

MARCH 8, 2011

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, MET IN THE COMMON COUNCIL CHAMBERS, ROOM 126, TUESDAY EVENING, MARCH 8, 2011, IN REGULAR SESSION, PRESIDENT MITCH HARPER, IN THE CHAIR, COUNCIL ATTORNEY JOSEPH BONAHOOM, SANDRA E. KENNEDY, CITY CLERK AT THE DESK PRESENTS THE FOLLOWING EIGHT VIZ:

**BENDER, BROWN, DIDIER,
GOLDNER, HARPER, HINES,
PAPE, SMITH**

**ABSENT: ONE
SHOAFF**

THE FOLLOWING ORDINANCES AND RESOLUTIONS WERE VOTED BY THE COMMON COUNCIL AT THE REGULAR SESSION OF MARCH 8, 2011

**ORDINANCES AND RESOLUTIONS
UP FOR PASSAGE**

CITY UTILITIES COMMITTEE

*Glynn A. Hines - Chair
Marty Bender - Co-Chair
All Council Members*

ACTION

DO PASS S-11-02-12

SPECIAL ORDINANCE NO. S-62-11

**AN ORDINANCE approving the awarding of ITB #3320 – annual requirements for the purchase of large (commercial) water meters by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Elster Amco Water Inc. for the Water Maintenance & Service Department
Total cost of \$282,020**

**EIGHT AYES (BENDER, BROWN, DIDIER,
GOLDNER, HARPER, HINES, PAPE,
SMITH
ONE ABSENT (SHOAFF)**

DO PASS S-11-02-14

SPECIAL ORDINANCE NO. S-63-11

**AN ORDINANCE approving General Open Cut Sewers Res. #2201-2009, W.O. #75395 between T-E Incorporated and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$298,500**

**EIGHT AYES (BENDER, BROWN, DIDIER,
GOLDNER, HARPER, HINES, PAPE,
SMITH)
ONE ABSENT (SHOAFF)**

DO PASS S-11-02-17

SPECIAL ORDINANCE NO. S-64-11

AN ORDINANCE approving construction reimbursement agreement City Utilities Construction and Relocation Diebold Road Reconstruction Project Phase 1 – Improvement Resolution No. 2385-2010 between Parkview Health System, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of (\$249,128 – Estimated)

**EIGHT AYES (BENDER, BROWN, DIDIER,
GOLDNER, HARPER, HINES, PAPE,
SMITH)
ONE ABSENT (SHOAFF)**

DO PASS S-11-02-21

SPECIAL ORDINANCE NO. S-65-11

AN ORDINANCE approving Pontiac Street Sewer Separation; Res. #23-2010, W.O. #75494 between Miller Contracting Group and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$752,100.25

**EIGHT AYES (BENDER, BROWN,
DIDIER,
GOLDNER, HARPER, HINES, PAPE,
SMITH)
ONE ABSENT (SHOAFF)**

DO PASS S-11-02-03

SPECIAL ORDINANCE NO. S-66-11

AN ORDINANCE approving the purchase and installation of Data Cabling for the building at 200 E. Berry by and through its Department of Purchasing and Martell Electric for the Information Systems Department

Total cost of \$570,000

**SEVEN AYES (BENDER, BROWN,
DIDIER,
GOLDNER, HINES, PAPE, SMITH)
ONE NAY (HARPER)
ONE ABSENT (SHOAFF)**

DO PASS S-11-02-05

SPECIAL ORDINANCE NO. S-67-11

AN ORDINANCE approving the awarding of purchase of Network Equipment for the building at 200 East Berry Street by and through its Department of Purchasing and NETech Corporation for the Information Systems Department

Total cost of \$456,000

**SEVEN AYES (BENDER, BROWN, DIDIER,
GOLDNER, HINES, PAPE, SMITH)
ONE NAY (HARPER)
ONE ABSENT (SHOAFF)**

DO PASS S-11-02-13

SPECIAL ORDINANCE NO. S-68=11

AN ORDINANCE approving the awarding of ITB #3329 – Demolitions/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, Martin’s and Lunz for the Neighborhood Code Enforcement Department

Total cost of \$123,729.49

**EIGHT AYES (BENDER, BROWN, DIDIER,
GOLDNER, HARPER, HINES, PAPE,**

SMITH)

ONE ABSENT (SHOAFF)

DO PASS S-11-02-18

SPECIAL ORDINANCE NO. S-69-11

AN ORDINANCE approving the awarding of ITB #3331 – mowing of residential & commercial properties by and through its Department of Purchasing and Diamond Green Galaxie, Get Green, Homescapes, Lawscape, OEM Landscaping and Yard Jobs for the various City of Fort Wayne Departments

Total cost of \$466,340

EIGHT AYES (BENDER, BROWN, DIDIER, GOLDNER, HARPER, HINES, PAPE, SMITH)

ONE ABSENT: (SHOAFF)

DO PASS S-11-02-19

SPECIAL ORDINANCE NO. S-70-11

AN ORDINANCE approving the awarding of first year extension of RFP #2765 – annual contract for Street Tree Pruning by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Mudrack Tree Care for the Fort Wayne Parks and Recreation Department

Total cost of \$270,000

SEVEN AYES (BENDER, DIDIER, GOLDNER, HARPER, HINES, PAPE, SMITH)

ONE NAY (BROWN)

ONE ABSENT (SHOAFF)

DO PASS S-11-02-20

SPECIAL ORDINANCE NO. S-71-11

AN ORDINANCE approving the awarding of ITB #3328 - New Safety Surfacing in all three Pods at the Boundless Playground by and through its Department of Purchasing and Michigan Playgrounds LLC for the Parks and Recreation Department

Total cost of \$180,000

EIGHT AYES (BENDER, BROWN, DIDIER,
GOLDNER, HARPER, HINES, PAPE,
SMITH)
ONE ABSENT(SHOAFF)

DO PASS S-11-02-22

SPECIAL ORDINANCE NO. S-72-11

AN ORDINANCE of the Common Council fixing, establishing and ratifying compensation for the year 2011 for certain City employees of the City of Fort Wayne, Indiana, represented by the International Brotherhood of Electrical Workers AFL-CIO, Local 723

The agreement is for (3) years, but by Indiana Law, must be annually ratified

SEVEN AYES (BENDER, DIDIER,
GOLDNER,
HARPER, HINES, PAPE, SMITH)
ONE NAY (BROWN)
ONE ABSENT (SHOAFF)

DO PASS S-11-02-23

SPECIAL ORDINANCE NO. S-73-11

AN ORDINANCE of the Common Council fixing, establishing and ratifying compensation for the year 2011 for certain City employees of the City of Fort Wayne, Indiana, represented by the IAM AW LODGE 2569 - City Utilities

The agreement is for (3) years, but by Indiana Law, must be annually ratified

SEVEN AYES (BENDER, DIDIER,
HARPER,
HINES, PAPE, SMITH)
ONE NAY (BROWN)
ONE ABSENT (SHOAFF)

DO PASS S-11-02-24

SPECIAL ORDINANCE NO. S-74-11

AN ORDINANCE of the Common Council fixing, establishing and ratifying compensation for the year 2011 for certain City employees of the City of Fort Wayne, Indiana, represented by the IUOE #399 – Street Department

The agreement is for (3) years, but by Indiana Law, must be annually ratified

**SEVEN AYES (BENDER, DIDIER,
GOLDNER,
HARPER, HINES, PAPE, SMITH)
ONE NAY (BROWN)
ONE ABSENT (SHOAFF)**

DO PASS S-11-02-25

SPECIAL ORDINANCE NO. S-75-11

AN ORDINANCE of the Common Council fixing, establishing and ratifying compensation for the year 2011 for certain employees of the City of Fort Wayne, Indiana, represented by the Chauffeurs, Teamsters and Helpers Local Union #414

The agreement is for (3) years, but by Indiana Law, must be annually ratified

**SEVEN AYES (BENDER, DIDIER,
GOLDNER,
HARPER, HINES, PAPE, SMITH)
ONE NAY (BROWN)
ONE ABSENT (SHOAFF)**

DO PASS S-11-02-26

SPECIAL ORDINANCE NO. S-76-11

AN ORDINANCE of the Common Council fixing, establishing and ratifying compensation for certain City Utilities employees of the City of Fort Wayne, Indiana, represented by the International Union of Operating Engineers, Local Union No. 19/399 (City Utilities)

This agreement is for (4) years (2010, 2011, 2012 and 2013), by Indiana Law, must be annually ratified

**SEVEN AYES (BENDER, DIDIER,
GOLDNER,
HARPER, HINES, PAPE, SMITH)
ONE NAY(BROWN)
ONE ABSENT (SHOAFF)**

WITHDRAW R-11-02-08

RESOLUTION - R-WITHDRAWN

A RESOLUTION authorizing the transfer of funds between certain accounts within the 2011 budgets of certain City Departments

To be Withdrawn

REGULATIONS COMMITTEE

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

DO PASS G-10-05-01

GENERAL ORDINANCE NO. G-12-11

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive (“Master”) Plan by vacating public right-of-way St. Paul’s Evangelical Lutheran Church - vacate alley between 1120 South Barr Street and 1126 South Barr Street

**EIGHT AYES (BENDER, BROWN, DIDIER,
GOLDNER, HARPER, HINES, PAPE,
SMITH)
ONE ABSENT (SHOAFF)**

DO PASS G-10-11-12

GENERAL ORDINANCE NO. G-13-11

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive (“Master”) Plan by vacating public right-of-way Vacate an alley right-of-way - the applicant owns the property both north and south of the of the alley and would like to expand the parking lot for their business

**SEVEN AYES (BENDER, BROWN, DIDIER,
GOLDNER, HINES, PAPE, SMITH)
ONE NAY (HARPER)
ONE ABSENT (SHOAFF)**

PUBLIC WORKS COMMITTEE

No Ordinances or Resolutions up for passage

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

**SANDRA E. KENNEDY
CITY CLERK**

PLEASE NOTE:

**THE ABOVE BILLS MAY BE VIEWED AT OUR NEW
WEB-SITE**

**CITYOFFORTWAYNE.ORG
SMART GOV
ORDINANCE VIEW**

