE A-2008 between NEWELL CONSTRUCTION and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the CONSTRUCTION CONTRACT #7181-2008, PUBLIC SIDEWALK CURB RAMP PACKAGE A-2008 by and between NEWELL CONSTRUCTION and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, is hereby ratified, and affirmed and approved in all respects, respectfully for:

All labor, insurance, material, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary for Public Sidewalk Curb Ramp Package A-2008;

involving a total cost of ONE HUNDRED SIXTEEN THOUSAND, THREE HUNDRED SEVENTY-EIGHT AND 25/100 DOLLARS - (\$116,378.25).

SECTION 2. Prior Approval has been requested from Common Council on MAY 13, 2008. Said copy is on file in the Office of the City Clerk and made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

BILL NO. S-08-05-14

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the awarding of RFP #2831 - PURCHASE OF 400 DVD DIGITAL IN CAR VIDEO CAMERAS by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and WATCHGUARD for the FORT WAYNE POLICE DEPARTMENT.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That RFP #2831 - PURCHASE OF 400 DVD DIGITAL IN CAR VIDEO CAMERAS between the City of Fort Wayne, by and through its Department of Purchasing and WATCHGUARD for the FORT WAYNE POLICE DEPARTMENT, respectfully for:

purchase of 40 DVD Digital In Car Video Cameras:

involving a total cost of TWO HUNDRED THIRTY-THREE THOUSAND, FOUR HUNDRED EIGHTY AND NO/100 DOLLARS - (\$233,480.00) all as more particularly set forth in said RFP #2831 - PURCHASE OF 400 DVD DIGITAL IN CAR VIDEO CAMERAS, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

BILL NO. S-08-05-15

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the awarding of ITB #1651 - PURCHASE OF 120 MOBILE TACTICAL COMPUTERS by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and OEM MICRO for the FORT WAYNE POLICE DEPARTMENT.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That ITB #1651 - PURCHASE OF 120 MOBILE TACTICAL COMPUTERS between the City of Fort Wayne, by and through its Department of Purchasing and OEM MICRO for the FORT WAYNE POLICE DEPARTMENT, respectfully for:

purchase of 120 Mobile computers:

involving a total cost of SIX HUNDRED FIFTY-THREE THOUSAND, TWO HUNDRED EIGHTY AND NO/100 DOLLARS - (\$653,280.00) all as more particularly set forth in said ITB #1651 - PURCHASE OF 120 MOBILE TACTICAL COMPUTERS, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

#1133

BILL NO. Z-08-05-06

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. L-02 (Sec. 11 of Wayne Township)**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:**

SECTION 1. That the area described as follows is hereby designated an IN1 (Limited Industrial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

The West 27 feet of Lot 7 of Chutes and Princes Addition to the City of Fort Wayne

and the symbols of the City of Fort Wayne Zoning Map No. L-02 (Sec. 11 of Wayne Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY:

Carol T. Taylor, City Attorney