

COMMITTEE SESSION

AGENDA

FORT WAYNE COMMON COUNCIL

OCTOBER 13, 2009

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

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

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

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

ORDER OF THE AGENDA

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 7**

LEGAL PUBLIC HEARINGS

FINANCE COMMITTEE

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

R-09-09-22

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 6030 Huguenard Road, Fort Wayne, Indiana 46818 (JH Specialty, Inc./Hilltrans, LLC)

Total cost of \$870,000 – they will construct a 12,000 square foot facility and purchase technology equipment. 30 full-time and 12 part-time jobs are expected to be created as a result of the project

R-09-09-24

A CONFIRMING RESOLUTION designating an :Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 9823 Ardmore Avenue, Fort Wayne, Indiana, 46809 (Quoin Enterprises, LLC d/b/a Fort Wayne Metals Research Products Corporation) and approving combined reporting of personal property deductions and transfer of manufacturing equipment

Total cost of \$2,800,000 – In order to continue to grow its operations and remain competitive in its industry, Fort Wayne Metals Research Products Corporation will invest in real and personal property improvements at another one of its Fort Wayne plants. Ten full-time and ten part-time jobs will be created as a result of the project

PRIOR APPROVAL REQUEST

PUBLIC WORKS COMMITTEE

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

“PRIOR APPROVAL REQUEST” Parnell Avenue Walks – contract was awarded to Rock Solid Concrete in the amount of \$152,991.20

“PRIOR APPROVAL REQUEST” Public Sidewalk Curb Ramp Package A-2009 – contract was awarded to Key Concrete in the amount of \$104,672

CITY UTILITIES COMMITTEE

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

“PRIOR APPROVAL REQUEST” Washington-Webster Partial Sewer Separation – contract was awarded to Crosby Excavating in the amount of \$359,517.15

**ORDINANCES AND RESOLUTIONS UP FOR
DISCUSSION**

FINANCE COMMITTEE

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

ACTION

R-09-09-22

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 6030 Huguenard Road, Fort Wayne, Indiana 46818 (JH Specialty, Inc./Hilltrans, LLC)

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R-09-09-24

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1-1.12.1 for property commonly known as 9823 Ardmore Avenue Fort Wayne, Indiana, 46809 (Quoin Enterprises, LLC d/b/a Fort Wayne Metals Research Products Corporation and approving combined reporting of personal property Deductions and transfer of manufacturing equipment

Total cost of \$2,800,000 – in order to continue to grow its operations and remain competitive in its industry, they will invest in real and personal property improvements at another one of its plants. Ten full-time and ten part-time jobs will be created as a result of the project

FINANCE COMMITTEE

CONTINUED

ACTION

R-09-10-01

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 3725 North Wells Street, Fort Wayne, Indiana 46808 (AK Distribution, LLC/Klopfenstein Homerooms, Inc.)

Total cost of \$291,500

This Resolution is to be introduced and voted

Upon for passage tonight at the Regular Session

S-09-09-28

AN ORDINANCE fixing the salaries of all members of the Division of Public Safety of the City of Fort Wayne, Indiana for the year 2010

PUBLIC SAFETY SALARY FOR YEAR

2010

S-09-09-27

AN ORDINANCE fixing the salaries of each and every appointed officer, employee, deputy assistant, departmental and institutional head of the Civil City and City Utilities of the City for the year 2010

**SALARY ORDINANCE
(DISCUSSION ONLY)**

S-09-09-29 (AS AMENDED)

AN ORDINANCE fixing the compensation of elected officials For the City of Fort Wayne, Indiana, for the year 2010

**A VOTE IS NEEDED TO ACCEPT
THE ABOVE AMENDED COPY**

REGULATIONS COMMITTEE

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

ACTION

Z-09-09-04

**AN ORDINANCE amending the City of Fort Wayne Zoning Map
No. K-50 (Sec. 10 of Washington Township)
1414 Northland Boulevard - Crazy Pinz site**

The applicant has chosen to withdraw the
above ordinance

PUBLIC WORKS COMMITTEE

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

No Ordinances or Resolutions up for discussion

CITY UTILITIES COMMITTEE

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

No Ordinances or Resolutions up for discussion

REGULAR SESSION

AGENDA

FORT WAYNE COMMON COUNCIL

OCTOBER 13, 2009

REGULAR SESSION
IMMEDIATELY FOLLOWING COMMITTEE SESSION
COMMON COUNCIL CHAMBERS ROOM 126

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

BENDER_____, BROWN_____, DIDIER_____,
GOLDNER_____, HARPER_____, HINES_____

PAPE _____, SHOAFF _____, SMITH _____,

ORDER OF THE AGENDA

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 THRU 8

PASSAGE OF ORDINANCES AND RESOLUTIONS – PAGES 9 THRU 12

MISCELLANEOUS BUSINESS

CHAIR OPEN FOR COMMENTS – FROM CITIZENS AND COUNCIL MEMBERS

RETIREMENT OF COLORS

ADJOURNMENT

**ORDINANCES AND RESOLUTIONS
UP FOR INTRODUCTION**

FINANCE COMMITTEE

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

ACTION

S-09-10-06

**AN ORDINANCE approving the awarding of ITB #3075-
Demolitions and Lot Restorations for properties throughout the
City of Fort Wayne by the City of Fort Wayne, Indiana, by and
through its Department of Purchasing and Oxendine, Palermo,
Leininger Excavating, Martin's and Lunz for the Neighborhood
Code Enforcement**

Total cost of \$231,646.36

R-09-10-07

**A RESOLUTION approving the purchase of certain real estate
(2214 Melbourne Court) for the City of Fort Wayne, Indiana**

Total cost of property \$87,000 (2214 Melbourne Court)

R-09-10-01

**A DECLARATORY RESOLUTION designating an "Economic
Revitalization Area" under I.C. 6-1.1-12.1 for property commonly**

**known as 3725 North Wells Street, Fort Wayne, Indiana 46808 (AK
Distribution, LLC/Klopfenstein Homerooms, Inc.
Total cost of \$291, 500**

TO BE PASSED THIS EVENING

FINANCE COMMITTEE

CONTINUED

ACTION

R-09-10-02

**A CONFIRMING RESOLUTION designating an “Economic
Revitalization Area” under I.C. 6-1.1-12.1 for property commonly
known as 3725 North Wells Street, Fort Wayne, Indiana 46808 (AK
Distribution, LLC/Klopfenstein Homerooms, Inc.)
Total cost of \$291,500**

PUBLIC HEARING - 10-27-09 - 5:30 P.M.

R-09-10-08

**A RESOLUTION approving a Waiver of Noncompliance for a
Late-Filed Application for the Economic Revitalization Area
Deduction on Real Property Improvements (Form 322/RE) for
Allied Building Company, LLC/NeuroSpine/Pain Surgery
Center, LLC**

**Approval of this resolution and granting of a waiver of
noncompliance will allow them to recoup one year of real
property tax abatement that is lost due to late filed
deduction forms.**

**LEGAL PUBLIC HEARING 10-27-09 - 5:30
P.M.**

R-09-10-09

**A RESOLUTION approving a Waiver of Noncompliance for a
Late-Filed Application for the Economic Revitalization Area
Deduction on Real Property Improvements (Form 322/RE) for
Apollo Design Technology)**

**Approval of this resolution and granting of a waiver of
Noncompliance will allow the company one year of real**

property tax abatement that it lost due to late filed deduction forms

LEGAL PUBLIC HEARING 10-27-09 - 5:30 P.M.

FINANCE COMMITTEE CONTINUED

ACTION

R-09-10-10

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction on Personal Property Improvements (For 103 ERA and Form 103 EL) for JAC Real Estate, LLC and Ceruti's Catering, Inc.

Approval of this resolution and granting of a waiver of noncompliance will allow the company to receive its personal property tax abatement for 2008 payable 2009 due to late filed deduction forms

LEGAL PUBLIC HEARING 10-27-09 - 5:30 P.M.

R-09-10-11

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction on Real Property Improvements (Form 322/RE) for Citadel Realty, LLC/Fort Wayne Oncology and Hematology

Approval of this resolution and granting of a waiver of noncompliance will allow this company to recoup two years of real property tax abatement that it lost due to late filed deduction forms

LEGAL PUBLIC HEARING 10-27-09 - 5:30 P.M.

R-09-10-12

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction on Personal Property Improvements (Form 103 ERA and Form 103 EL) for Knight Mechanical Testing, LLC

Approval of this resolution and granting of a waiver of noncompliance will allow the company to receive its personal property tax abatement that it will lose in 2010 due to late filed deduction forms

LEGAL PUBLIC HEARING 10-27-09- 5:30 P.M.

FINANCE COMMITTEE

CONTINUED

ACTION

R-09-10-13

A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Application for the Economic Revitalization Area Deduction on Personal Property Improvements (Form 103 ERA and Form 103 EL) for The Medical Protective Company)

Approval of this resolution and granting of a waiver of noncompliance will allow the company to receive its personal property tax abatement that it will lose in 2010 due to late filed deduction forms

LEGAL PUBLIC HEARING 10-27-09 - 5:30 P.M.

REGULATIONS COMMITTEE

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

G-09-10-17

AN ORDINANCE amending Chapter 36, Personnel Policies of the Fort Wayne, Municipal Code of Ordinance that establishes a prohibition against caps on the increase in the amount of insurance premiums paid by employees

PUBLIC WORKS COMMITTEE

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

ACTION

S-09-10-14

AN ORDINANCE approving contract #7250-2009, Tillman Road Concrete Street Repairs – Work Order: 12142 between Garcia Concrete and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$180,728.70

S-09-10-15

AN ORDINANCE approving construction contract #7249-2009, Ley Road Phase 3, Work Order, 12146 between Primco, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$257,573.18

CITY UTILITIES COMMITTEE

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

S-09-10-16

AN ORDINANCE approving the awarding 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 Water Pollution Control Plant

Total cost of \$149,000

CITY UTILITIES COMMITTEE CONTINUED

ACTION

S-09-10-05

AN ORDINANCE approving Plant 3 Clarifier Improvements – Res. #2207-2009, W.O. #65891 between R.E. Crosby and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$189,000

S-09-10-04

AN ORDINANCE approving WOODROW/VANCE PARTIAL SEWER SEPARATION PHASE II – Res. #2248-2009, W.O. #75425 between All Star Construction and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$798,000

S-09-10-03

AN ORDINANCE approving Beckman Drain Improvements – Res. #1882-06, W.O. #80557 between Beiger Excavating and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$306,989

ORDINANCES AND RESOLUTIONS UP FOR PASSAGE

FINANCE COMMITTEE

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

ACTION

R-09-10-01

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 3725 North Wells Street, Fort Wayne, Indiana AK Distribution, LLC/Klopfenstein Homerooms, Inc.

Total cost of \$291,500 – 14 full-time and one part-time Jobs will be created as a result of the project

R-09-09-22

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” for property commonly known as 6030 Huguenard Road, (JH Specialty, Inc./Hilltrans,LLC)

Total cost of \$870,000 – 30 full-time and 12 part-jobs Are expected to be created as a result of the project

R-09-09-24

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” for property 9823 Ardmore Avenue, (Quoin Enterprises, LLC d/b/a Fort Wayne Metals Research Products Corporation)

Total cost of \$2,800,000 – ten full-time and ten part-time Jobs will be created as result of the project

FINANCE COMMITTEE CONTINUED

ACTION

S-09-09-28

**AN ORDINANCE fixing the salaries of all members of the Division of Public Safety of the City of Fort Wayne, Indiana for the year 2010
PUBLIC SAFETY SALARY FOR YEAR 2010**

DO PASS

S-09-09-20 (AS AMENDED)

**AN ORDINANCE of the City of Fort Wayne, Indiana, Common Council approving and authorizing the execution of a lease for the acquisition, renovation and equipping of a building located at 200 East Berry Street
Total cost of \$8,844,000**

DO PASS

S-09-09-25

AN ORDINANCE of the City of Fort Wayne, Indiana, Common Council regarding the designation of the City as a "Recovery Zone" for purposes of Sections 1400U-1, 1400U-2, and 1400U-3 of the Internal Revenue Code of 1986, as amended

DO PASS

S-09-09-26

**AN ORDINANCE approving the purchase of Trees by the City of Fort Wayne, for the Parks and Recreation Department
Total cost of \$164,897**

REGULATIONS COMMITTEE

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

ACTION

DO PASS G-09-06-14 (AS AMENDED)
**AN ORDINANCE amending Chapter 38; “City Policies” of the
City of Fort Wayne, Indiana Code of Ordinances
Disclosure of Professional Service Contracts**

Z-09-09-24
**AN ORDINANCE amending the City of Fort Wayne Zoning Map
No. K-50 (Sec. 10 of Washington Township)**

**TO BE WITHDRAWN AT THE REQUEST OF
THE
 PETITIONER**

PUBLIC WORKS COMMITTEE

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

No Ordinances or Resolutions up for passage

CITY UTILITIES COMMITTEE

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

ACTION

DO PASS S-09-09-31
AN ORDINANCE approving construction contract #2233-2009,
General Cipp 2009 Package #2, W.O. #75415 – Board of Public
Works
Total cost of \$825,908

DO PASS S-09-09-32
AN ORDINANCE approving construction contract , Woodrow-
Vance Partial Sewer Separation –Board of Public Works
Total cost of \$1,758,964.94

DO PASS S-09-09-33
AN ORDINANCE approving construction contract – Penn
Avenue Partial Sewer Separation – Board of Public Works
Total cost of \$155,492.04

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

**SANDRA E. KENNEDY
CITY CLERK**

