

**ORDINANCES AND RESOLUTIONS
UP FOR INTRODUCTION**

NOVEMBER 10, 2009

FINANCE COMMITTEE

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

ACTION

R-09-11-01

A RESOLUTION approving the 2010 Budget for the Downtown Fort Wayne Economic Improvement District

R-09-11-04

A RESOLUTION approving the purchase of certain real estate for the City of Fort Wayne, division of City Utilities located at 708 Wagner Street - \$25,500

S-09-11-05

AN ORDINANCE approving grants to be funded from the Cable TV Fund - Total Grants Awarded \$83,491

S-09-11-14

AN ORDINANCE certifying and approving the need for a Consultant to provide Professional Program Development and Management, Modeling Management, Design Management, Construction Management and Regulatory assistance for the Long Term Control Plan Program Management to be paid to DLZ Indiana in the amount of \$286,800

FINANCE COMMITTEE

CONTINUED

ACTION

S-09-11-15

AN ORDINANCE certifying and approving the need for a Consultant to provide Professional Program Development and Management, Modeling Management, Design Management, Construction Management and Regulatory assistance for the Long Term Control Plan Program Management to be paid to Malcolm Pirnie in the amount of \$1,438,745

S-09-11-16

AN ORDINANCE certifying and approving the need for a Consultant to provide Professional Program Development and Management Modeling, Design Management, Construction Management and Regulatory assistance for the Long Term Control Plan Program Management to be paid to CH2M Hill in the amount of \$539,730

R-09-11-02

**A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 6811 Lima Road, Fort Wayne, Indiana 46818 (Inquest Health System, PC d/b/a/ Upright MRI)
Total Cost of \$2,200,000**

This Resolution is to be introduced and voted upon for passage tonight at the Regular Session

R-09-11-03

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 6811 Lima Road, Fort Wayne, Indiana 46818 (Inquest Health System, PC d/b/a/ Upright MRI)
Total Cost of \$2,200,000**

REGULATIONS COMMITTEE

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

ACTION

R-09-11-13

A RESOLUTION initiating the amendment of Fort Wayne's Comprehensive Plan, Plan-It Allen, to adopt the Nebraska Neighborhood Community Development Area Plan

PUBLIC WORKS COMMITTEE

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

S-09-11-07

**AN ORDINANCE approving the awarding of ITB #3078-Annual Contract for the purchase of Aggregates by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Stone Street, Hanson Aggregates, Old Prairie, CBK Enterprises, Eshelman Sand & Gravel for the Street, Water Maintenance, and WPC Maintenance Departments and various other City Departments
Total Cost of \$608,000**

S-09-11-12

AN ORDINANCE approving the awarding of ITB #3019 – Purchase of Bulk Road Salt by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and North American Salt for the Street Department - Total Cost of \$523,225

CITY UTILITIES COMMITTEE

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

ACTION

S-09-11-06

AN ORDINANCE approving the awarding of ITB #3076-Annual Requirements for Sewer Construction for 2010 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Midwest Tile, HD Supply and EJ Prescott for the Water Pollution Control Maintenance Department - Total Cost of \$165,000

S-09-11-08

AN ORDINANCE approving the awarding of extension ITB #2940 Purchase and delivery of Liquid Ferric Chloride by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Kemira Water Solutions for the WPC Plant – Total Cost of \$405,000

S-09-11-09

**AN ORDINANCE approving the awarding of extension of ITB #2929 Purchase and delivery of Liquid Sodium Hypochlorite by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Brenntag Great Lakes, LLC for the WPC Plant
Total Cost of \$185,000**

S-09-11-10

**AN ORDINANCE approving the awarding of ITB #3084-Annual Requirements for the Purchase of Fire Hydrants by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and E.J. Prescott for the Water Maintenance and Service Department
Total Cost of \$150,860**

CITY UTILITIES COMMITTEE CONTINUED

ACTION

S-09-11-11

AN ORDINANCE approving the awarding of RFQ #3083 – Contract for the Purchase of various type valves by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Underground Pipe & Valve for the Water Maintenance and Service Department – Total Cost of \$125,722.50

BILL NO. R-09-11-01

RESOLUTION NO. R- _____

**RESOLUTION APPROVING THE 2010 BUDGET FOR
THE DOWNTOWN FORT WAYNE ECONOMIC
IMPROVEMENT DISTRICT**

Whereas, On October 24, 1995 the Common Council of the City of Fort Wayne ("Council") adopted Resolution R-70-95 (Bill Number R-95-09-21) which established the 'Downtown Fort Wayne Economic Improvement District' ("District"); and

Whereas, On January 10, 2006 the Common Council of the City of Fort Wayne ("Council") adopted Resolution R-08-06 (Bill Number R-05-12-22) which renewed the 'Downtown Fort Wayne Economic Improvement District' ("District") for the calendar years 2006 through 2015; and

Whereas, Indiana Code 36-7-22-17 requires that the Board of said District submit for approval the 2010 Budget for the District; and

Whereas, the mission of the District is to increase the value of downtown and mobilize leadership and resources to achieve the community's vision for downtown;

Whereas, the attached budget (Exhibit A) directs the funding for the District to maintain and promote its mission.

**NOW THEREFORE BE IT RESOLVED BY THE
COMMON COUNCIL OF THE CITY OF FORT**

WAYNE, INDIANA:

Section 1. The 2010 Downtown Improvement District budget is approved as described in Exhibit A attached.

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 Taylor, City Attorney

BILL NO. R-09-11-04

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE
PURCHASE OF CERTAIN REAL ESTATE
FOR THE CITY OF FORT WAYNE, DIVISION
OF CITY UTILITIES.**

WHEREAS, the City of Fort Wayne, through its Division of Public Works, desires to purchase property located at 708 Wagner Street, specifically described in the Sales Contract, Exhibit "A," attached hereto and made a part hereof; and

WHEREAS, the City of Fort Wayne, through its Division of Public Works, desires to purchase this property for future expansion/projects of the Water Filtration Plant; and

WHEREAS, the purchase price for the property is TWENTY-FIVE THOUSAND, FIVE HUNDRED AND NO/100 DOLLARS – (\$25,500.00).

WHEREAS, Sec. 37-19 of the City of Fort Wayne Code of Ordinances, requires the Common Council approval of any purchase of real estate by the City.

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

SECTION 1. The purchase of real estate by the City of Fort Wayne through its Division of Public Works, located at 708 Wagner Street, specifically described in the Sales Contract, Exhibit "A," is hereby approved and agreed to. The appropriate officials of the City are hereby authorized to execute all documents necessary to accomplish said purchase.

SECTION 2. 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 Taylor, City Attorney

BILL NO. S-09-11-05

SPECIAL ORDINANCE NO. S- _____

**AN ORDINANCE approving grants
to be funded from the Cable TV Fund.**

WHEREAS, Ordinance No. G-27-95 provides that a minimum of 10% of the City’s Cable TV Fund is to be set aside annually for Non-Access Channel Originator Grants for access programming by not-for-profit agencies or educational or governmental agency within the City of Fort Wayne; and

WHEREAS, Ordinance No. G-27-95 provides that the Cable Fund Access Board (CFAB) is to make recommendations for the non-access channel originator grant awards from the Cable TV Fund; and

WHEREAS, CFAB recommends the following Non-Access Channel Originator Grant awards:

Northwood Middle School	\$13,073
Most Precious Blood School	\$12,818
Fort Wayne Dance Collective INC.	\$ 4,067
Miami Middle School	\$16,952
North Side High School	\$ 9,750
Humane Education Advisory Council	\$ 7,350
Jefferson Middle School	\$ 6,081
Kid’s Law, Inc.	\$13,400
TOTAL GRANTS AWARDED	\$83,491

and

WHEREAS, the City of Fort Wayne states that the details of each grant proposal are available for inspection.

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

SECTION 1. The following Non-Access Channel Originator Grant awards from the Cable TV fund are approved:

Northwood Middle School	\$13,073
Most Precious Blood School	\$12,818
Fort Wayne Dance Collective INC.	\$ 4,067
Miami Middle School	\$16,952
North Side High School	\$ 9,750
Humane Education Advisory Council	\$ 7,350
Jefferson Middle School	\$ 6,081
Kid's Law, Inc.	\$13,400
TOTAL GRANTS AWARDED	\$83,491

SECTION 2. That this Ordinance shall be in full force and effect from and after January 1, 2010 and any and all necessary approval by the Mayor, and shall expire on July 1, 2010.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol Taylor, City Attorney

AN ORDINANCE CERTIFYING AND APPROVING THE NEED FOR A CONSULTANT TO PROVIDE PROFESSIONAL PROGRAM DEVELOPMENT AND MANAGEMENT, MODELING MANAGEMENT, DESIGN MANAGEMENT, CONSTRUCTION MANAGEMENT AND REGULATORY ASSISTANCE FOR THE LONG TERM CONTROL PLAN PROGRAM MANAGEMENT

WHEREAS, the Board of Public Works desires to hire DLZ INDIANA for professional PROGRAM DEVELOPMENT AND MANAGEMENT, MODELING MANAGEMENT, DESIGN MANAGEMENT, CONSTRUCTION MANAGEMENT AND REGULATORY ASSISTANCE services for LONG TERM CONTROL PLAN PROGRAM 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 DLZ Indiana will be TWO HUNDRED EIGHT-SIX THOUSAND, EIGHT HUNDRED AND NO/100 DOLLARS - (\$286,800.00).

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 DLZ INDIANA to provide professional PROGRAM DEVELOPMENT AND MANAGEMENT, MODELING MANAGEMENT, DESIGN MANAGEMENT, CONSTRUCTION MANAGEMENT AND REGULATORY ASSISTANCE services for the LONG TERM CONTROL PLAN PROGRAM MANAGEMENT.

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 CERTIFYING AND APPROVING THE NEED FOR A CONSULTANT TO PROVIDE PROFESSIONAL PROGRAM DEVELOPMENT AND MANAGEMENT, MODELING MANAGEMENT, DESIGN MANAGEMENT, CONSTRUCTION MANAGEMENT AND REGULATORY ASSISTANCE FOR THE LONG TERM CONTROL PLAN PROGRAM MANAGEMENT

WHEREAS, the Board of Public Works desires to hire MALCOLM PIRNIE for PROFESSIONAL PROGRAM DEVELOPMENT AND MANAGEMENT, MODELING MANAGEMENT, DESIGN MANAGEMENT, CONSTRUCTION MANAGEMENT AND REGULATORY ASSISTANCE services for LONG TERM CONTROL PLAN PROGRAM 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 MALCOLM PIRNIE will be ONE MILLION, FOUR HUNDRED THIRTY-EIGHT THOUSAND, SEVEN HUNDRED FORTY-FIVE AND NO/100 DOLLARS - (\$1,438,745.00).

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 MALCOLM PIRNIE to provide PROFESSIONAL PROGRAM DEVELOPMENT AND MANAGEMENT, MODELING MANAGEMENT, DESIGN MANAGEMENT, CONSTRUCTION MANAGEMENT AND REGULATORY ASSISTANCE services for the LONG TERM CONTROL PLAN PROGRAM MANAGEMENT.

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 CERTIFYING AND APPROVING THE NEED FOR A CONSULTANT TO PROVIDE PROFESSIONAL PROGRAM DEVELOPMENT AND MANAGEMENT, MODELING MANAGEMENT, DESIGN MANAGEMENT, CONSTRUCTION MANAGEMENT AND REGULATORY ASSISTANCE FOR THE LONG TERM CONTROL PLAN PROGRAM MANAGEMENT

WHEREAS, the Board of Public Works desires to hire CH2M HILL for PROFESSIONAL PROGRAM DEVELOPMENT AND MANAGEMENT, MODELING MANAGEMENT, DESIGN MANAGEMENT, CONSTRUCTION MANAGEMENT AND REGULATORY ASSISTANCE services for LONG TERM CONTROL PLAN PROGRAM 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 CH2M HILL will be FIVE HUNDRED THIRTY-NINE THOUSAND, SEVEN HUNDRED THIRTY AND NO/100 DOLLARS - (\$539,730.00).

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 CH2M HILL to provide PROFESSIONAL PROGRAM DEVELOPMENT AND MANAGEMENT, MODELING MANAGEMENT, DESIGN MANAGEMENT, CONSTRUCTION MANAGEMENT AND REGULATORY ASSISTANCE services for LONG TERM CONTROL PLAN PROGRAM MANAGEMENT.

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

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 6811 Lima Road, Fort Wayne, Indiana 46818 (Inquest Health System, PC d/b/a Upright MRI)

WHEREAS, Petitioner has duly filed its petition dated October 28, 2009 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 create 22 full-time, permanent jobs for a total new, annual payroll of \$1,525,000, with the average new annual job salary being \$69,318 and retain six full-time, permanent jobs for a total current annual payroll of \$300,000, with the average current, annual job salary being \$50,000; and

WHEREAS, the total estimated project cost is \$2,200,000; 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;

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 information technology 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 information technology 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 information technology 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 \$2.7298/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$2.7298/\$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 \$2.7298/\$100 (the change would be negligible).
- (d) If the proposed new information technology equipment is not installed, the approximate current year tax rates for this site would be \$2.7298/\$100.

- (e) If the proposed new information technology equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.7298/\$100 (the change would be negligible).
- (f) If the proposed new information technology equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.7298/\$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 information technology equipment shall be for a period of ten 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 6811 Lima Road, Fort Wayne, Indiana 46818 (Inquest Health System, PC d/b/a Upright MRI)

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 create 22 full-time, permanent jobs for a total additional annual payroll of \$1,525,000, with the average new annual job salary being \$69,318 and retain six full-time, permanent jobs for a current annual payroll of \$300,000, with the average current annual job salary being \$50,000; and

WHEREAS, the total estimated project cost is \$2,200,000; 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.

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 information technology 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 information technology 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 information technology 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 \$2.7298/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$2.7298/\$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 \$2.7298/\$100 (the change would be negligible).
- (d) If the proposed new information technology equipment is not installed, the approximate current year tax rates for this site would be \$2.7298/\$100.
- (e) If the proposed new information technology equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.7298/\$100 (the change would be negligible).
- (f) If the proposed new information technology equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.7298/\$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 information technology equipment shall be for a period of ten 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 information technology 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/or new information technology 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

BILL NO. R-09-11-13

RESOLUTION NO. _____

A RESOLUTION INITIATING THE AMENDMENT OF FORT WAYNE'S COMPREHENSIVE PLAN, PLAN-IT ALLEN, TO ADOPT THE NEBRASKA NEIGHBORHOOD COMMUNITY DEVELOPMENT AREA PLAN.

WHEREAS, the City of Fort Wayne, through its Common Council, desires the development of neighborhood plans within it's central city neighborhoods to implement the goals, policies and recommendations of its Comprehensive Plan, Plan-it Allen, in order to: preserve and enhance the unique character of older urban neighborhoods; to maintain the integrity of those areas; encourage and protect public and private investments; encourage new development and redevelopment that is compatible with the character and pattern of existing development; and provide goals, policies and guidance direction to property owners, developers, designers, and decision-makers; and

WHEREAS, the current version of the Plan-it Allen Comprehensive Plan does not include the Nebraska Neighborhood Community Development Area Plan (CDAP); and

WHEREAS, I.C. 36-7-4-511 allows the legislative body to initiate an amendment of the Comprehensive Plan by adopting a resolution to amend it, and direct the Plan Commission to prepare the amendment and submit it in the same manner as any other amendment to the comprehensive plan.

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

SECTION 1. To initiate the amending of the City of Fort Wayne's Comprehensive Plan, Plan-it Allen, to include the Nebraska Neighborhood Community Development Area Plan (CDAP) and for the Plan Commission to prepare and submit the amendment within 60 days after the formal written request by the legislative body.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol Taylor, City Attorney

AN ORDINANCE approving the awarding of ITB #3078-ANNUAL CONTRACT FOR THE PURCHASE OF AGGREGATES by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and STONE STREET, HANSON AGGREGATES, OLD PRAIRIE, CBK ENTERPRISES, ESHELMAN SAND & GRAVEL for the STREET, WATER MAINTENANCE, AND WPC MAINTENANCE DEPARTMENTS AND VARIOUS OTHER CITY DEPARTMENTS.

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

SECTION 1. That ITB #3078-ANNUAL CONTRACT FOR THE PURCHASE OF AGGREGATES between the City of Fort Wayne, by and through its Department of Purchasing and STONE STREET, HANSON AGGREGATES, OLD PRAIRIE, CBK ENTERPRISES, ESHELMAN SAND & GRAVEL for the STREET, WATER MAINTENANCE, AND WPC MAINTENANCE DEPARTMENTS AND VARIOUS OTHER CITY DEPARTMENTS, respectfully for:

purchase of stone, topsoil, dirt, sand, etc. for the Street, Water Maintenance, and WPC Maintenance Departments and various other City Departments for 2010;

involving a total cost of SIX HUNDRED EIGHT THOUSAND AND NO/100 DOLLARS – (\$608,000.00) - (STONE - \$161,000.00; HANSON - \$174,000.00; OLD PRAIRIE - \$28,000.00; CBK - \$148,000.00; ESHELMAN - \$97,000.00) all as more particularly set forth in said ITB #3078-ANNUAL CONTRACT FOR THE PURCHASE OF AGGREGATES 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 Taylor, City Attorney

BILL NO. S-09-S-09-11-12

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the awarding of ITB #3019 - PURCHASE OF BULK ROAD SALT by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and NORTH AMERICAN SALT for the STREET DEPARTMENT.

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

SECTION 1. That ITB #3019 - PURCHASE OF BULK ROAD SALT between the City of Fort Wayne, by and through its Department of Purchasing and NORTH AMERICAN SALT for the STREET DEPARTMENT, respectfully for:

purchase of Bulk Road Salt for the Street Department for the 2009-10 winter season;

involving a total cost of FIVE HUNDRED TWENTY-THREE THOUSAND, TWO HUNDRED TWENTY-FIVE AND NO/100 DOLLARS - (\$523,225.00) all as more particularly set forth in said ITB #3019 - PURCHASE OF BULK ROAD SALT 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 Taylor, City Attorney

BILL NO. S-09-11-06

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the awarding of ITB #3076-ANNUAL REQUIREMENTS FOR SEWER CONSTRUCTION FOR 2010 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and MIDWEST TILE, HD SUPPLY 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 ITB #3076-ANNUAL REQUIREMENTS FOR SEWER CONSTRUCTION FOR 2010 between the City of Fort Wayne, by and through its Department of Purchasing and MIDWEST TILE, HD SUPPLY AND EJ PRESCOTT for the WATER POLLUTION CONTROL MAINTENANCE DEPARTMENT, respectfully for:

purchase of sewer construction material for the Water Pollution Control Maintenance Department for 2010;

involving a total cost of ONE HUNDRED SIXTY-FIVE THOUSAND AND NO/100 DOLLARS - (\$165,000.00) - (MIDWEST - \$120,000.00; HD - \$25,000.00; EJP - \$20,000.00) all as more particularly set forth in said ITB #3076-ANNUAL REQUIREMENTS FOR SEWER CONSTRUCTION FOR 2010 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-09-11-08

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the awarding of EXTENSION OF ITB #2940-PURCHASE AND DELIVERY OF LIQUID FERRIC CHLORIDE by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and KEMIRA WATER SOLUTIONS for the WPC PLANT.

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

SECTION 1. That EXTENSION OF ITB #2940-PURCHASE AND DELIVERY OF LIQUID FERRIC CHLORIDE between the City of Fort Wayne, by and through its Department of Purchasing and KEMIRA WATER SOLUTIONS for the WPC PLANT, respectfully for:

extension of contract for the purchase and delivery of Liquid Ferric Chloride at existing prices for the WPC Plant for 2010;

involving a total cost of FOUR HUNDRED FIVE THOUSAND AND NO/100 DOLLARS - (\$405,000.00) all as more particularly set forth in said EXTENSION OF ITB #2940-PURCHASE AND DELIVERY OF LIQUID FERRIC CHLORIDE 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 Taylor, City Attorney

BILL NO. S-09-11-09

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the awarding of EXTENSION OF ITB #2929-PURCHASE AND DELIVERY OF LIQUID SODIUM HYPOCHLORITE by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and BRENNTAG GREAT LAKES, LLC for the WPC PLANT.

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

SECTION 1. That EXTENSION OF ITB #2929-PURCHASE AND DELIVERY OF LIQUID SODIUM HYPOCHLORITE between the City of Fort Wayne, by and through its Department of Purchasing and BRENNTAG GREAT LAKES, LLC for the WPC PLANT, respectfully for:

extension of contract for the purchase and delivery of Liquid Sodium Hypochlorite at existing prices for the WPC Plant for 2010;

involving a total cost of ONE HUNDRED EIGHTY-FIVE THOUSAND AND NO/100 DOLLARS - (\$185,000.00) all as more particularly set forth in said EXTENSION OF ITB #2929-PURCHASE AND DELIVERY OF LIQUID SODIUM HYPOCHLORITE 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 Taylor, City Attorney

BILL NO. S-09-11-10

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the awarding of ITB #3084-ANNUAL REQUIREMENTS FOR THE PURCHASE OF FIRE HYDRANTS by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and E.J. PRESCOTT for the WATER MAINTENANCE AND SERVICE DEPARTMENT.

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

SECTION 1. That ITB #3084-ANNUAL REQUIREMENTS FOR THE PURCHASE OF FIRE HYDRANTS between the City of Fort Wayne, by and through its Department of Purchasing and E.J. PRESCOTT for the WATER MAINTENANCE AND SERVICE DEPARTMENT, respectfully for:

purchase of Fire Hydrants for the Water Maintenance and Service Department for 2010;

involving a total cost of ONE HUNDRED FIFTY THOUSAND, EIGHT HUNDRED SIXTY AND NO/100 DOLLARS - (\$150,860.00) all as more particularly set forth in said ITB #3084-ANNUAL REQUIREMENTS FOR THE PURCHASE OF FIRE HYDRANTS 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 Taylor, City Attorney

BILL NO. S-09-11-11

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the awarding of RFQ #3083 - CONTRACT FOR THE PURCHASE OF VARIOUS TYPE VALVES by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and UNDERGROUND PIPE & VALVE for the WATER MAINTENANCE AND SERVICE DEPARTMENT.

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

SECTION 1. That RFQ #3083 - CONTRACT FOR THE PURCHASE OF VARIOUS TYPE VALVES between the City of Fort Wayne, by and through its Department of Purchasing and UNDERGROUND PIPE & VALVE for the WATER MAINTENANCE AND SERVICE DEPARTMENT, respectfully for:

purchase of various type of valves - (line, cut-in, tapping and butterfly) for the Water Maintenance and Service Department for 2010;

involving a total cost of ONE HUNDRED TWENTY-FIVE THOUSAND, SEVEN HUNDRED TWENTY-TWO AND 50/100 DOLLARS - (\$125,722.50) all as more particularly set forth in said RFQ #3083 - CONTRACT FOR THE PURCHASE OF VARIOUS TYPE VALVES 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 Taylor, City Attorney

