



## COMMITTEE SESSION

### AGENDA

## FORT WAYNE COMMON COUNCIL JUNE 26, 2012

5:30 P.M.

### **COMMITTEE SESSION**

ROOM 030 - COUNCIL DISCUSSION  
GARDEN LEVEL - CITIZENS SQUARE

5:30 P.M.

### **LEGAL PUBLIC HEARINGS**

ROOM 030 - COUNCIL DISCUSSION  
GARDEN LEVEL - CITIZENS SQUARE

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\_\_\_\_\_, CRAWFORD\_\_\_\_\_, DIDIER\_\_\_\_\_,

HARPER\_\_\_\_\_, HINES\_\_\_\_\_, JEHL\_\_\_\_\_,

PADDOCK\_\_\_\_\_, SHOAFF\_\_\_\_\_, SMITH\_\_\_\_\_,

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## **ORDER OF THE AGENDA**

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**1. ROLL CALL**

**2. ADOPTION OF THE AGENDA**

**3. LEGAL PUBLIC HEARINGS – PAGES 3 & 4**

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

## LEGAL PUBLIC HEARINGS

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### FINANCE COMMITTEE

***Mitch Harper – Chair***  
***John Shoaff – Co-Chair***  
***All Council Members***

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A-12-06-13

AN ORDINANCE appropriating monies into certain accounts for the 2012 Budgets of various funds and departments of the City of Fort Wayne, reducing the unappropriated and unobligated balance of the particular fund involved as required to meet obligations for the remainder of 2012

**Total amount appropriations \$5,058,008**

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R-12-06-02

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

**(GT Automation Group)**

**Total cost of \$200,000 – improvements will be Made – 3 full-time jobs will be created**

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R-12-06-04

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 1515 Profit Drive, Fort Wayne, Indiana 46808 **(Meijer Stores Limited Partnership)**

**Total cost of \$9,241,000 – improvements will be Made – 33 full-time jobs will be created**

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## LEGAL PUBLIC HEARINGS CONTINUED

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R-12-06-07

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 817 S. Calhoun St. Fort Wayne, Indiana 46802 **(817 S. Calhoun LLC)**

**Total cost of \$528,400 – improvements will be made – 2 full-time jobs will be created**

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R-12-06-09

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 12714 Coldwater Road, Fort Wayne, Indiana 46845 **(3<sup>rd</sup> Well, LLC dba Sedation Dentistry of Fort Wayne**

**Total cost of \$1,700,000 – improvements will be made – 4 full-time jobs will be created**

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## **ORDINANCES AND RESOLUTIONS UP FOR DISCUSSION**

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### **CITY UTILITIES COMMITTEE**

#### **ACTION**

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No Ordinances or Resolutions up for discussion

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### **FINANCE COMMITTEE**

***Mitch Harper – Chair***  
***John Shoaff – Co-Chair***  
***All Council Members***

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A-12-06-13

AN ORDINANCE appropriating monies into certain accounts for the 2012 Budgets of various funds and departments of the City of Fort Wayne, reducing the unappropriated and unobligated balance of the particular fund involved as required to meet obligations for the remainder of 2012

**Total cost of appropriations \$5,058,008**

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## FINANCE COMMITTEE CONTINUED

### ACTION

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R-12-06-02

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

**(GT Automation Group)**

**Total cost of \$200,000 – personal property improvements and adding technology equipment – 3 full-time jobs will be created**

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R-12-06-04

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1515 Profit Drive, Fort Wayne, Indiana 46808 **(Meijer**

**Stores Limited Partnership)**

**Total cost of \$9,241,000 – both real and Personal property improvements will be made and also refurbish a vacant structure – 33 full-time jobs will be created**

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R-12-06-07

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 817 S. Calhoun St, Fort Wayne, Indiana 46802 **(817 S. Calhoun LLC)**

**Total cost of \$528,400 – they will make interior and exterior renovations to an existing downtown building – 2 full-time jobs will be created**

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## **FINANCE COMMITTEE CONTINUED**

### ACTION

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R-12-06-09

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 12714 Coldwater Road, Fort Wayne, Indiana 46845 (**3<sup>rd</sup> Well, LLC dba Sedation Dentistry of Fort Wayne**)  
**Total cost of \$1,700,000 – they will construct a 10,000 foot medical office building and purchase new equipment – 4 full-time jobs will be created**

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R-12-06-19

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" I.C. 6-1.1-12.1 for property commonly known as 3426 Wells Street, Fort Wayne, Indiana 46808 (**Nestle Dreyers Grand Ice Cream**)  
**Total cost of \$31,000,000 – they will add on to Their facility and install new equipment – 30 Part-time jobs will be created and 553 full-time jobs will be retained**

**This Resolution is to be introduced and voted upon for passage this evening at the Regular Session**

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## **REGULATIONS COMMITTEE**

***John N. Crawford – Chair***  
***Marty Bender – Co-Chair***  
***All Council Members***

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### **DO PASS**

G-12-05-24

AN ORDINANCE amending Title 15, Chapter 156: “Swimming Pools and Beaches” 156.04, and 156.05 of the City of Fort Wayne Code of Laws

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## **PUBLIC WORKS COMMITTEE**

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No Ordinances or Resolutions up for discussion

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## REGULAR SESSION

### AGENDA

## FORT WAYNE COMMON COUNCIL

**JUNE 26, 2012**

### **REGULAR SESSION**

IMMEDIATELY FOLLOWING COMMITTEE SESSION  
ROOM 035 - COUNCIL COURTROOM  
GARDEN LEVEL - CITIZENS SQUARE

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 ADVISOR TO MEMBERS  
OF THE COMMON COUNCIL

JOSEPH G. BONAHOOM  
COUNCIL ATTORNEY

BENDER\_\_\_\_\_, CRAWFORD\_\_\_\_\_, DIDIER\_\_\_\_\_,

HARPER\_\_\_\_\_, HINES\_\_\_\_\_, JEHL\_\_\_\_\_,

PADDOCK\_\_\_\_\_, SHOAF\_\_\_\_\_, 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

ADOPTION OF THE AGENDA

PRESIDENT’S REPORT AND COMMENTS

THOMAS E. SMITH  
PRESIDENT

INTRODUCTION OF ORDINANCES AND RESOLUTIONS – PAGES 3 THRU 6

PASSAGE OF ORDINANCES AND RESOLUTIONS – PAGES 7 THRU 12

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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### **CITY UTILITIES COMMITTEE**

***Glynn A. Hines – Chair  
Russ Jehl – Co-Chair  
All Council Members***

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#### **ACTION**

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S-12-06-18

AN ORDINANCE approving the purchase of Combination Catch Basin Sewer Cleaner by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Brown Equipment Co. for the Water Pollution Control Maintenance Department  
**Total cost of \$205,125**

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### **FINANCE COMMITTEE**

***Mitch Harper – Chair  
John Shoaff – Co-Chair  
All Council Members***

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S-12-06-17

AN ORDINANCE Amending Ordinance S-193-11 fixing the salaries of all members of the Division of Public Safety of the City of Fort Wayne, Indiana for the year 2012

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## **FINANCE COMMITTEE CONTINUED**

### **ACTION**

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R-12-06-19

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3426 Wells Street, Fort Wayne, Indiana 46808 (**Nestle Dreyers Grand Ice Cream**)

**Total cost of \$31,000,000 – they will make Improvements and install new equipment – 33 Part-time jobs will be created and 553 full-time Jobs will be retained**

**TO BE PASSED THIS EVENING**

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R-12-06-20

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3426 Wells Street, Fort Wayne, Indiana 46808 (**Nestle Dryers Grand Ice Cream**)

**Total cost of \$31,000,000 – they will make Improvements – 33 part-time jobs will be Created and 553 full-time jobs will be retained**

**PUBLIC HEARING 7-10-12- 5:30 P.M.**

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## REGULATIONS COMMITTEE

***John N. Crawford - Chair***  
***Marty Bender – Co-Chair***  
***All Council Members***

### ACTION

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Z-12-06-21

AN ORDINANCE amending the City of Fort Wayne Zoning Map U-34 (Sec. 21 of St. Joseph Township)  
**Rezone 8.5 acres of on the south side of 5000 Block of St. Joe Center Road**

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Z-12-06-22

AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. Z-34 and ZZ-34 (Sec. 24 of St. Joseph Township)  
**Rezone 9.57 acres of the east side of 10000 block of Meijer Drive**

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Z-12-06-23

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-03 (Sec. 11 of Wayne Township)  
**Rezone 0.34 acres at 2145, 2155 Fairfield Avenue and 448 West Dewald**

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Z-12-06-24

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. O-06 (Sec. 1 of Wayne Township)  
**Rezone 0.17 acres at 1305 East Washington Blvd**

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Z-12-06-25

AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. Z-34 and ZZ-34 (Sec. 24 of St. Joseph Township)  
**Rezone 1.18 acres at 10000 block Meijer Drive**

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## **PUBLIC WORKS COMMITTEE**

***Thomas F. Didier – Chair***  
***Geoff Paddock – Co-Chair***  
***All Council Members***

### **ACTION**

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S-12-06-26

AN ORDINANCE approving Improvement Resolution 12283,  
2012 - B Resurfacing Package between Wayne Asphalt and the  
City of Fort Wayne, Indiana, in connection with the Board of  
Public Works

**Total cost of \$443,127.60**

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## **ORDINANCES AND RESOLUTIONS UP FOR PASSAGE**

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### **CITY UTILITIES COMMITTEE**

***Glynn A. Hines – Chair***

***Russ Jehl – Co-Chair***

***All Council Members***

#### **ACTION**

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**DO PASS** S-12-06-12

AN ORDINANCE approving purchase of two (2) Power Transformers for Stormwater Substation Resolution 2283-2010-PO, W.O. #75449 between Virginia Transformer Corp and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

**Total cost of \$894,122**

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**DO PASS** S-12-06-14

AN ORDINANCE approving the Edgewater Avenue Levee Repair Project – Board of Works Resolution #3779N mandated by the United States Army Corp of Engineers and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

**Total cost of \$620,000**

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## **FINANCE COMMITTEE**

***Mitch Harper - Chair***  
***John Shoaff – Co-Chair***  
***All Council Members***

### ACTION

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A-12-06-13

AN ORDINANCE appropriating monies into certain accounts for the 2012 Budgets of various funds and departments of the City of Fort Wayne, reducing the unappropriated and unobligated balance of the particular fund involved as required to meet obligations balance of the particular fund involved as required to meet obligations for the remainder of 2012

**Total amount of appropriations \$5,058,008**

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R-12-06-02

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area for property commonly known as 4422 Airport Expressway, Fort Wayne, Indiana 46809 **(GT Automation Group)**

**Total cost of \$200,000 – improvements will be Made - 3 full-time jobs will be created**

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R-12-06-04

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**Total cost of \$9,241,000 – improvements will be Made – 33 full-time jobs will be created**

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## FINANCE COMMITTEE CONTINUED

### ACTION

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R-12-06-07

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" for property commonly known as 817 S. Calhoun St. Fort Wayne, Indiana 46802 **(817 S. Calhoun LLC)**  
**Total cost of \$528,400 – renovations will be Made – 2 full-time jobs will be created**

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R-12-06-09

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**Total cost of \$1,700,000 – a new building will be Constructed and install new equipment – 4 full-time jobs will be created**

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R-12-06-19

A DECARATORY RESOLUTION designating an "Economic Revitalization Area" for property commonly known as 3426 Wells Street, Fort Wayne, Indiana 46808 **(Nestle Dreyers Grand Ice Cream)**  
**Total cost of \$31,000,000 – improvements will Be made – 30 part-time jobs will be created and 553 full-time jobs will be retained**

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**DO PASS** S-12-06-11

AN ORDINANCE approving he awarding of ITB #3533-Ash Tree Removal for 2012 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Cook's Tree Service for the Parks and Recreation Department  
**Total cost of \$568,610**

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## **FINANCE COMMITTEE CONTINUED**

### ACTION

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**DO PASS** S-12-06-16

AN ORDINANCE approving the awarding of RFP #3415-Project 25 Radio System for use throughout the Fort Wayne/Allen County Indiana Area by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Motorola Solutions, Inc.

**Total cost of \$9,826,277 (total cost of system is \$16,986,484)**

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## **REGULATIONS COMMITTEE**

***John N. Crawford – Chair  
Marty Bender – Co-Chair  
All Council Members***

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**DO PASS** G-12-05-24

AN ORDINANCE amending Title 15, Chapter 156: "Swimming Pools and Beaches" 156.04, and 156.05 of the City of Fort Wayne Code of Laws

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**DO PASS** G-12-03-19

AN ORDINANCE adding Section 38.06, Contracting Conflict of Interest, to Chapter 38 "City Policies" of the Fort Wayne Code of Ordinances

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## **REGULATIONS COMMITTEE CONTINUED**

### ACTION

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**DO PASS** G-12-03-21

AN ORDINANCE adding Section 31.14, Nepotism, to Chapter 31  
"City Officials and Employees" of the Fort Wayne Code of  
Ordinances

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**DO PASS** G-12-04-06

AN ORDINANCE amending Section 153.07 of Chapter 153  
"Planning & Development of the City of Fort Wayne, Indiana,  
Code of Ordinances

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**DO PASS** G-12-06-10

AN ORDINANCE of the Common Council of the City of Fort  
Wayne, Indiana repealing all of Section 32.02 of the Fort Wayne  
Code of Ordinances of the City of Fort Wayne and replacing it  
with a new Section 32.02 of said Code

### **REDISTRICTING ORDINANCE**

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**DO PASS** X-12-06-15

AN ORDINANCE annexing certain territory commonly known as  
Sedation Dentistry Voluntary Annexation to Fort Wayne and  
including the same Councilmanic District No.2

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## **PUBLIC WORKS COMMITTEE**

***Thomas F. Didier - Chair***  
***Geoff Paddock – Co- Chair***  
***All Council Members***

### **ACTION**

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**DO PASS** S-12-06-05

AN ORDINANCE approving 2012 Resurfacing Package A -  
Resolution #12284 between E & B Paving and the City of Fort  
Wayne, Indiana, in connection with the Board of Public Works  
**Total cost of \$462,042.95**

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

**SANDRA E. KENNEDY  
CITY CLERK**



