



## COMMITTEE SESSION

# AGENDA MAY 13, 2014 FORT WAYNE COMMON COUNCIL

5:30 P.M.                    **COMMITTEE SESSION**  
                                 ROOM 030 - COUNCIL DISCUSSION  
                                 GARDEN LEVEL - CITIZENS SQUARE

5:30 P.M.                    **LEGAL PUBLIC HEARING**  
                                 ROOM 030 - COUNCIL DISCUSSION  
                                 GARDEN LEVEL - CITIZENS SQUARE

PRESIDING OVER THE STANDING  
COMMITTEE OF THE COMMON COUNCIL

MARTIN 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\_\_\_\_\_, 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. TO APPEAR BEFORE COMMON COUNCIL:**  
**PUBLIC SAFETY DIRECTOR, RUSTY YORK**  
**POLICE CHIEF, GARRY HAMILTON**  
**APPROVAL OF JUSTICE ASSISTANCE GRANTS**  
**APPLICATION FOR FORT WAYNE POLICE DEPARTMENT**

**4. PUBLIC HEARINGS – PAGE 3**

**5. DISCUSSION OF PENDING ORDINANCES AND RESOLUTIONS – PAGE 4 – 6**

**6. ADJOURNMENT**

# **PUBLIC HEARINGS**

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## **REGULATIONS COMMITTEE**

***Tom Didier, Chair***  
***Mitch Harper, Co-Chair***  
***All Council Members***

### **ACTION**

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**G-14-04-07 (As Amended)**

**AN ORDINANCE for the purpose of Vacating a portion of a platted utility and surface drainage easement. The location runs east-west, at the southern end of Lot 172 in Wyndemere subdivision at 4114 Wyndemere Pass.**

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# **ORDINANCES AND RESOLUTIONS UP FOR DISCUSSION**

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## **PUBLIC WORKS COMMITTEE**

*Tom Smith, Chair  
Glynn Hines, Co-Chair  
All Council Members*

### **ACTION**

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**No Ordinances or Resolutions are up for Discussion**

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## **REGULATIONS COMMITTEE**

*Tom Didier, Chair  
Mitch Harper, Co-Chair  
All Council Members*

### **ACTION**

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#### **G-14-04-07 (As Amended)**

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#### **G-13-12-26**

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating public right-of-way. The location is between Lots 51-55 and Lots 64-68 of Thompsonville Extended Addition to the City of Fort Wayne, just south of Till Road and west of Lima Road.

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## **REGULATIONS COMMITTEE CONTINUED**

### **ACTION**

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**Z-14-03-16**

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD-27 (Sec. 28 of Aboite Township). The location is 7114 Homestead Road.**

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**Z-14-03-17**

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. I-30 (Sec. 21 of Washington Township). The location is 2808 West Coliseum.**

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**Z-14-03-18**

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. O-07 (Sec. 13 of Wayne Township). The locations are 2730, 2802, 2804, 2810, 2814, and 2818 Holton Avenue.**

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## **CITY UTILITIES COMMITTEE**

***Geoff Paddock, Chair***

***John Shoaff, Co-Chair***

***All Council Members***

### **ACTION**

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**No Ordinances or Resolutions are up for Discussion.**

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## **FINANCE COMMITTEE**

***Russell Jehl, Chair  
John Crawford, Co-Chair  
All Council Members***

### **ACTION**

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**R-14-05-07**

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as unassigned addresses, 4800 Block of Tyrone Road, Fort Wayne, Indiana 46809 (MediService Leasing, LLC for Life, Inc.)

**Will create 26 part-time, permanent jobs**

**The estimated project cost is \$500,000.00**

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

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

**SANDRA E. KENNEDY  
CITY CLERK**



## **REGULAR SESSION**

### **AGENDA**

## **FORT WAYNE COMMON COUNCIL**

**MAY 13, 2014**

### **REGULAR SESSION**

ROOM 035 - COUNCIL COURTROOM

GARDEN LEVEL - CITIZENS SQUARE

PRESIDING OVER THE STANDING  
COMMITTEE OF THE COMMON COUNCIL

MARTIN A. BENDER  
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  
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BENDER\_\_\_\_\_, CRAWFORD\_\_\_\_\_, DIDIER\_\_\_\_\_,

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

PADDOCK\_\_\_\_\_, 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**

**ADOPTION OF THE AGENDA**

**PRESIDENT’S REPORT AND COMMENTS**

**MARTIN A. BENDER**  
**PRESIDENT**

**COMMUNICATIONS:**

1. **FROM THE BOARD OF PUBLIC SAFETY**
2. **(26 REGULATORY RESOLUTIONS)**

**INTRODUCTION OF ORDINANCES AND RESOLUTIONS – PAGE 3 THRU 8**

**PASSAGE OF ORDINANCES AND RESOLUTIONS – PAGE 7 THRU 11**

**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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## **PUBLIC WORKS COMMITTEE**

***Tom Smith, Chair  
Glynn Hines, Co-Chair  
All Council Members***

### **ACTION**

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**S-14-05-01**

AN ORDINANCE approving Engineering Consulting Contract for St. Joe Center Road – Center turn Lane Improvements between Clinton Street and Campus Court – W.O. #12014 between DLZ Indiana, LLC and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

**Involving a total cost of \$493,310.00**

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**S-14-05-02**

AN ORDINANCE approving Construction Contract for Brookshire Circle Street Improvements – RFP #12376 between Hipkind Concrete and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

**Involving a total cost of \$155,100.00**

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**S-14-05-03**

AN ORDINANCE approving Construction Contract for Vance Avenue Concrete Street Improvements – RFP #12401 between Garcia Concrete and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

**Involving a total cost of \$197,814.00**

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## **PUBLIC WORKS COMMITTEE CONTINUED**

### ACTION

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S-14-05-04

AN ORDINANCE approving Construction Contract for Pettit Avenue Concrete Repairs between Hipkind Concrete and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

**Involving a total cost of \$536,800.00**

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S-14-05-05

AN ORDINANCE approving Construction Contract for Sandpiper Cove Concrete Street Improvements between Malott Contracting, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

**Involving a total cost of \$338,751.50**

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R-14-05-09

A RESOLUTION approving the sale of certain Real Estate located at 1118 W. Till Road, Fort Wayne, Indiana for the City of Fort Wayne, by and through the Division of Public Works.

**Purchase price of the property is \$200,000.00**

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S-14-05-09

AN ORDINANCE approving Construction Contract for Pufferbelly Trail: Dupont Road to Carroll Road, Work Order #12255 between Brooks Construction and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

**Involving a total cost of \$630,624.00**

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## **REGULATIONS COMMITTEE**

***Tom Didier, Chair***  
***Mitch Harper, Co-Chair***  
***All Council Members***

### **ACTION**

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**G-14-05-10**

**AN ORDINANCE for the purpose of Vacating a portion of a platted utility easement. The location runs north-south, along the west line of Section B of Engle Ridge Industrial Park, at 4420 Clubview Drive.**

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**G-14-05-15**

**AN ORDINANCE for the Amendment of Sect. 40.02 to 40.12 of the Code of Fort Wayne. (Collective Bargaining with City employees who are not public Safety Employees.)**

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**G-14-05-16**

**AN ORDINANCE for the Amendment of Certain Sections Concerning Collective Bargaining With City Employees.**

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**G-14-05-17**

**AN ORDINANCE for the Repeal of Sect. 40.20 to 40.34 Collective Bargaining of the Code of Fort Wayne.**

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## **CITY UTILITIES COMMITTEE**

***Geoff Paddock, Chair***  
***John Shoaff, Co-Chair***  
***All Council Members***

### **ACTION**

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**S-14-05-06**

**AN ORDINANCE approving Professional Engineering Services Agreement for Water Quality Modeling for the St. Joseph River, St. Mary's River, and Maumee River between HDR Engineering, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.**

**Involving a total cost of \$277,994.00**

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**S-14-05-13**

**AN ORDINANCE approving Contract for the construction and transfer of Water Facilities 2014 - W-05, Coldwater Road/Gump Road Water Main between Granite Ridge Builders, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works**

**Involving a total cost not to exceed \$700,000.00**

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**S-14-05-14**

**AN ORDINANCE approving St. Joe River CSO Relief Sewer - Resolution/Work Order #75876 between Atlas Excavating, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.**

**Involving a total cost of \$3,819,544.40**

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## **FINANCE COMMITTEE**

***Russell Jehl, Chair  
John Crawford, Co-Chair  
All Council Members***

### **ACTION**

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**R-14-05-07**

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as unassigned addresses, 4800 Block of Tyrone Road, Fort Wayne, Indiana 46809 (MediService Leasing, LLC for Life, Inc.)

**Will create 26 part-time, permanent jobs**

**The estimated project cost is \$500,000.00  
To be passed this evening.**

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**R-14-05-08**

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as unassigned addresses, 4800 Block of Tyrone Road, Fort Wayne, Indiana 46809 (MediService Leasing, LLC for Life, Inc.)

**Will create 26 part-time, permanent jobs**

**The estimated project cost is \$500,000.00**

**Public Hearing to be held on Tuesday, May 27, 2014 @ 5:30 p.m.**

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## **FINANCE COMMITTEE CONTINUED**

### **ACTION**

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R-14-05-12

A RESOLUTION approving the distribution of funds from the City of Fort Wayne Community Legacy Fund.

**Parking Garage Funds in the amount of \$5,000,000.00**

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# ORDINANCES AND RESOLUTIONS UP FOR PASSAGE

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## PUBLIC WORKS COMMITTEE

*Tom Smith, Chair  
Glynn Hines, Co-Chair  
All Council Members*

### ACTION

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**No Ordinances or Resolutions up for Passage.**

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## REGULATIONS COMMITTEE

*Tom Didier, Chair  
Mitch Harper, Co-Chair  
All Council Members*

### ACTION

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#### **Do Pass** G-14-04-19

AN ORDINANCE amending Section 97.21(A) Possession, Sale or Consumption of alcoholic beverages of the City of Fort Wayne, Indiana Code of Ordinances.

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#### G-14-04-07 (As Amended)

AN ORDINANCE for the purpose of Vacating a portion of a platted utility and surface drainage easement. The location of the property runs east-west, at the southern end of Lot 172 in Wyndemere subdivision at 4114 Wyndemere Pass.

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## **REGULATIONS COMMITTEE CONTINUED**

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## **CITY UTILITIES COMMITTEE**

***Geoff Paddock, Chair***

***John Shoaff, Co-Chair***

***All Council Members***

### **ACTION**

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**Do Pass G-14-04-20**

AN ORDINANCE of the City of Fort Wayne authorizing the issuance of waterworks revenue bonds for the purpose of providing funds to pay the costs of the settlement of all ongoing legal issues pertaining to the acquisition of the northern territory of Utility Center, Inc., d/b/a Aqua Indiana, Inc..

**Principal amount shall not exceed \$63,000,000.00**

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## **CITY UTILITIES COMMITTEE CONTINUED**

### **ACTION**

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#### **Do Pass S-14-04-21**

AN ORDINANCE of the City of Fort Wayne Common Council Declaring Public Convenience and Necessity Require Acquisition of certain Utility Assets, approval of an Asset Acquisition Agreement and other related matters.

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## **FINANCE COMMITTEE**

***Russ Jehl, Chair  
John Crawford, Co-Chair  
All Council Members***

### **ACTION**

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#### **R-14-05-07**

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