

COMMITTEE SESSION

AGENDA FORT WAYNE COMMON COUNCIL AUGUST 24, 2010

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

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

PRESIDING OVER THE STANDING
COMMITTEE OF THE COMMON COUNCIL

MARTY A. BENDER
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 HEARING – PAGE 3

3. TO APPEAR BEFORE COMMON COUNCIL
PAT ROLLER – CITY CONTROLLER –
BRIEF REVIEW OF THE 2011 BUDGET

4. PRIOR APPROVAL REQUEST – PAGE - 4

5. DISCUSSION OF PENDING
ORDINANCES AND RESOLUTIONS – PAGES 5 & 6

LEGAL PUBLIC HEARING

FINANCE COMMITTEE

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

R-10-08-03

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 5503 Distribution Drive, Fort Wayne, Indiana 46825 (Trelleborg Sealing Solutions, Inc.)

Total cost of \$879,907 - they will lease a 128,000 square foot facility to be used as a logistics center. Trelleborg will also purchase logistical and information technology equipment - 46 full-time jobs will be created as a result of the project

PRIOR APPROVAL REQUEST

PUBLIC WORKS COMMITTEE

*John Shoaff - Chair
Elizabeth M. Brown - Co-Chair
All Council Members*

**“PRIOR APPROVAL REQUEST” Reindeer Road Concrete Street Repairs -
concrete was awarded to Garica Concrete in the amount of \$153,517**

**ORDINANCES AND RESOLUTIONS UP FOR
DISCUSSION**

CITY UTILITIES COMMITTEE

ACTION

No Ordinances or Resolutions up for discussion

FINANCE COMMITTEE

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

R-10-08-03

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Total cost of \$879,907 - they will lease a 128,000 square foot facility to be used as a logistics center. Trelleborg will purchase and install new logistical equipment - 46 full-time jobs will be created as a result of the project

R-10-08-10

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 300 East Washington Boulevard, Fort Wayne, Indiana 46802 (LL Fort Wayne Realty, LLC and LL Fort Wayne, LLC d/b/a Lamplight Inn at Fort Wayne)

Total cost of \$686,000

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

REGULATIONS COMMITTEE

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

ACTION

G-10-07-09 (AS AMENDED)

AN ORDINANCE amending Chapter 32 of the City of Fort Wayne Code of Ordinances

It is in the best interests of the City to enact a Code of Ethics which shall be applicable to the Common Council of the City of Fort Wayne

G-10-08-06

AN ORDINANCE amending Chapter 38, of the Fort Wayne Municipal Code of Ordinances

Chapter 38 of the Municipal Code of Ordinances is hereby amended to add Section 38.05 which shall read as follows:
38.05 - Disclosure required by all Purchasers or Sellers

PUBLIC WORKS COMMITTEE

No Ordinances or Resolutions up for discussion

REGULAR SESSION

AGENDA

FORT WAYNE COMMON COUNCIL

AUGUST 24, 2010

REGULAR SESSION
IMMEDIATELY FOLLOWING COMMITTEE SESSION
COMMON COUNCIL CHAMBERS ROOM 126

PRESIDING OVER THE STANDING
COMMITTEE OF THE COMMON COUNCIL

MARTY A. BENDER
PRESIDENT

SECRETARY OF THE REGULAR
SESSION OF THE COMMON COUNCIL

SANDRA E. KENNEDY
CITY CLERK

LEGAL ADVISORS TO MEMBERS
OF THE COMMON COUNCIL

JOSEPH G. BONAHOOM
COUNCIL ATTORNEY

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

MARTY A. BENDER
PRESIDENT

COMMUNICATIONS:

**FROM BOARD OF PUBLIC SAFETY
REGULATORY RESOLUTIONS (6)**

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

CITY UTILITIES COMMITTEE

Glynn A. Hines - Chair
Thomas F. Didier - Co-Chair
All Council Members

ACTION

S-10-08-14

AN ORDINANCE approving contract for Old Lantern Trail Lift Station Improvements: Resolution 2178-2009; Work Order #75375 between Bercot, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$228,434

S-10-08-16

AN ORDINANCE approving the awarding of increase of ITB #2929 - Purchase and Delivery of Liquid Sodium Hypochlorite by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Brenntag for the Water Pollution Plant
Total cost of \$157,000
(total amount for 2010 - \$342,000)

S-10-08-17

AN ORDINANCE approving the awarding of increase of its #2941-purchase and delivery of Liquid Sodium Bisulfite by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and PVS for the Water Pollution Control Plant
Total cost of \$75,000
(total amount for 2010 - \$150,000)

CITY UTILITIES COMMITTEE

CONTINUED

ACTION

S-10-08-23

AN ORDINANCE approving the awarding of Resolution #2304-2010 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and MacAllister Power System for the Three Rivers Filtration Plant

Total cost of \$735,400

FINANCE COMMITTEE

Thomas E. Smith - Chair

Tim Pape - Co-Chair

All Council Members

S-10-08-12

AN ORDINANCE approving the awarding of ITB #3215 - Taylor's Dream Boundless Playground Project - Kreager Park Phase 1: Site Construction by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Fetter's Construction

Total cost of \$834,900

S-10-08-13

AN ORDINANCE approving the awarding of Award of RFP #3222 - the Kreager Park Splash Pad by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Spear Corporation

Total cost of \$125,000

ACTION

S-10-08-15

AN ORDINANCE approving the awarding of ITB #3229 – 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 Oxedine, Leininger Excavating, Martin’s, and Lunz for the Neighborhood Code Enforcement

Total cost of (\$189,750)

Oxendine (13) - \$108,067; Leininger (2) - \$27,085; Martin’s (4) - \$13,389; Lunz (11) \$41,209

R-10-08-10

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 300 East Washington Boulevard, Fort Wayne, Indiana 46802 (LL Fort Wayne Realty, LLC and LL Fort Wayne, LLC d/b/a Lamplight Inn at Fort Wayne

Total cost of \$686,000 - located in the downtown economic development target area -

35 full-time and 15 part-time jobs will be created as a result of the project

To be passed this evening

R-10-08-11

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known a 300 East Washington Boulevard, Fort Wayne, Indiana 46802 (LL Fort Wayne Realty, LLC and LL Fort Wayne, LLC d/b/a Lamplight Inn at Fort Wayne

Total cost of \$686,000 - located in the downtown economic development target area - 35 full-time and 15 part-time jobs will be created as a result of the project

Public Hearing 9-14-10 -- 5:30 P.M.

REGULATIONS COMMITTEE

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

ACTION

R-10-08-18

A RESOLUTION approving Compliance with Statement of Benefits (CF-1) form filings for 2010 for properties with approved “Economic Revitalization Areas” under I. C. 6-1.1-12.1

Will allow property owners with existing economic revitalization area designations to continue to receive their tax abatement benefits

G-10-08-24

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

A new Section shall be added to Section 38 - 38.05 as follows - publication of contracts for goods and services and city expenditures

G-10-08-08

AN ORDINANCE for the purpose of vacating a portion of a dedicated utility easement

Easement to be vacated is located along the east property line of Lot 6 of Production Park, at 4632 Newaygo Road - to add on their existing industrial building

Public Hearing - 9-14-10 - 5:30 P.M.

REGULATIONS COMMITTEE CONTINUED

ACTION

Z-10-08-07

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. J-58 (Sec. 3 of Washington Township)
Rezone approximately 1.14 acres of property from SC4-Regional Shopping Center to CM3-General Commercial - 9821 Lima Road**

Z-10-08-09

**AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. N-14 and O-14 (Sec. 36 of Washington Township)
Rezone approximately 53.23 acres of property from R-2-Attached Single Family and Two Family Residential to R1-Single Family Residential - Northside Neighborhood Association**

PUBLIC WORKS COMMITTEE

*John Shoaff - Chair
Elizabeth M. Brown - Co-Chair
All Council Members*

S-10-08-19

AN ORDINANCE approving contract for Solid Waste Collection between Republic Services of Indiana, LF D/B/A National Serv-All and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

**Total cost of \$4,083,972 per year
Solid Waste Collection: \$4.35 per
month**

Per Occupied Single-Family and Multi-Family Dwelling

PUBLIC WORKS COMMITTEE CONTINUED

ACTION

S-10-08-20

AN ORDINANCE approving contract for Solid Waste Disposal between Republic Services of Indiana, LP, D/B/A National Serv-All and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$2,420,600 per year

Solid Waste Disposal: \$24.70 per ton

S-10-08-21

AN ORDINANCE approving contract for Recycling Collection between Republic Services of Indiana, LP, D/B/A National Serv-All and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$1,304,992 per year

\$1.39 per Occupied Single-Family and Multi-Family Dwelling

S-10-08-22

AN ORDINANCE approving Contract for Recycling Processing Between Republic Services of Indiana, LP, D/B/A National Serv-All and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$198,860 per year

Recycling Processing: \$19.87 per ton

**ORDINANCES AND RESOLUTIONS
UP FOR PASSAGE**

CITY UTILITIES COMMITTEE

*Glynn A. Hines - Chair
Thomas F. Didier - Co-Chair
All Council Members*

ACTION

DO PASS S-10-08-05

AN ORDINANCE approving Amendment No. 1 to Professional Services Agreement-Downtown Fort Wayne Stormwater-Sewer Masterplan-Res. #2220-2010, W.O. #75414 between VS Engineering and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$246,600

(Total amount of contract \$574,000)

FINANCE COMMITTEE

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

R-10-08-03

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” property commonly known as 5503 Distribution Drive (Trelleborg Sealing Solutions, Inc.)

Total cost of \$879,907—46 full-time jobs will be

Created as a result of the project

FINANCE COMMITTEE

CONTINUED

ACTION

R-10-08-10

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” for property commonly known as 300 East Washington Boulevard, (LL Fort Wayne Realty, LLC and LL Fort Wayne, LLC d/b/a Lamplight Inn at Fort Wayne

Total cost of \$686,000 - located in the Downtown economic development target area - 35 full-time and 15 part-time jobs will be created as a result of the project

DO PASS S-10-08-01

AN ORDINANCE approving the Purchase and Installation of Yearly Maintenance for Accounting, Purchasing, and Payroll software at a total cost of \$119,466 from and through Tyler Technologies, Inc.

Total cost of \$119,466

REGULATIONS COMMITTEE

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

G-10-07-09 (AS AMENDED)

AN ORDINANCE amending Chapter 32 of the City of Fort Wayne Code of Ordinances

It is in the best interests of the City to enact a Code of Ethics which shall be applicable to the Common Council of the City of Fort Wayne

REGULATIONS COMMITTEE CONTINUED

ACTION

G-10-08-06

**AN ORDINANCE amending Chapter 38, of the Fort Wayne
Municipal Code of Ordinances**

**Chapter 38 of the Municipal Code of
Ordinances is hereby amended to add
Section 38.05 which shall read as follows:
38.05 - Disclosure required by all
Purchasers or Sellers**

DO PASS G-10-07-24 (AS AMENDED)

**AN ORDINANCE amending Chapter 39: Ordinance Violations
Bureau of the City of Fort Wayne, Indiana, Code of Ordinances
Chapter 39: Ordinance Violation Bureau,
39.03 Schedules of Penalties**

DO PASS G-10-07-25 (AS AMENDED) (AS AMENDED)

**AN ORDINANCE prohibiting the purchase, possession, sale, and
offering for sale the Synthetic Cannabinoid, known as "Spice" or
"K-2" and for other purposes**

**It has been determined that the effects of
these substances are a health and safety
concern to the citizens of the City
Chapter 130 of the Fort Wayne Code of
Ordinances: "OFFENSES AGAINST
CITY REGULATIONS" shall be
amended to add Section 130.10**

PUBLIC WORKS COMMITTEE

*John Shoaff - Chair
Elizabeth M. Brown - Co- Chair
All Council Members*

ACTION

DO PASS S-10-08-04

**AN ORDINANCE approving South Anthony Blvd/Norfolk-
Southern Railroad Grade Separation Feasibility Study between
DLZ Engineering and the City of Fort Wayne, Indiana, in
connection with the Board of Public Works
Total cost of \$199,900**

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

**SANDRA E. KENNEDY
CITY CLERK**

