

**ORDINANCES AND RESOLUTIONS
UP FOR INTRODUCTION**

JULY 28, 2009

FINANCE COMMITTEE

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

ACTION

A-09-07-22

AN ORDINANCE appropriating monies into certain accounts for the 2009 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 2009

Total General Fund - \$1,200,000

Public Hearing 8-11-09 -- 5:30 P.M.

S-09-07-21

AN ORDINANCE certifying and approving Resolution #2187-2006, W.O. #75386, the need for the services of a consultant to provide professional engineering services for the Digester Gas Safety Improvements Phase 3, for the Water Pollution Control Plant

Total cost of \$298,000

REGULATIONS COMMITTEE

*Thomas F. Didier – Chair
John Shoaff – Co-Chair
All Council Members*

ACTION

G-09-07-23

AN ORDINANCE amending Chapter 36, Personnel Policies of the Fort Wayne Code of Ordinances that establishes guidelines for the payment of Group Health Insurance Premiums by the City of Fort Wayne for its Retirees as allowed under I.C. 5-10-8 et seq

Z-09-07-15

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. X-22 (Sec. 26 of St. Joseph Township)
8218 Trier at southeast corner of Trier and Goeglien –
property will be downzoned to allow for construction of a
35 unit senior apartment complex**

Z-09-07-16

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. I-27 (Sec. 28 of Wayne Township)
2407 Fair oak Drive (Waynedale) – allow existing house to
be returned to a single-family home**

Z-09-07-17

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K-18 (Sec. 34 of Washington Township)
Lots 2,4,6,8,10 and 12 in Clayton Place addition, 926 West
State Boulevard – property will be rezoned to CM2 –
Limited to Retail and Commercial**

R-09-07-20

**A RESOLUTION approving Compliance with Statement of Benefits (CF-1) form filings for 2009 for properties with approved “Economic Revitalization Areas” under I.C. 6-1.1-12.1
Will allow property owners to continue to receive their tax
Abatement benefits**

PUBLIC WORKS COMMITTEE

*Marty Bender - Chair
Karen E. Goldner-Co-Chair
All Council Members*

ACTION

S-09-07-13

**AN ORDINANCE approving construction contract #7236-09, Caribou Drive Concrete Repairs, Work Order: 12111 between Rock Solid Concrete and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$129,235**

S-09-07-14

**AN ORDINANCE approving Improvement Resolution #7240-2009, Towpath Trail, Phase 1 between Wayne Asphalt and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$237,856.52**

S-09-07-19

**AN ORDINANCE approving construction contract #7203-2008, Calhoun Street Streetscape Conversion between Hipkind Concrete and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$1,006,300**

CITY UTILITIES COMMITTEE

*Tim Pape - Chair
Mitch Harper - Co-Chair
All Council Members*

ACTION

S-09-07-18

**AN ORDINANCE approving construction contract #2183-2009, Cabridge & Trinity Spot Drainage Improvement between Cascon, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$134,310.60**

BILL NO. A-09-07-22

APPROPRIATION ORDINANCE NO. A-_____

AN ORDINANCE appropriating monies into certain accounts for the 2009 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 2009.

WHEREAS, the budget adjustment policy of the City of Fort Wayne stipulates that all Departments operating on a tax supported and/or City Council approved budget shall submit requests to the Controller for appropriation of additional monies to the 2009 budgets to provide sufficient operating funds for the remainder of 2009;

WHEREAS, adequate funds exist in the unappropriated and unobligated balance of the funds specified and in the appropriations of certain departments as specified;

and;

WHEREAS, such appropriations have been recommended by the City Controller.

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

SECTION 1. That there is hereby appropriated to the 2009 budget accounts of the various departments listed below, the following amounts, respectively, to-wit:

ADDITIONAL APPROPRIATIONS:

<u>FUND:</u>	<u>DEPARTMENT:</u>	<u>TO:</u>	<u>LINE:</u>	<u>AMOUNT:</u>
General	Police	539A	Transfer to Other Fund (will be transferred to Self-Insurance Fund)	<u>Increase</u> \$ 1,200,000
			TOTAL GENERAL FUND	\$ 1,200,000
			<u>TOTAL</u> <u>ADDITIONALS</u>	<u>\$</u> <u>1,200,00</u> <u>0</u>

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 Taylor, City Attorney

AN ORDANCE certifying and approving Resolution #2187-2009, W.O. #75386, the need for the services of a consultant to provide professional engineering services for the Digester Gas Safety Improvements Phase 3, for the Water Pollution Control Plant.

WHEREAS, the Board of Public Works desires to hire Greeley and Hansen, LLC for professional engineering services for the Digester Gas Safety Improvements Phase 3 at the Water Pollution Control Plant; 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 the consultant is TWO HUNDRED NINETY-EIGHT THOUSAND AND NO/100 DOLLARS – (\$298,000.00).

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 Greeley and Hansen, LLC to provide professional engineering services for the Digester Gas Safety Improvements Phase 3, at the Water Pollution Control Plant.

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 Taylor, City Attorney

BILL NO. G-09-07-23

ORDINANCE NO. G-_____

AN ORDINANCE AMENDING CHAPTER 36, PERSONNEL POLICIES OF THE FORT WAYNE MUNICIPAL CODE OF ORDINANCES THAT ESTABLISHES GUIDELINES FOR THE PAYMENT OF GROUP HEALTH INSURANCE PREMIUMS BY THE CITY OF FORT WAYNE FOR ITS RETIREES AS ALLOWED UNDER I.C. 5-10-8 *et seq.*

WHEREAS, the City of Fort Wayne provides a benefit to all civil city and city utility employees, both union and non-union, with regard to the payment of certain retiree group health insurance premiums; and

WHEREAS, I.C. 5-10-8 *et seq.* requires the City, as a public employer, to make available the same group health insurance program to all of its retirees as is available to its active employees; and

WHEREAS, I.C. 5-10-8 *et seq.* allows, but does not require payment of any of the premium costs for insurance on behalf of retirees; and

WHEREAS, the cost to the City of Fort Wayne for said retiree group health insurance premiums continues to escalate; and

WHEREAS, it is in the best interest of the City to amend the degree to which the City of Fort Wayne contributes to retiree health insurance premium benefits for all civil city and city utilities, union and non-union employees; and

WHEREAS, it is appropriate and in compliance with I.C. 5-10-8 *et seq.* for the City to set forth rules and regulations with regard to retirees insurance benefits more favorable than the statute, and to require that the retirees pay the full amount of the premium costs for retiree health insurance if the City so chooses.

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

SECTION 1. Chapter 36 of the Municipal Code of

Ordinances is hereby amended to add Section 36.31 which section shall read as follows:

§ 36.31 HEALTH INSURANCE FOR RETIRED CITY EMPLOYEES; RATE INCREASE CAPS

A. **Applicability.** This section shall be referred to as the "Retiree Health Insurance Ordinance" and applies to all employees of the civil city, and city utilities of the City of Fort Wayne (union and non-union) including all employees of City of Fort Wayne subdivisions, departments, divisions, commissions, authority, institution, establishment, facility, or governmental unit under supervision of the City of Fort Wayne. Further, the provisions set forth herein shall be applicable to any contracts (including collective bargaining agreements) entered into after August 1, 2009, by the City of Fort Wayne, city utilities, or any of the City of Fort Wayne's subdivisions, departments, divisions, commissions, authority, institution, establishment, facility, or governmental unit under supervision of the City of Fort Wayne with any union or other third party which contract, in whole or in part, pertains to retiree health insurance.

B. This Ordinance is being adopted in compliance with I.C. 5-10-8 *et seq.* (entitled Group Insurance for Public Employees) and except as specifically modified herein, all definitions and all other provisions contained in I.C. 5-10-8 *et seq.* shall be controlling.

C. **Definitions.** For the purpose of this Section, the following definitions shall be applicable:

1. **"Premium Cost"** shall mean the total cost of group health insurance benefits attributable to an employee on an annual basis. The Premium

Cost can and will change from year to year as the group health insurance benefits and the cost therefore change from year to year.

2. **“Active Rate”** shall mean the cost which an active employee, employed by the City of Fort Wayne is required to contribute towards the total Premium Cost for group health insurance benefits annually. The Active Rate may change from year to year.

D. Prohibition against Caps on the Increase of Active Rates. The City of Fort Wayne, City of Fort Wayne Utilities, or any City of Fort Wayne’s subdivisions, departments, divisions, commissions, authority, institution, establishment, facility, or governmental unit under supervision of the City of Fort Wayne, is prohibited from entering into any agreement or contract whereby it agrees to cap or otherwise restrict the amount of any increase in the Active Rate payable by employees of the City of Fort Wayne from year to year.

E. Retiree Group Health Insurance Benefits/Premiums. Retired employees shall be entitled to participate in the City’s group health insurance program pursuant to I.C. 5-10-8 *et seq.* subject to the following:

1. All employees of the civil city or city utilities of the City of Fort Wayne, both union and non-union, who have been full-time employees for ten (10) consecutive years or more as of August 1, 2009, and who retire with twenty (20) or more years of service to the City of Fort Wayne or City Utilities of the City of Fort Wayne, and who otherwise meet the eligibility criteria set forth in I.C. 5-10-8 *et seq.*, shall be eligible to participate in the City of Fort Wayne’s group health insurance plan or program by paying a portion of insurance premiums equal to the Active Rate paid on an annual basis by a full-time employee of the civil city or the City Utilities of the City of Fort Wayne.
2. All full-time employees of the civil city and city utilities of the City of Fort Wayne who do not qualify for retiree insurance benefits under subsection E(1) hereof, shall be entitled to participate in the City of Fort Wayne’s group health

insurance program (if one exists) pursuant to the provisions of I.C. 5-10-8 *et seq.* A retired employee, who qualifies hereunder and elects to participate in the City of Fort Wayne group health insurance program, shall be solely responsible for the payment of all premium costs associated with the insurance program. The City of Fort Wayne, city utilities of Fort Wayne, and any board, commission, department, division, authority, institution, establishment, facility or governmental unit under the supervision of the City of Fort Wayne **shall not** participate in or be responsible for the payment of any Premium Cost associated with the retired employee's participation in the group health insurance program.

F. **State Statutes Intended to Control.** Except as specifically modified herein, it is intended that all of the provisions of I.C. 5-10-8 *et seq.* shall be applicable with regard to the group health insurance and retiree benefits.

SECTION 2. The City is directed to take all action necessary and proper in order to amend the City of Fort Wayne's Policy and Procedural Manual accordingly with the implementation of this Ordinance.

SECTION 3. This Ordinance, 36.31 is intended to apply to all civil city employees and city utilities employees both union and non-union. As such, any union contract entered into subsequent to August 1, 2009, shall be subject to and in compliance with the terms of this ordinance.

SECTION 4. The City is directed to take all action necessary and proper for the implementation of this Ordinance.

SECTION 5. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Liz Brown, Council Member

APPROVED AS TO FORM AND LEGALITY

Joseph G. Bonahoom, City Council Attorney

#1180

BILL NO. Z-09-07-15

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. X-22 (Sec. 26 of St. Joseph 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 RP

(Planned Residential) District under the terms of Chapter 157 Title XV of the

Code of the City of Fort Wayne, Indiana:

Part of the Southwest Quarter of Section 26, Township 31 North, Range 13 East of the Second Principal Meridian, in Allen County, Indiana, more particularly described as follows:

Commencing at a 5/8" steel rebar marking the Northeast corner of said Southwest Quarter; thence South 90 degrees 00 minutes 00 seconds West (assumed bearing and basis of bearings to follow), a distance of 659.62 feet along the North line of said Southwest Quarter and within the right-of-way of Trier Road to a 5/8" steel rebar with "Karst Firm #0073" identification cap set at the POINT OF BEGINNING of the herein described tract; thence South 00 degrees 35 minutes 13 seconds East, a distance of 35.50 feet to a point in the centerline of Bullerman Ditch; thence South 79 degrees 40 minutes 17 seconds West, a distance of 46.82 feet along the centerline of said Ditch; thence South 56 degrees 27 minutes 47 seconds West, a distance of 41.83 feet along the centerline of said Ditch; thence South 31 degrees 09 minutes 07 seconds West, a distance of 241.36 feet along the centerline of said Ditch; thence South 29 degrees 55 minutes 22 seconds West, a distance of 326.21 feet along the centerline of said Ditch; thence South 31 degrees 31 minutes 02 seconds West, a distance of 460.80 feet along the centerline of said Ditch to a South line of an existing tract described in Document Number 206048707 in the Office of the Recorder of Allen County, Indiana; thence South 89 degrees 23 minutes 00 seconds West, a distance of 14.81 feet (15.00 feet Deed) along said South line to a 5/8" steel rebar with "Karst Firm #0073" identification cap set on the East right-of-way line of Goeglein Road as established by said Document Number 206048707; thence North 00 degrees 37 minutes 00 seconds West, a distance of 30.04 feet along said East right-of-way line to a 5/8" steel rebar with "Karst Firm #0073" identification cap set; thence North 51 degrees 05 minutes 46 seconds East, a distance of 24.26 feet along said East right-of-way line a 5/8" steel rebar with "Karst Firm #0073" identification cap set; thence North 04 degrees 25 minutes 15 seconds West, a distance of 75.04 feet along said East right-of-way line to a 5/8" steel rebar with "Karst Firm #0073" identification cap set; thence North 25 degrees 43 minutes 05 seconds West, a distance of 21.96 feet along said East right-of-way line to a 5/8" steel rebar with "Karst Firm #0073" identification cap set on the East right-of-way line of said Goeglein Road as established by Deed Record 714, page 530 in the Office of the Recorder of Allen County, Indiana; thence North 00 degrees 35 minutes 56 seconds West, a distance of 110.01 feet along said East right-of-way line to a 5/8" steel rebar with "Karst Firm #0073" identification cap set; thence North 06 degrees 05 minutes 02 seconds West, a distance of 50.18 feet along said East right-of-way line to a 5/8" steel rebar with "Karst Firm #0073" identification cap set; thence South 89 degrees 23 minutes 00 seconds West, a distance of 25.00 feet to a 5/8" steel rebar with "Karst Firm #0073" identification cap set on the West line of the East Half of said Southwest Quarter; thence North 00 degrees 37 minutes 00 seconds West, a distance of 649.80 feet along said West line and within the right-of-way of said Goeglein Road to a railroad spike found at the Northwest corner of the East Half of said Southwest Quarter; thence North 90 degrees 00 minutes 00 seconds East, a distance of 659.06 feet along the North line of said Southwest

Quarter and within the right-of-way of said Trier Road to the Point of Beginning. Containing 7.043 acres, more or less. Subject to the 75 foot regulatory easement for Bullerman Ditch, the right-of-way's of Trier and Goeglein Road and subject to easements of record.

and the symbols of the City of Fort Wayne Zoning Map No. X-22 (Sec. 26 of St. Joseph 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

#1181

BILL NO. Z-09-07-16

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. I-27 (Sec. 28 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 RP
(Planned Residential) District under the terms of Chapter 157 Title XV of the
Code of the City of Fort Wayne, Indiana:

The East half of Lot 28 in Liberty Gardens Addition to the City of Fort Wayne, as recorded in Plat Book 8B,
page 61, in the Office of the Recorder of Allen County, Indiana.

**and the symbols of the City of Fort Wayne Zoning Map No. I-27 (Sec. 28 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

#1182

BILL NO. Z-09-07-17

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. I-27 (Sec. 28 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 RP
(Planned Residential) District under the terms of Chapter 157 Title XV of the
Code of the City of Fort Wayne, Indiana:

Lots 2, 4, 6, 8, 10, and 12 of Lot 28 in Clayton Place Addition to the City of Fort Wayne, as recorded in Plat
Book 10A, page 1, in the Office of the Recorder of Allen County, Indiana.

**and the symbols of the City of Fort Wayne Zoning Map No. K-18 (Sec. 34 of Washington
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

A RESOLUTION approving Compliance with Statement of Benefits (CF-1) form filings for 2009 for properties with approved “Economic Revitalization Areas” under I.C. 6-1.1-12.1

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution and Confirming Resolution with approved Statement of Benefits (SB-1) forms property for the following property owners as “Economic Revitalization Areas” 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, property owners whose Statement of Benefits (SB-1) form was approved after July 1, 1991 who file a deduction application under Sections 3 and 4.5 of I.C. 6-1.1-12.1 and Section 153.21 of the Municipal Code of the City of Fort Wayne, Indiana, must file a Compliance with Statement of Benefits Form (CF-1) with the Allen County Auditor and the City of Fort Wayne showing information on the extent to which there has been compliance with the approved Statement of Benefits for the project; and

WHEREAS, property owners in Exhibit A have filed Compliance with Statement of Benefit Forms with the Allen County Auditor’s Office and the City of Fort Wayne by May 15, 2009; and

WHEREAS, Common Council designated the City of Fort Wayne Department of Economic Development as the entity for the administration, application, processing and monitoring of Economic Revitalization Areas under Section 153.13 of the Municipal Code of the City of Fort Wayne; and

WHEREAS, Common Council has defined substantial compliance under Section 153.21 of the Municipal Code of the City of Fort Wayne as:

1. Meeting 75% or more of the numbers of full-time and/or part-time jobs stated to be created or retained as delineated in the original Statement of Benefits Form (SB-1) approved by Common Council; and
2. Meeting 75% or more of the total payroll stated to be created or retained as delineated in the original Statement of Benefits Form (SB-1) approved by Common Council; and

WHEREAS, Common Council shall determine not later than forty-five (45) days after receipt of the Compliance of Statement of Benefits Form (CF-1) that the property owner has substantially complied with the original Statement of Benefits Form (SB-1) approved by Common Council; and

WHEREAS, the City of Fort Wayne Community Development Division has previously provided Common Council an annual report on property owners that filed Compliance with Statement of Benefits Forms (CF-1) and their substantial compliance; and

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

SECTION 1. That, the Compliance with Statement of Benefits Forms (CF-1) filed by May 15, 2007, for property owners listed in Exhibit A with approved economic revitalization areas are in substantial compliance pursuant to I.C. 6-1.1-12.1 and Section 153.21 of the Municipal Code of the City of Fort Wayne.

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.

Member of Council

APPROVED AS TO FORM A LEGALITY

Carol Taylor, City Attorney

BILL NO. S-09-07-13

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving CONSTRUCTION CONTRACT #7236-09, CARIBOU DRIVE CONCRETE REPAIRS, WORK ORDER: 12111 between ROCK SOLID CONCRETE 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 #7236-09, CARIBOU DRIVE CONCRETE REPAIRS, WORK ORDER: 12111 by and between ROCK SOLID CONCRETE 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 Improvement Resolution #7236-2009, Caribou Drive Concrete Repairs;

involving a total cost of ONE HUNDRED TWENTY-NINE THOUSAND, TWO HUNDRED THIRTY-FIVE AND NO/100 DOLLARS - (\$129,235.00).

SECTION 2. Prior Approval has been requested from Common Council on JULY 14, 2009. 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-09-07-14

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving IMPROVEMENT RESOLUTION #7240-2009, TOWPATH TRAIL, PHASE 1 between WAYNE ASPHALT 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 IMPROVEMENT RESOLUTION #7240-2009, TOWPATH TRAIL, PHASE 1 by and between WAYNE ASPHALT 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 Towpath Trail, Phase I - 0.8 miles beginning at Rivergreenway terminus in Rockhill Park extending southwest along Portage Boulevard and Taylor Street to the intersection of Ardmore and Taylor;

involving a total cost of TWO HUNDRED THIRTY-SEVEN THOUSAND, EIGHT HUNDRED FIFTY-SIX AND 52/100 DOLLARS - (\$237,856.52).

SECTION 2. Prior Approval has been requested from Common Council on JULY 14, 2009. 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-09-07-19

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving CONSTRUCTION CONTRACT #7203-2008, CALHOUN STREET STREETScape CONVERSION between HIPSKIND CONCRETE 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 #7203-2008, CALHOUN STREET STREETScape CONVERSION by and between HIPSKIND CONCRETE 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 Calhoun Street Streetscape Conversion:

involving a total cost of ONE MILLION, SIX THOUSAND, THREE HUNDRED AND NO/100 DOLLARS - (\$1,006,300.00). A copy said Contract 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

BILL NO. S-09-07-18

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving CONSTRUCTION CONTRACT #2183-2009, CABRIDGE & TRINITY SPOT DRAINAGE IMPROVEMENT between CASCON, INC. 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 #2183-2009, CABRIDGE & TRINITY SPOT DRAINAGE IMPROVEMENT by and between CASCON, INC. 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 690 LF OF 24" storm sewer to relieve flooding at the intersection of Cambridge Blvd. and Trinity Blvd. The project will include replacing the existing inlets and rerouting inlet connections at the intersection of Cambridge and Trinity. Additionally there will be four inlets added on Cambridge and a conflict structure constructed between Cambridge and Stanford:

involving a total cost of ONE HUNDRED THIRTY-FOUR THOUSAND, THREE HUNDRED TEN AND 60/100 DOLLARS - (\$134,310.60). A copy said Contract 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

