

**ORDINANCES AND RESOLUTIONS
UP FOR INTRODUCTION
JUNE 22, 2010**

CITY UTILITIES COMMITTEE

ACTION

No Ordinances or Resolutions up for introduction

FINANCE COMMITTEE

*Tim Pape - Chair
Thomas E. Smith - Co-Chair
All Council Members*

R-10-06-13

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 3310 Congressional Parkway, Fort Wayne, Indiana 46808 (Lincoln Printing Corporation

Total cost of \$487,702 - they will purchase and install new manufacturing equipment

To be passed this evening

R-10-06-14

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 3310 Congressional Parkway, Fort Wayne, Indiana 46808 (Lincoln Printing Corporation)

Total cost of \$487, 702 - they will purchase and

Install new manufacturing equipment

LEGAL PUBLIC HEARING - 7-13-10 - 5:30 P.M.

REGULATIONS COMMITTEE

*Karen E. Goldner - Chair
Mitch Harper - Co-Chair
All Council Members*

ACTION

G-10-06-15

**AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive (“Master “) Plan by vacating public right-of-way
A request to vacate University Street from Maumee Ave., and East Washington Blvd., within the 1100 block running north and south**

LEGAL PUBLIC HEARING 7-13-10 – 5:30 P.M.

Z-10-06-16

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. J-26 (Sec. 27 of Washington Township)
A request to rezone approximately 8.24 acres from RP-Planned Residential and CM4 -Intensive Commercial to CM2 -Limited Retail and Commercial – Harris Road to the 1900 Block of West Coliseum Blvd**

Z-10-06-17

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-10 (Sec. 02 of Wayne Township)
Fort Wayne Plan Commission has initiated a request to rezone approximately nine acres of property from IN2-General Industrial to CM5C-Neighborhood commercial Corridor District along the southern half of Wells Street corridor**

R-10-06-19

**Establishment of a Cultural District for Fort Wayne
The Cultural District will service as a steward for promoting participation in the arts and humanities through cultural experiences to our community**

REGULATIONS COMMITTEE CONTINUED

ACTION

G-10-06-20

AN ORDINANCE amending Chapter 38 of the City of Fort Wayne, Indiana, Code of Ordinances that establishes a requirement for the publication of City and City Utility Expenditures for goods and services by the City of Fort Wayne, Indiana

Regarding expenditures by the City, particularly those expenditures for goods and services by the City of Fort Wayne and its departments

PUBLIC WORKS COMMITTEE

Elizabeth M. Brown - Chair

John Shoaff - Co-Chair

All Council Members

S-10-06-18

AN ORDINANCE approving Washington Center Road at Dartmouth Dr. Intersection Improvement Intersection Work Order No. 11937 between Indiana Department of Transportation and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$1,380,000

**A DECLARATORY RESOLUTION designating an
“Economic Revitalization Area” under I.C. 6-1.1-12.1
for property commonly known as 3310
Congressional Parkway, Fort Wayne, Indiana 46808
(Lincoln Printing Corporation)**

WHEREAS, Petitioner has duly filed its petition dated June 9, 2010 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 full-time, permanent jobs for a total new, annual payroll of \$80,228, with the average new annual job salary being \$40,114 and retain 37 full-time, permanent jobs for a total current annual payroll of \$2,346,560, with the average current, annual job salary being \$63,421; and

WHEREAS, the total estimated project cost is \$487,702; 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 personal property for new manufacturing equipment.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of the value of new manufacturing equipment, all contained in Petitioner’s Statement of Benefits, are reasonable and are benefits that can be reasonably expected to result from the proposed described installation of new manufacturing equipment.

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

- (a) If the proposed new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$2.8601/\$100.
- (b) If the proposed new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.8601/\$100 (the change would be negligible).
- (c) If the proposed new manufacturing equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.8601/\$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 new manufacturing equipment shall be for a

period of ten years.

SECTION 8. That, the benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

SECTION 9. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

SECTION 10. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of said 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 3310
Congressional Parkway, Fort Wayne, Indiana
46808 (Lincoln Printing Corporation)**

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 full-time, permanent jobs for a total new, annual payroll of \$80,228, with the average new annual job salary being \$40,114 and retain 37 full-time, permanent jobs for a current annual payroll of \$2,346,560, with the average current annual job salary being \$63,421; and

WHEREAS, the total estimated project cost is \$487,702; and

WHEREAS, a recommendation has been received from the Committee on Finance on said Resolution; and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution.

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

SECTION 1. That, the Council hereby adopts a waiver of non-compliance with I.C. 6-1.1-12.1 regarding the failure to designate an area an economic revitalization area before the initiation of development for which Lincoln Printing Corporation desires to claim an economic revitalization area deduction. Such waiver shall be in effect for personal property improvements during the period of June 1, 2010 through the date of this resolution and is granted through the authority of I.C. 6-1.1-12.1-9.5, I.C. 6-1.1-12.1-11.3, I.C. 6-1.1-

31-1 and 50 I.A.C. 10-4-1(a)(2) and (3).

SECTION 2. That, the Resolution previously designating the above described property as an “Economic Revitalization Area” is confirmed in all respects.

SECTION 3. 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 4. That, said designation of the hereinabove described property as an “Economic Revitalization Area” shall apply to a deduction of the assessed value of personal property for new manufacturing equipment.

SECTION 5. 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 the new manufacturing equipment, all contained in Petitioner’s Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described installation of the new manufacturing equipment.

SECTION 6. The current year approximate tax rates for taxing units within the City would be:

- (a) If the proposed new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$2.8601/\$100.
- (b) If the proposed new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.8601/\$100 (the change would be negligible).
- (c) If the proposed new manufacturing equipment is installed, and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.8601/\$100 (the change would be negligible).

SECTION 7. Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the new manufacturing equipment shall be for a period of ten years.

SECTION 8. 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. For new manufacturing equipment, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community Development Division and must be included with the deduction application. For subsequent years, the performance report must be updated and submitted along with the deduction application at the time of filing.

SECTION 10. The performance report must contain the following information

- (a) The cost and description of real property improvements and/or new manufacturing equipment acquired.
- (b) The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- (c) The total salaries of the employees hired through the end of the preceding calendar year as a result of the deduction.
- (d) The total number of employees employed at the facility receiving the deduction.
- (e) The total assessed value of the real and/or personal property deductions.
- (f) The tax savings resulting from the real and/or personal property being abated.

SECTION 11. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

SECTION 12. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of said chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases operations at the facility for which the deduction was granted and if the Common Council finds that the property owner obtained the deduction by intentionally providing false information concerning the property owner's plans to continue operation at the facility.

SECTION 13. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Member of Council

APPROVED AS TO FORM AND LEGALITY

Carol Taylor, City Attorney

#1209

BILL NO. G-10-06-15

Deed Book: 35
Page No: 163

GENERAL ORDINANCE NO. G-_____

**AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating public right-of-way.**

WHEREAS, a petition to vacate public right-of-way within the City of Fort Wayne, Indiana, (as more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne, Indiana; and

WHEREAS, Common Council of the City of Fort Wayne, Indiana, duly held a public hearing and approved said petition, as provided in I.C. 36-7-3-12.

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

SECTION 1. That the petition filed herein to vacate a public right-of-way within the City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

A PORTION OF UNIVERSITY STREET AS REPRESENTED ON THE PLAT OF COLLEGE ADDITION AS RECORDED IN DEED BOOK 35, PAGE 163 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF LOT NUMBER 42 OF COLLEGE ADDITION AS RECORDED IN DEED BOOK 35, PAGE 163 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, SAID POINT OF BEGINNING BEING THE POINT OF INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF WASHINGTON BOULEVARD AND THE EAST RIGHT OF WAY LINE OF UNIVERSITY STREET; THENCE SOUTH 03 DEGREES 41 MINUTES 18 SECONDS WEST ON AND ALONG THE EAST RIGHT OF WAY LINE OF UNIVERSITY STREET, SAID EAST RIGHT OF WAY LINE ALSO BEING THE WEST LINE OF LOTS NUMBERED 15, 16 AND 42 WITHIN COLLEGE ADDITION, A DISTANCE OF 373.67 FEET TO THE POINT OF INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF MAUMEE AVENUE AND THE EAST RIGHT OF WAY LINE OF UNIVERSITY STREET, SAID POINT OF INTERSECTION BEING THE SOUTHWEST CORNER OF LOT NUMBER 15 IN COLLEGE ADDITION;

THENCE NORTH 76 DEGREES 02 MINUTES 46 SECONDS WEST ON AND ALONG THE WESTERLY EXTENSION OF THE NORTH RIGHT OF WAY LINE OF MAUMEE AVENUE A DISTANCE OF 50.81 FEET TO THE POINT OF INTERSECTION OF THE WEST RIGHT OF WAY LINE OF UNIVERSITY STREET AND THE NORTH RIGHT OF WAY LINE OF MAUMEE STREET, SAID POINT OF INTERSECTION BEING THE SOUTHEAST CORNER OF LOT NUMBER 56 WITHIN COMPARET'S ADDITION TO THE CITY OF FORT WAYNE AS RECORDED IN DEED BOOK 31, PAGE 170-171 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA; THENCE NORTH 03 DEGREES 41 MINUTES 18 SECONDS EAST ON AND ALONG THE WEST RIGHT OF WAY LINE OF UNIVERSITY STREET, SAID WEST RIGHT OF WAY LINE ALSO BEING THE EAST LINE OF LOTS NUMBERED 55 AND 56 WITHIN COMPARET'S ADDITION, A DISTANCE OF 359.28 FEET TO THE POINT OF INTERSECTION OF THE WEST RIGHT OF WAY LINE OF UNIVERSITY STREET AND THE SOUTH RIGHT OF WAY LINE OF WASHINGTON BOULEVARD, SAID POINT OF INTERSECTION BEING THE

NORTHEAST CORNER OF LOT NUMBER 55 WITHIN COMPARET'S ADDITION; THENCE NORTH 87 DEGREES 35 MINUTES 44 SECONDS EAST ON AND ALONG THE EASTERLY EXTENSION OF THE SOUTH RIGHT OF WAY LINE OF WASHINGTON BOULEVARD A DISTANCE OF 50.28 FEET TO THE POINT OF BEGINNING, CONTAINING 0.42 ACRES (18,324 SQUARE FEET) OF LAND, MORE OR LESS.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

Carol T. Taylor, City Attorney

#1210

BILL NO. Z-10-06-16

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. J-26 (Sec. 27 of Washington 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 CM2 (Limited Retail and Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

Part of the Northeast Quarter of the Northwest Quarter of Section 27, Township 31 North, Range 12 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said Northwest Quarter; thence South 89 degrees 31 minutes 00 seconds West (deed bearing and basis of bearings to follow), a distance of 514.47 feet along the North line of said Northwest Quarter, being within the right-of-way of Coliseum Boulevard (U.S. Highway #30) to the point of intersection of said North line with the Southerly projection of the centerline of Executive Boulevard; thence South 00 degrees 29 minutes 00 seconds East, a distance of 105.00 feet to a Mag Nail set on the South right-of-way line of Coliseum as it presently exists, said point also being the POINT OF BEGINNING of the herein described tract; thence North 89 degrees 31 minutes 00 seconds East, a distance of 25.00 feet along said right-of-way line to a Mag Nail set; thence South 00 degrees 29 minutes 00 seconds East, a distance of 50.00 feet parallel with the Southerly projection of said Execution Boulevard centerline to a Mag Nail set; thence South 89 degrees 31 minutes 00 seconds West, a distance of 109.80 feet parallel with said South right-of-way line also being partially along the North line of an existing tract described in Document Number 83-21703 in the Office of the Recorder of Allen County, Indiana to a 5/8" steel rebar; thence South 88 degrees 37 minutes 42 seconds West, a distance of 105.21 feet continuing along said North line to a point being 1.8 feet South and 0.2 feet West of a 1/2" steel rebar, said point being on the West line of said Document Number 83-21703; thence South 00 degrees 29 minutes 00 seconds East, a distance of 248.37 feet along said West line to a point being 0.7 feet South and 0.1 feet East of a 1/2" steel rebar on a North line of said Document Number 83-21703; thence South 89 degrees 31 minutes 00 seconds West, a distance of 200.00 feet along said North line to a 5/8" steel rebar set on a West line of said Document Number 83-21703; thence South 00 degrees 29 minutes 00 seconds East, a distance of 350.00 feet along said West line to a 5/8" steel rebar set on the South line of said Document Number 83-21703; thence North 89 degrees 31 minutes 00 seconds East, a distance of 291.13 feet along said South line to, a 5/8" steel rebar set, its intersection with the East line of the West 689.5 feet of the Northeast Quarter of said Northwest Quarter; thence South 01 degrees 04 minutes 58 seconds East, a distance of 48.89 feet parallel with the West line of the

Northeast Quarter of said Northwest Quarter to a 5/8" steel rebar on the North line of Harris Meadow, Section 1 Subdivision, recorded in Plat Cabinet B, Page 131 in the Office of the Recorder of Allen County, Indiana; thence South 89 degrees 18 minutes 12 seconds West, a distance of 689.50 feet along said North line to a survey marker nail set on the West line of the Northeast Quarter of said Northwest Quarter; thence North 01 degrees 04 minutes 58 seconds West, a distance of 586.50 feet along said West line to a survey marker nail set; thence North 88 degrees 55 minutes 02 seconds East, a distance of 20.00 feet to a point being on the South right-of-way line of Coliseum Boulevard, said point being 1.5 feet North and 4.2 feet East of a standard Indiana State Highway concrete right-of-way marker; thence North 11 degrees 00 minutes 43 seconds East, a distance of 71.59 feet along said right-of-way line to a point being 1.0 feet North and 5.1 feet East of a standard Indiana State Highway concrete right-of-way marker; thence North 41 degrees 56 minutes 12 seconds East, a distance of 46.90 feet along said right-of-way line to a point being 1.0 feet North and 1.6 feet West of a standard Indiana State Highway concrete right-of-way marker; thence North 88 degrees 37 minutes 32 seconds East, a distance of 642.96 feet along said right-of-way line to a point being 1.3 feet East of a standard Indiana State Highway concrete right-of-way marker; thence North 89 degrees 31 minutes 00 seconds East, a distance of 85.20 feet along said right-of-way line to the Point of Beginning. Containing 8.242 Acres, more or less. Subject to the right-of-way of Harris Road and subject to easements of record.

and the symbols of the City of Fort Wayne Zoning Map No. J-26 (Sec. 27 of Washington Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY:

Carol T. Taylor, City Attorney

#1212

BILL NO. Z-10-06-17

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. L-10 (Sec. 02 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 CM5C (Neighborhood Commercial Corridor) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

Beginning at the intersection of the center line of the St. Mary's River with the center line of Ewing Street; thence northerly along the center line of Ewing Street to a point situated on the center line of Ewing Street and the extended south property line of Lot 29 in the P.A. Randalls Subdivision; thence westerly to the southeast corner of Lot 29 in the P.A. Randalls Subdivision; thence northerly along the east property line of Lot 29 in the P.A. Randalls Subdivision to the northeast corner of said Lot 29; thence northerly to the southeast corner of Lot 5 of P.A. Randalls Subdivision; thence northerly along the east property line of said Lot 5 of P.A. Randalls Subdivision to the northeast corner of said Lot 5; thence northerly to the center line of a 10 foot alley situated 50.00' south of the center line of Commerce Drive; thence westerly along the center line of said 10 foot alley to the extended center line of Marion Court; thence northerly along the extended center line of Marion Court to its intersection with the center line of Commerce Drive; thence easterly along the center line of Commerce Drive to its intersection with the center line of Wells Street; thence southerly along the center line of Wells Street to its intersection with the extended north property line of Lot 53 of North Side Addition; thence easterly along the north property line of Lot 53 of North Side Addition to the northeast corner of said Lot 53; thence easterly along the extended north property line of Lot 53 of North Side Addition to the centerline of a 10 foot alley situated 169.00 feet east of the center line of Wells Street; thence southerly along the center line of said 10 foot alley to its intersection with the extended north property line of Part of Lot 7 in Wells Reserve (as described by Instrument #2008052552 recorded with the Allen County Recorder); thence westerly to the northeast corner of said Part of Lot 7 in Well Reserve; thence southeasterly along the east property line of said Part of Lot 7 in Well Reserve to its southeast corner; thence continuing southeasterly along the extended east property line of said

Part of Lot 7 in Well Reserve to its intersection with the north right-of-way line of the Fort Wayne and Jackson Railroad Company; thence easterly along the north right-of-way line of the Fort Wayne and Jackson Railroad Company to its intersection with the center line of Cass Street; thence southerly along the center line of Cass Street to its intersection with the center line of Wells Street; thence southeasterly along the center line of Wells Street to its intersection with the center line of the St. Mary's River; thence meandering westerly along the center line of the St. Mary's River to its intersection of center line of Ewing Street to the point of beginning.

and the symbols of the City of Fort Wayne Zoning Map No. L-10 (Sec. 02 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

Establishment of a Cultural District for Fort Wayne

Whereas, Indiana House Enrolled Act 1017 (HEA) provides legislation to establish Indiana Statewide Cultural Districts to promote the exploration of and participation in the arts and humanities through cultural experiences that are unique to our communities, while also supporting community life and economic vitality; and

Whereas, pursuant to HEA 1017, the Indiana Arts Commission has established a formal program to recognize the establishment of community supported cultural districts throughout the state; and

Whereas, the establishment of the Fort Wayne Cultural District prescribed in the Statewide Cultural District program is a requisite application step for statewide recognition and inclusion in the program. Upon successful statewide recognition, the Fort Wayne Cultural District will be eligible for initial benefits such as increased tourism marketing, branding, collaboration with other Indiana Arts and Artisan programs and opportunities for highway signage; and

Whereas, the partners who have agreed to collaborate in order to effectively manage the activities of the Fort Wayne Cultural District include Arts United, the Convention and Visitors Bureau, the Downtown Improvement District and the City of Fort Wayne; and

Whereas, the aforementioned partners have agreed to work cooperatively on integration strategies and advocate for cultural asset development, in order for the Fort Wayne Cultural District to emerge as the recognized hub of cultural activities and amenities, substantively giving form to the quality of place we enjoy.

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

Section 1: The formation of a Fort Wayne Cultural District shall be hereby approved.

Section 2: Managing partners of the Fort Wayne Cultural District shall include the City of Fort Wayne, Arts United, the Convention and Visitors Bureau and the Downtown Improvement District.

Section 3: This resolution shall be in full force and effect from and after its passage and approval by the Mayor.

Council Member

APPROVED AS TO FORM AN LEGALITY

Carol Taylor, City Attorney

BILL NO. G-10-06-20

General Ordinance No. _____

**AN ORDINANCE AMENDING CHAPTER 38
OF THE CITY OF FORT WAYNE, INDIANA, CODE OF ORDINANCES
THAT ESTABLISHES A REQUIREMENT FOR THE PUBLICATION
OF
CITY AND CITY UTILITY EXPENDITURES
FOR GOODS AND SERVICES
BY THE CITY OF FORT WAYNE, INDIANA**

Whereas, The Fort Wayne Common Council is the determinative fiscal body for the City of Fort Wayne; and,

Whereas, The public has an interest in accessing information regarding expenditures by the City of Fort Wayne, particularly those expenditures for goods and services by the City of Fort Wayne and its departments; and,

Whereas, The simplest expression of the right of Fort Wayne citizen' to access is "It's their money,"

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

SECTION 1. There shall be added to Section 38 of the Fort Wayne Code of Ordinances a §38.05 as follows:

§ 38.05 PUBLICATION OF CITY AND CITY UTILITY EXPENDITURES FOR GOODS AND SERVICES .

(A) **Publication of City Expenditures**. The City shall publish via the internet on the City of Fort Wayne's website a list of each and every expenditure paid by the City of Fort Wayne or any City of Fort Wayne owned or operated utilities in which either the City of Fort Wayne or any city owned or operated utility is the payor. The list of expenditures referenced herein shall be referred to as the "Registry of City Expenditures," and shall include the payee, and the amount and date of the expenditure. Expenditures on employee

salaries shall be excluded from the Registry of City Expenditures.

(B) The publication of information regarding City and City Utilities expenditures required in Sub-Section (A) of this Section 38.05 of the Fort Wayne Code of Ordinances shall be posted and updated with all available information on a monthly basis. Information required to be published shall remain posted via the internet for public viewing for a period of three (3) years following its initial publication after which time it may be removed from the internet publication.

(C) This Section 38.05 of the Fort Wayne Code of Ordinances shall not apply where publication of such information would be in violation of or is considered confidential under I.C. 5-14-3 *et seq.*, any other provision of the Indiana Code, or any provision in Federal law.

SECTION 2. That the City is directed to take all action necessary and proper for the implementation of this Ordinance.

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.

Mitchell V. Harper, Council Member

APPROVED AS TO FORM AND LEGALITY

Joseph G. Bonahoom, City Council Attorney

BILL NO. S-10-06-18

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving WASHINGTON CENTER ROAD AT DARTMOUTH DR. INTERSECTION IMPROVEMENT - INTERSECTION WORK ORDER NO. 11937 between INDIANA DEPARTMENT OF TRANSPORTATION 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 WASHINGTON CENTER ROAD AT DARTMOUTH DR. INTERSECTION IMPROVEMENT - INTERSECTION WORK ORDER NO. 11937 by and between INDIANA DEPARTMENT OF TRANSPORTATION 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 an intersection with added left turn lanes on Washington Center Rd. at Dartmouth Dr., administered through the Indiana Department of Transportation:

involving a total cost of ONE MILLION, THREE HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS - (\$1,380,000.00). A copy said Contract is on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

