

ORDINANCES AND RESOLUTIONS
UP FOR INTRODUCTION
OCTOBER 27, 2009

FINANCE COMMITTEE

ELIZABETH M. BROWN - CHAIR
GLYNN A. HINES - CO-CHAIR
ALL COUNCIL MEMBERS

ACTION

S-09-10-27

AN ORDINANCE certifying and approving the need for the services of a Consultant to provide Professional Consulting/Engineering Services to Develop a Real Time Monitoring System for the Fort Wayne Water Filtration Plant and the Water Pollution Plant
Total cost of \$114,515.60

S-09-10-28

AN ORDINANCE certifying and approving the need for the services of a Consultant to provide Professional Survey, Design and Bidding Services For the Stone Lake Outfall Project, Res. #2263-2010
Total cost of \$104,600

R-09-10-29

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 3320 East State Blvd., Fort Wayne, Indiana 46805 (Woodview Memory Care)
Total cost of \$3,362,500

TO BE PASSED THIS EVENING

FINANCE COMMITTEE

CONTINUED

ACTION

R-09-10-30

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 3320 East State Blvd., Fort Wayne, Indiana 46815
(Woodview Memory Care)
Total cost of \$3,362,500

LEGAL PUBLIC HEARING 11-10-09 - 5:30 P.M.

R-09-10-31

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 8218 Trier Road, Fort Wayne, Indiana 46818 (Savannah Springs, L.P.)
Total cost of \$2,954,880

TO BE PASSED THIS EVENING

R-09-10-32

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 8218 Trier Rd., Fort Wayne, Indiana 46815 (Savannah Springs, L.P.)
Total cost of \$2,954,880

LEGAL PUBLIC HEARING 11-10-09 - 5:30 P.M.

R-09-10-33

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 1900 Block of Reservation Drive, Fort Wayne, Indiana 46809 (Hopewell Pointe, L.P.)
Total cost of \$3,857,760

TO BE PASSED THIS EVENING

ACTION

R-09-10-34

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 1900 Block of Reservation Drive, Fort Wayne, Indiana 46809 (Hopewell Pointe, L.P.)
Total cost of \$3,875,760**

LEGAL PUBLIC HEARING 11-10-09 – 5:30 P.M.

R-09-10-35

A RESOLUTION approving financial support from the City of Fort Wayne To the Friends of the Lincoln financial Foundation Collection to Permanently protect and manage the Lincoln documentary materials Collection and ensure its public accessibility through the Indiana State Museum and the Allen County Library

REGULATIONS COMMITTEE

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

Z-09-10-18

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. T-46 (Sec. 9 of St. Joseph Township)
7401 St. Joe Road**

Z-09-10-19

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R-27 (Sec. 29 of Adams Township)
7127 Hessen Cassel Road**

REGULATIONS COMMITTEE

CONTINUED

ACTION

Z-09-10-20

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-03 (Sec. 8 of Wayne Township)
4203 West Jefferson Boulevard**

Z-09-10-21

**AN ORDINANCE amending Zoning Map Ordinance Z-25-09
Lots 2,4,6,8,10, and 12 in Clayton Place addition, 926 West State Boulevard**

PUBLIC WORKS COMMITTEE

***MARTY BENDER - CHAIR
KAREN E. GOLDNER - CO-CHAIR
ALL COUNCIL MEMBERS***

S-09-10-23

**AN ORDINANCE approving the awarding of ITB #3092-Purchase of Two (2) Crew Cabs by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Selking Intemational for the Street Department
Total cost of \$138,860**

S-09-10-25

**AN ORDINANCE approving construction contract #7247-2009, Parnell Avenue Curb Face Walks between Rock Slid Concrete and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$152,991.20**

CITY UTILITIES COMMITTEE

**TIM PAPE - CHAIR
MITCH HARPER - CO-CHAIR
ALL COUNCIL MEMBERS**

ACTION

S-09-10-26

AN ORDINANCE approving construction contract #7254-2009, Public Sidewalk Curb Ramp Package A-2009 between Key Concrete and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$104,672

S-09-10-22

AN ORDINANCE approving the awarding of ITB NO. 3093-purchase of two (2) Tandem Axle Dump Truck Chassis by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Selking International for the Water Maintenance and Water Pollution Control Maintenance Departments

Total cost of \$205,880

S-09-10-24

AN ORDINANCE approving construction contract – Washington/Webster Partial Sewer Separation Res. #2253-2009, W.O. #75427 between Crosby Excavating and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$359,517.15

BILL NO. S-09-10-27

SPECIAL ORDINANCE NO. S- _____

AN ORDINANCE CERTIFYING AND APPROVING THE

NEED FOR THE SERVICES OF A CONSULTANT TO PROVIDE PROFESSIONAL CONSULTING/ENGINEERING SERVICES TO DEVELOP A REAL TIME MONITORING SYSTEM FOR THE FORT WAYNE WATER FILTRATION PLANT AND THE WATER POLLUTION PLANT.

WHEREAS, the Board of Public Works desires to hire a consultant for professional consulting/engineering services to develop a real time monitoring system for the Fort Wayne Water Filtration Plant and the Water Pollution 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 Industrial Network Systems will be ONE HUNDRED FOURTEEN THOUSAND, FIVE HUNDRED FIFTEEN AND 60/100 DOLLARS – (\$114,515.60).

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 Industrial Network Systems to provide professional consultant/engineering services to develop a real time monitoring system for the Fort Wayne Water Filtration Plant and the Water Pollution Plant.

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

BILL NO. S-09-10-28

SPECIAL ORDINANCE NO. S- _____

AN ORDINANCE CERTIFYING AND APPROVING THE NEED FOR THE SERVICES OF A CONSULTANT TO PROVIDE PROFESSIONAL SURVEY, DESIGN AND BIDDING SERVICES FOR THE STONE LAKE OUTFALL PROJECT, RES. #2263-2010.

WHEREAS, the Board of Public Works desires to hire a consultant for professional survey, design and bidding services for the STONE LAKE OUTFALL PROJECT, RES. #2263-2010; 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 will be not exceed ONE HUNDRED FOUR THOUSAND, SIX HUNDRED AND NO/100 DOLLARS - (\$104,600.00).

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 COMMONWEALTH ENGINEERS, INC. to provide professional survey, design and bidding services for the STONE LAKE OUTFALL PROJECT, RES. #2263-2010.

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

DECLARATORY RESOLUTION NO. R-_____

**A DECLARATORY RESOLUTION designating an
“Economic Revitalization Area” under I.C. 6-1.1-12.1 for
property commonly known as 3320 East State
Boulevard, Fort Wayne, Indiana 46805 (Woodview
Memory Care)**

WHEREAS, Petitioner has duly filed its petition dated September 22, 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 13 full-time, permanent jobs for a total new, annual payroll of \$444,080, with the average new annual job salary being \$34,160 and retain 32 full-time and 15 part-time, permanent jobs for a total current annual payroll of \$656,772, with the average current, annual job salary being \$13,974; and

WHEREAS, the total estimated project cost is \$3,362,500; 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 a deduction of the assessed value of real estate.

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, 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.

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 \$2.7438/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$2.7438/\$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 \$2.7438/\$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.

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 3320 East State
Boulevard, Fort Wayne, Indiana 46815 (Woodview
Memory Care)**

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 13 full-time, permanent jobs for a total additional payroll of \$444,080, with the average new annual job salary being \$34,160 and retain 32 full-time and 15 part-time, permanent jobs for a current annual payroll of \$656,772, with the average current annual job salary being \$13,974; and

WHEREAS, the total estimated project cost is \$3,362,500; and

WHEREAS, a recommendation has been received from the Committee on Finance; 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.

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, 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.

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 \$2.7438/\$100.
- (b) If the proposed development occurs and no deduction is granted, the approximate current year tax rate for the site would be \$2.7438/\$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 \$2.7438/\$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 real property shall be for a period of ten 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 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 with 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 9. The performance report must contain the following information

- A. The cost and description of real property improvements.
- 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 property deductions.
- F. The tax savings resulting from the real 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 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 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 A LEGALITY

Carol Taylor, City Attorney

DECLARATORY RESOLUTION NO. R-_____

**A DECLARATORY RESOLUTION designating an
“Economic Revitalization Area” under I.C. 6-1.1-12.1 for
property commonly known as 8218 Trier Road, Fort
Wayne, Indiana 46818 (Savannah Springs, L.P.)**

WHEREAS, Petitioner has duly filed its petition dated September 17, 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 two part-time, permanent jobs for a total new, annual payroll of \$22,348, with the average new annual job salary being \$11,174; and

WHEREAS, the total estimated project cost is \$2,954,880; 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:

(d) Said Resolution shall be filed with the Allen County Assessor;

- (e) 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”;
- (f) 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 a deduction of the assessed value of real estate.

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, 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.

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

- (d) If the proposed development does not occur, the approximate current year tax rates for this site would be \$2.7438/\$100.
- (e) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$2.7438/\$100 (the change would be negligible).
- (f) 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 \$2.7438/\$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.

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 8218 Trier Road, Fort
Wayne, Indiana 46815 (Savannah Springs, L.P.)**

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 two part-time, permanent jobs for a total additional payroll of \$22,348, with the average new annual job salary being \$11,174; and

WHEREAS, the total estimated project cost is \$2,954,880; and

WHEREAS, a recommendation has been received from the Committee on Finance; 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.

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, 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.

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 \$2.7438/\$100.
- (b) If the proposed development occurs and no deduction is granted, the approximate current year tax rate for the site would be \$2.7438/\$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 \$2.7438/\$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 real property shall be for a period of ten 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 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 with 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 9. The performance report must contain the following information

- A. The cost and description of real property improvements.
- 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 property deductions.
- F. The tax savings resulting from the real 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 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 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 A LEGALITY

Carol Taylor, City Attorney

DECLARATORY RESOLUTION NO. R-_____

**A DECLARATORY RESOLUTION designating an
“Economic Revitalization Area” under I.C. 6-1.1-12.1 for
property commonly known as 1900 Block of Reservation
Drive, Fort Wayne, Indiana 46809 (Hopewell Pointe, L.P.)**

WHEREAS, Petitioner has duly filed its petition dated September 17, 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 two part-time, permanent jobs for a total new, annual payroll of \$22,348, with the average new annual job salary being \$11,174; and

WHEREAS, the total estimated project cost is \$3,857,760; 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:

(g) Said Resolution shall be filed with the Allen County Assessor;

- (h) 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”;
- (i) 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 a deduction of the assessed value of real estate.

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, 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.

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

- (g) If the proposed development does not occur, the approximate current year tax rates for this site would be \$2.9753/\$100.
- (h) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$2.9753/\$100 (the change would be negligible).
- (i) 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 \$2.9753/\$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.

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 1900 Block of Reservation
Drive, Fort Wayne, Indiana 46809 (Hopewell Pointe, L.P.)**

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 two part-time, permanent jobs for a total additional payroll of \$22,348, with the average new annual job salary being \$11,174; and

WHEREAS, the total estimated project cost is \$3,857,760; and

WHEREAS, a recommendation has been received from the Committee on Finance; 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.

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, 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.

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 \$2.9753/\$100.
- (b) If the proposed development occurs and no deduction is granted, the approximate current year tax rate for the site would be \$2.9753/\$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 \$2.9753/\$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 real property shall be for a period of ten 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 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 with 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 9. The performance report must contain the following information

- A. The cost and description of real property improvements.
- 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 property deductions.
- F. The tax savings resulting from the real 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 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 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 A LEGALITY

Carol Taylor, City Attorney

A RESOLUTION approving financial support from The City of Fort Wayne to the Friends of the Lincoln financial Foundation Collection to permanently protect and manage the Lincoln documentary materials collection and ensure its public accessibility through the Indiana State Museum and the Allen County Public Library.

WHEREAS, Abraham Lincoln came to Indiana with his family after spending his first eleven years in Kentucky. He spent his next 14 formative years in southern Indiana, living on what was, in the early 1800s, the American frontier; and

WHEREAS, In 2008, the people of Indiana were given the largest private collection of Abraham Lincoln- related material in existence, including many items that Lincoln personally owned and used; and

WHEREAS, The Lincoln Financial Foundation Collection is of global importance as it encompasses thousand of documents, images, and artifacts related to Abraham Lincoln in the hopes of providing access, visibility and educational usage on a worldwide basis; and

WHEREAS, The Lincoln Financial Foundation Collection is owned by the State of Indiana through the Indiana Department of Natural Resources with the Allen County Public Library and Indiana State Museum, two leading Indiana institutions that jointly manage and care for the collection supplying the expertise and capacity to expand our understanding of Lincoln's life and Indiana's influence in his formative years; and

WHEREAS, The Allen County Public Library in Fort Wayne, one of the nation's top five public library systems, has the technical expertise and resources needed to manage the Lincoln documentary materials and interact effectively with scholars; and

WHEREAS, the Allen County's recently renovated and expanded 367,000 square foot central library is an advanced facility containing public programming spaces – including an exhibition gallery and auditorium – along with a fully equipped television studio, new rare book room, manuscript storage area, and controlled-access reading room; and

WHEREAS, the enhancement of the Lincoln Collection at the Allen County Public Library has the potential to provide a positive economic impact on Fort Wayne and Allen County by increasing tourism, providing public programming and internet access, and reaching out with Distance Learning and temporary exhibits to schools and other venues throughout the region, nation, and the world; and

WHEREAS, The Lincoln Financial Foundation generously covered the costs of moving and insuring the collection, underwrote the salary of the registrar and collections manager for a year, and donated displays, exhibitions cases and compact storage units for use with the collection; and

WHEREAS, To fulfill the collections potential and meet the requirements of its care, the Friends of the Lincoln Financial Collection in Indiana seek to raise \$12,500,000, with \$3,500,000 expended immediately and \$9,000,000 for an endowment to permanently protect the collection and ensure its accessibility and use with the goal of making this collection a model for similar collections everywhere; and

WHEREAS, Indiana Governor Mitch Daniels and First Lady Cheri Daniels are Honorary Campaign Co-Chairs of the Friends of the Lincoln Financial Foundation Collection in Indiana.

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

SECTION 1. Financial support from the City of Fort Wayne will ensure that young people and adults share the profound experience of viewing an object owned and used by Abraham Lincoln.

SECTION 2. Financial support will extend the essential values Lincoln came to embody and represent.

SECTION 3. The Friends of the Lincoln Foundation Collection in Indiana seek, at this critical juncture in America's history and at a time a great global challenges, to show as many people as possible – citizens and elected officials alike – the light that Abraham Lincoln followed and the guidance he left for our nation.

SECTION 4. The City of Fort Wayne will provide financial support in the amount of \$250,000 from County Economic Development Income taxes to be paid in two installments. The first installment of \$125,000 to be paid in 2009 and the second installment of \$125,000 to be paid in 2010. These funds will be used exclusively for the care and digitization of the Lincoln Collection at the Allen County Public Library.

SECTION 5. 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

#1187

BILL NO. Z-09-10-18

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. T-46 (Sec. 9 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:

A part of Ann Hackley Reserve, in Township 31 North, Range 13 East, in Allen County, Indiana, in particular described as follows, to wit: Commencing on the Reserve line between, and common to the said Reserve and to Richardville Reserve, at the point of intersection of said line by the centerline of the public highway known as St. Joe Road; thence running northwestward on the said common reserve boundary line, a distance of 637.8 feet; thence northeastward by a deflection right of 90 degrees, a distance of 530.2 feet to the southwest boundary of the plat of Fisher’s Suburban Addition Amended as recorded in Plat Book 17, page 132 in the Office of the Recorder of said County; thence southeasterly along the aforesaid line, a distance of 750.0 feet to the centerline of the St. Joe Road; thence southwestward along the said St. Joe Road centerline by a deflection right 101 degrees 23 minutes, a distance of 531.9 feet to the place of beginning, containing 8.37 acres.

and the symbols of the City of Fort Wayne Zoning Map No. T-46 (Sec. 9 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

#1188

BILL NO. Z-09-10-19

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. R-27 (Sec. 29 of Adams 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 AR (Low Intensity Residential) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

RECORD DESCRIPTION
DOCUMENT NUMBER 206066251

Part of the South Half of the Southwest 1/4 of Section 29, Township 30 North, Range 13 East, Allen County, Indiana, more particularly described as follows, to-wit:

Beginning at the Southwest corner of the said South 1/2 of the Southwest 1/4; thence East on the South line of said Section, 984.77 feet; thence North parallel with the West line of said Section, 1327 feet to the North line of the said South 1/2 of the Southwest 1/4; thence West on the North line of the said South 1/2 of the Southwest 1/4, 984.77 feet to the West line of said Section; thence South on the West line of said Section, 1327 feet to the place of beginning, containing 30.00 acres, excepting therefrom the following described tracts of real estate:

Tract 1:

Part of the South one-half of the Southwest Quarter of Section 29, Township 30 North, Range 13 East, by perimetric dimensions described as follows, to-wit:

Commencing at the Southwest corner of said Section 29, thence Eastward on the South line of said Section as by the centerline of the public highway known as the Tillman Road defined, a distance of seven hundred (700) feet; thence Northward and parallel to the west line of said Section as said West line is by the centerline of the public highway known as the Hessen Cassel Road defined, a distance of four-hundred thirty-five and six tenths (435.6) feet; thence Westward and parallel to said South line of said Section, a distance of seven hundred (700) feet to said West line of said Section; thence Southward on said West line of said Section a distance of four hundred thirty-five and six tenths (435.6) feet to the place of beginning, containing seven (7) acres of land. Subject to highways along and over the South and west boundaries thereof.

Tract 2:

Part of the South one-half of the Southwest Quarter of Section 29, Township 30 North, Range 13 East, Allen County, Indiana, in particular described as follows, to-wit: Commencing on the West line of the tract aforesaid at a distance of 1027.0 feet North of the Southwest corner of said Section; thence North on the West line aforesaid, a distance of 300 feet to the Northwest corner of the South one-half of the Southwest Quarter of said Section; thence East by a deflection right of 89 degrees, 22 minutes on the North line of the South one-half of the Southwest Quarter of said Section, a distance of 430.0 feet; thence South by a deflection right of 90 degrees, 38 minutes, a distance of 300 feet; thence West, a distance of 430.0 feet to the point of beginning, containing 2.96 acres. Subject to a public road known as the Hessen Cassel Road upon and over the West 30 feet thereof.

Said parcel containing in all approximately 20 acres of land, more or less.

More particularly described by survey as follows:

Part of the South one-half of the Southwest Quarter of Section 29, Township 30 North, Range 13 East,

described as follows, to-wit:

Commencing on the west line of said Quarter Section, as defined by the centerline of the Hessen Cassel Road, at a point situated 435.6 feet North of the Southwest corner of said Section 29; thence continuing Northerly, on the West line of said Quarter Section, a distance of 591.4 feet, more or less, to a point situated 300.0 feet South of the Northwest corner of the South one-half of the Southwest Quarter of said Section; thence Easterly by a deflection right 89 degrees, 22 minutes on a line parallel to the North line of the South one-half of the Southwest Quarter of said Section, a distance of 430.0 feet; thence Northerly by a deflection left of 89 degrees, 22 minutes on a line parallel to the West line of said Quarter Section, a distance of 300.0 feet to the North line of the South one-half of the Southwest Quarter of said Section; thence Easterly on the line aforesaid, a distance of 554.4 feet (544.77 feet deed); thence Southerly on a line parallel (deed) to the West line of said Quarter Section along an existing fence line a distance of 1327.0 feet (deed) to the South line of said Quarter Section, as defined by the centerline of the Tillman Road; thence Westerly on the line aforesaid a distance of 281.6 feet (284.77 feet deed) to a point situated 700.0 feet Easterly of the Southwest corner of said Section 29; thence Northerly on a line parallel to the west line of said Quarter Section, a distance of 435.6 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 700.0 feet to the point of deed (commencing).

Subject to a public road known as the Hessen Cassel Road upon and over the West 30 feet thereof.

Subject to a public road known as the Tillman Road upon and over the South 25 feet thereof.

and the symbols of the City of Fort Wayne Zoning Map No. R-27 (Sec. 29 of Adams 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

#1189

BILL NO. Z-09-10-20

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. G-03 (Sec. 8 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 a CM1 (Professional Offices and Personal Services) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

A part of LaGro Section in Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing 7.50 chains West of and 40 chains North of the Southeast corner of LaGro Section, Township 30 North, Range 12 East, said point being in the center of the Huntington Road (West Jefferson Boulevard); thence South 51 degrees 30 minutes West along the center line of said road a distance of 1350 feet to a point of beginning of the tract herein described: then South 38 degrees 30 minutes East a distance of 385 feet; thence South 51 degrees 30 minutes West a distance of 120 feet; thence North 43 degrees 47 minutes West a distance of 210 feet; thence South 74 degrees 23 minutes West a distance of 28 feet; thence North 42 degrees zero minutes West a distance of 165.5 feet to a point in the center line of the Huntington Road (West Jefferson Boulevard); thence North 51 degrees 30 minutes East along the center of said road a distance of 174 feet to the place of beginning, containing 1.31 acres of land, more or less.

and the symbols of the City of Fort Wayne Zoning Map No. G-03 (Sec. 8 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-09-10-21

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending Zoning Map Ordinance Z-25-09

WHEREAS, Common Council previously passed Ordinance Z-25-09, an amendment to the City of Fort Wayne Zoning Map No. K-18 (Sec. 34 of Washington Township) to designate the area RP (Planned Residential);

WHEREAS, the ordinance was incorrect; and the correct designation is as follows:

Lots 2, 4, 6, 8, 10, and 12 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 are designated:

CM2 (Limited Retail and Commercial)

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF

FORT WAYNE, INDIANA:

Section I. That the zoning designation for Ordinance Z-52-09 is hereby amended
and approved.

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

BILL NO. S-09-10-23

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the awarding of ITB NO. 3092-PURCHASE OF TWO (2) CREW CABS by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and SELKING INTERNATIONAL for the STREET DEPARTMENT.

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

SECTION 1. That ITB NO. 3092-PURCHASE OF TWO (2) CREW CABS between the City of Fort Wayne, by and through its Department of Purchasing and SELKING INTERNATIONAL for the STREET DEPARTMENT, respectfully for:

purchase of two (2) Crew Cabs for the Street Department involving a total cost of ONE HUNDRED THIRTY-EIGHT THOUSAND, EIGHT HUNDRED SIXTY AND NO/100 DOLLARS - (\$138,860.00) all as more particularly set forth in said ITB NO. 3092-PURCHASE OF TWO (2) CREW CABS 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-09-10-25

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving CONSTRUCTION CONTRACT #7247-2009, PARNELL AVENUE CURB FACE WALKS 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 #7247-2009, PARNELL AVENUE CURB FACE WALKS 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 Parnell Avenue Curb Face Walks;

involving a total cost of ONE HUNDRED FIFTY-TWO THOUSAND, NINE HUNDRED NINETY-ONE AND 20/100 DOLLARS - (\$152,991.20).

SECTION 2. Prior Approval has been requested from Common Council on OCTOBER 13, 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-09-10-26

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving CONSTRUCTION CONTRACT #7254-2009, PUBLIC SIDEWALK CURB RAMP PACKAGE A-2009 between KEY 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 #7254-2009, PUBLIC SIDEWALK CURB RAMP PACKAGE A-2009 by and between KEY 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 Public Sidewalk Curb Ramp Package A-2009;

involving a total cost of ONE HUNDRED FOUR THOUSAND, SIX HUNDRED SEVENTY-TWO AND NO/100 DOLLARS - (\$104,672.00).

SECTION 2. Prior Approval has been requested from Common Council on OCTOBER 13, 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-09-10-22

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the awarding of ITB NO. 3093-PURCHASE OF TWO (2) TANDEM AXLE DUMP TRUCK CHASSIS by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and SELKING INTERNATIONAL for the WATER MAINTENANCE AND WATER POLLUTION CONTROL MAINTENANCE DEPARTMENTS.

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

SECTION 1. That ITB NO. 3093-PURCHASE OF TWO (2) TANDEM AXLE DUMP TRUCK CHASSIS between the City of Fort Wayne, by and through its Department of Purchasing and SELKING INTERNATIONAL for WATER MAINTENANCE AND WATER POLLUTION CONTROL MAINTENANCE DEPARTMENTS, respectfully for:

purchase of two (2) tandem axle dump truck chassis for the Water Maintenance and Water Pollution Control Maintenance Departments:

involving a total cost of TWO HUNDRED FIVE THOUSAND, EIGHT HUNDRED EIGHTY AND NO/100 DOLLARS - (205,880.00) all as more particularly set forth in said ITB NO. 3093-PURCHASE OF TWO (2) TANDEM AXLE DUMP TRUCK CHASSIS 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-09-10-24

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving CONSTRUCTION CONTRACT - WASHINGTON/WEBSTER PARTIAL SEWER SEPARATION RES. #2253-2009, W.O. #75427 between CROSBY EXCAVATING 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 - WASHINGTON/WEBSTER PARTIAL SEWER SEPARATION RES. #2253-2009, W.O. #75427 by and between CROSBY EXCAVATING 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 construction of approximately 1,000 LF of storm sewers ranging from 12-inch to 36-inch and 500 LF of sanitary sewers ranging from 8-inch to 12-inch, inlets/manholes and all appurtenant structures associated with the Washington/Webster Drain Improvements;

involving a total cost of THREE HUNDRED FIFTY-NINE THOUSAND, FIVE HUNDRED SEVENTEEN AND 15/100 DOLLARS - (\$359,517.15).

SECTION 2. Prior Approval has been requested from Common Council on OCTOBER 13, 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

