

# COMMITTEE SESSION

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## AGENDA

### FORT WAYNE COMMON COUNCIL

JUNE 9, 2009

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

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

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PRESIDING OVER THE STANDING  
COMMITTEE OF THE COMMON COUNCIL

THOMAS E. SMITH  
PRESIDENT

SECRETARY OF THE COMMITTEE  
SESSION OF THE COMMON COUNCIL

SANDRA E. KENNEDY  
CITY CLERK

LEGAL ADVISOR TO MEMBERS  
OF THE COMMON COUNCIL

JOSEPH G. BONAHOOM  
COUNCIL ATTORNEY

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BENDER\_\_\_\_\_, BROWN\_\_\_\_\_, DIDIER\_\_\_\_\_,  
GOLDNER\_\_\_\_\_, HARPER\_\_\_\_\_, HINES\_\_\_\_\_,  
PAPE\_\_\_\_\_, SHOAFF\_\_\_\_\_, SMITH\_\_\_\_\_

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## ORDER OF THE AGENDA

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**1. ROLL CALL**

**2. LEGAL PUBLIC HEARINGS - PAGE 3**

**3. PRIOR APPROVAL REQUEST – PAGE 4**

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

# LEGAL PUBLIC HEARINGS

## FINANCE COMMITTEE

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

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### **R-09-05-17**

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 4422 Airport Expressway, Fort Wayne, Indiana 46809 (GTA Acquisition, LLC d/b/a GT Automation Group)**

**Total cost of \$180,000 – Personal Property improvements – they will also purchase equipment. Three full-time jobs will be created as a result of the project**

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### **R-09-05-24**

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 505 East Washington Boulevard, Fort Wayne, Indiana 46802 (Rothberg Realty, LLC)**

**Total cost of \$2,000,000– Interior and exterior improvements will be made to the currently vacant structure. 42 full-time and seven part-time jobs will be retained**

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## PRIOR APPROVAL REQUEST

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### PUBLIC WORKS COMMITTEE

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

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**“PRIOR APPROVAL REQUEST” Resurfacing Package B-2009 - contract was awarded to E&B Paving in the amount of \$859,660**

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**“PRIOR APPROVAL REQUEST” contract was awarded to Brooks Construction Company, in the amount of \$1,366,732. This project is funded 80% Federal-Aid, 20% City CEDIT Bond. The City’s share of the contract amount is \$273,346.40**

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# ORDINANCES AND RESOLUTIONS UP FOR DISCUSSION

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## FINANCE COMMITTEE

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

### ACTION

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**R-09-05-17**

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 4422 Airport Expressway, Fort Wayne, Indiana 46809 (GTA Acquisition, LLC d/b/a GT Automation Group)**

**Total cost of \$180,000 - They will purchase new manufacturing and logistical distribution equipment.  
Three full-time jobs will be created as a result of the project**

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**R-09-05-24**

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 505 East Washington Boulevard, Fort Wayne, Indiana 46802 (Rothberg Realty, LLC)**

**Total cost of \$2,000,000 - They will make interior and exterior improvements to a currently vacant structure - 42 full-time and seven part-time jobs will be retained**

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# REGULATIONS COMMITTEE

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

## **ACTION**

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**G-08-10-22**

**AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive (“Master”) Plan by vacating public right-of-way Alley is located between Lots 9 and 10 of Burgess Addition. The portion of the alley to be vacated is unimproved and has been used as a private drive since 1977. Vacation of the alley will allow the legal use of the area as a private driveway**

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**G-09-03-05 (AS AMENDED)**

**AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive (“Master”) Plan by vacating public right-of-way Location between 2712 and 2828 Covington Road - approval of the petition will vacate the public-right-of-way for Catalpa Street and the ownership of the land will revert to the adjacent property owners**

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**G-09-05-01**

**AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive (“Master”) Plan by vacating public right-of-way The unbuilt portions of Columbia Avenue and Artas Avenue right-of-way are located within an area of White Oak Park that was vacated in 1970. Vacation will allow the single owner to develop the property with a commercial or office use**

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**G-09-05-02**

**AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive (“Master”) Plan by vacating public right-of-way Right-of-way of Iroquois Court, the Fort Wayne Authority is continuing to redevelop this with multi-family apartment units, Iroquois Court and Cheyenne Drive will be integrated into the development as private drives to Serve the apartments**

## REGULATIONS COMMITTEE CONTINUED

### ACTION

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**G-09-04-24**

**AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive (“Master”) Plan by vacating public right-of-way The existing parking lot currently encroaches into platted alleyway. Vacation of the alley will allow for a church expansion and parking lot improvements. Both sides of the alley are owned by the petitioner**

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**Z-09-02-21**

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. P-03 (Sec. 07 of Adams Township)  
To rezone 2605, 2607, 2611 and 2615 S. Anthony Boulevard  
-to allow the construction of a gas station and convenience store**

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**Z-09-04-22**

**AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. H-34 and I-34 (Sec. 21 of Washington Township)  
Within the 3000 to 3100 block of W. Washington Center Road and within the 5700 to 5800 block of Hatfield Road –  
Property will be rezoned to CM2/Limited Retail and Commercial to bring existing businesses into compliance with the Zoning Ordinance and eliminate the need for Board of Zoning Appeals**

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**PUBLIC WORKS COMMITTEE**

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

**ACTION**

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**No Ordinances or Resolutions up for discussion**

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**CITY UTILITIES COMMITTEE**

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

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**No Ordinances or Resolutions up for discussion**

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# REGULAR SESSION

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## AGENDA

### FORT WAYNE COMMON COUNCIL

JUNE 9, 2009

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**REGULAR SESSION**  
**IMMEDIATELY FOLLOWING COMMITTEE SESSION**  
**COMMON COUNCIL CHAMBERS ROOM 126**

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**PRESIDING OVER THE STANDING**  
**COMMITTEE OF THE COMMON COUNCIL**

**THOMAS E. SMITH**  
**PRESIDENT**

**SECRETARY OF THE REGULAR**  
**SESSION OF THE COMMON COUNCIL**

**SANDRA E. KENNEDY**  
**CITY CLERK**

**LEGAL ADVISORS TO MEMBERS**  
**OF THE COMMON COUNCIL**

**JOSEPH H. BONAHOOM**  
**COUNCIL ATTORNEY**

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BENDER\_\_\_\_\_, BROWN\_\_\_\_\_, DIDIER\_\_\_\_\_,  
GOLDNER\_\_\_\_\_, HARPER\_\_\_\_\_, HINES\_\_\_\_\_,  
PAPE\_\_\_\_\_, SHOAFF\_\_\_\_\_, SMITH\_\_\_\_\_

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# ORDER OF THE AGENDA

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PRESENTATION OF NATIONAL COLORS

SERGEANT-AT-ARMS

ROLL CALL

SANDRA E. KENNEDY  
CITY CLERK

PRESIDENT'S REPORT AND COMMENTS

THOMAS E. SMITH  
PRESIDENT

INTRODUCTION OF ORDINANCES AND RESOLUTIONS – PAGES 3 AND 4

PASSAGE OF ORDINANCES AND RESOLUTIONS – PAGES 5 THRU 9

MISCELLANEOUS BUSINESS

CHAIR OPEN FOR COMMENTS – FROM CITIZENS AND COUNCIL MEMBERS

RETIREMENT OF COLORS

ADJOURNMENT

**ORDINANCES AND RESOLUTIONS  
UP FOR INTRODUCTION**

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## FINANCE COMMITTEE

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

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### ACTION

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**S-09-06-02**

**AN ORDINANCE approving the awarding of purchase of a new EOD/TOTAL Containment System Vehicle by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Nabco, Inc. for the Fort Wayne Police Department  
Total cost of \$307,319**

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## REGULATIONS COMMITTEE

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

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**Z-09-06-04**

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. V-15 (Sec. 22 of Adams Township)  
4600 block Adams Center Road – the rezoning would allow the Purchase of the property by a transportation logistics firm to Move forward**

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## **PUBLIC WORKS COMMITTEE**

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

### **ACTION**

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**S-09-05-21**

**AN ORDINANCE approving Resolution #7209-2009, Resurfacing Package A-2009 between Wayne Asphalt and the City of Fort Wayne, Indiana, in connection with the Board of Public Works  
Total cost of \$948,843**

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## **CITY UTILITIES COMMITTEE**

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

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**No Ordinances or Resolutions up for introduction**

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## **ORDINANCES AND RESOLUTIONS**

## UP FOR PASSAGE

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### FINANCE COMMITTEE

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

#### ACTION

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**R-09-05-17**

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” property commonly known as 4422 Airport Expressway (GTA Acquisition, LLC d/b/a GT Automation Group)**  
**Total cost of \$180,000 – Three full-time jobs will be created**  
**As a result of the project**

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**R-09-05-24**

**A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” 505 East Washington Boulevard (Rothberg Realty, LLC)**  
**Total cost of \$2,000,000 – 42 full-time and seven part-time**  
**Jobs will be retained**

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**DO PASS S-09-05-13**

**AN ORDINANCE of the Common Council authorizing the acquisition and installation of certain improvements to the City’s Sewage Works**

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### REGULATIONS COMMITTEE

*John Shoaff - Chair*  
*Thomas F. Didier - Co-Chair*

*All Council Members*

**ACTION**

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**G-08-10-22**

**AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacation public right-of-way Alley located between 715 ad 801 St. Mary's Avenue - Vacation of the alley will allow the legal use of the area as a private driveway**

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**G-09-03-05 (AS AMENDED)**

**AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating public right-of-way Approval of the petition will vacate the public right-of-way for Catalpa Street and the ownership of the land will revert to the adjacent property owners**

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**G-09-05-01**

**AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating public right-of-way Vacation of the right-of-way will allow the single owner to develop the property with a commercial or office use (portions of Columbia Avenue and Artas Avenue )**

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**G-09-05-02**

**AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating public right-of-way Redevelop this area off Nuttman Avenue with multi-family apartment units. It will be integrated into the development as private drives to serve the apartments**

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**REGULATIONS COMMITTEE  
CONTINUED**

**ACTION**

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**G-09-04-24**

**AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive “Master”) Plan by vacating public right-of-way Vacation of the alley will allow for a church expansion and parking lot improvements. Both sides of the alley are owned by the petitioner (Lewis Addition )**

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**Z-09-02-21**

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. P-03 (Sec. 07 of Adams Township)  
2605, 2607, 2611 and 2615 S. Anthony Boulevard – proposed gas station and convenience store will be a permitted use in the CM2-Limited Retail and Commercial zoning district and may be constructed with development plan approval from the Plan Commission**

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**Z-09-04-22**

**AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. H-34 and I-34 (Sec. 21 of Washington Township)  
3000 to 3100 block of W. Washington Center Road and within the 5700 to 5800 block of Hatfield Road – property will be rezoned to CM2/Limited Retail and Commercial**

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**DO PASS G-09-05-14**

**AN ORDINANCE amending Chapter 3 7, Section 37.39 (A) of the City of Fort Wayne, Indiana, Code of Ordinances  
Harrison Square Parking Garage Fund – there is hereby Established a non-reverting Harrison Square Parking Garage Operating Fund for the City**

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**REGULATIONS COMMITTEE  
CONTINUED**

**ACTION**

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**DO PASS G-09-05-15**

**AN ORDINANCE amending Chapter 37, Section 37.40 (A) of the City of Fort Wayne, Indiana, Code of Ordinances  
Harrison Square Stadium Maintenance Fund -  
There is hereby established a non-reverting Harrison Square Stadium Maintenance Fund for the City**

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**DO PASS R-09-05-18**

**A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana approving an Interlocal Cooperation Agreement between the City of Fort Wayne and the County of Allen**

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## **PUBLIC WORKS COMMITTEE**

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

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**DO PASS S-09-05-19**

**AN ORDINANCE certifying the need for the services of a consultant (HNTB Corporation) to provide professional services for the Northwest Pressure Zone Pumping Improvements  
Total cost of \$192,480**

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**DO PASS S-09-05-20**

**AN ORDINANCE certifying the need for the services of a consultant, Bonar Group, to provide professional services for the State Road 3 Utility Relocation Improvements  
Total cost of \$197,500**

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## **PUBLIC WORKS COMMITTEE CONTINUED**

### **ACTION**

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**DO PASS S-09-05-22**

**AN ORDINANCE approving Chicksaw Drive/Blackhawk Lane**

**Concrete Street Repairs – Board of Public Works  
Total cost of \$101,692.50**

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**CITY UTILITIES COMMITTEE**

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

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**No Ordinances or Resolutions up for passage**

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

**SANDRA E. KENNEY  
CITY CLERK**

