

COMMITTEE SESSION

AGENDA Fort Wayne Common Council November 22, 2022

COMMITTEE SESSION – 5:30 P.M.
ROOM 035 – COUNCIL CHAMBERS COURTROOM
GARDEN LEVEL – CITIZENS SQUARE

Presiding over the Standing Committee Jason Arp of the Common Council President

Secretary of the Committee Session of the Lana Keesling Common Council City Clerk

Legal Advisor to Members of the Joseph G. Bonahoom Common Council Council Attorney

ARP	CHAMBERS	DIDIER	
ENSLEY	FREISTROFFER	HINES	
JEHL	PADDOCK	TUCKER	

ORDER OF THE AGENDA

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	Item			
1.	Roll Call	1		
2.	Adoption of the Agenda			
3.	Discussion of Pending Ordinances and Resolutions	3 - 5		
4.	Adjournment			

ORDINANCES AND RESOLUTIONS FOR DISCUSSION

PUBLIC WORKS COMMITTEE

Michelle Chambers, Chair Geoff Paddock, Co-Chair All Council Members

Action

No Ordinance or Resolution for Discussion

CITY UTILITIES COMMITTEE

Thomas Didier, Chair Glynn Hines, Co-Chair All Council Members

Action

No Ordinance or Resolution for Discussion

FINANCE COMMITTEE

Russ Jehl, Chair Sharon Tucker, Co-Chair All Council Members

Action

R-22-11-05

A Resolution of the Common Council of the City of Fort Wayne, Indiana, approving the proposed budget of the Allen County-Fort Wayne Capital Improvement Board of Managers and Visit Fort Wayne for the year 2023

Councilmembers' Votes					Total Y -
ARP	CHAMBERS	DIDIER	ENSLEY	FREISTROFFER	Total N -
HINES	JEHL	PADDOCK	TUCKER		Total A -

R-22-11-08

A Resolution approving projects and funding included in the Fort Wayne American Rescue Plan Act (ARPA) approved plan

Radio Tower for Avenue of Autos in the amount of \$1,309,720.00

Councilmembers' Votes					Total Y -
ARP	CHAMBERS	DIDIER	ENSLEY	FREISTROFFER	Total N -
HINES	JEHL	PADDOCK	TUCKER		Total A -

R-22-11-31

A Declaratory Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1919 W. Cook Road, Fort Wayne, Indiana 46818

Silverado Cook Properties, LLC

This is to be Introduced, Discussed, and voted for Passage in the same evening

Councilmembers' Votes					Total Y -
ARP	CHAMBERS	DIDIER	ENSLEY	FREISTROFFER	Total N -
HINES	JEHL	PADDOCK	TUCKER		Total A -

Action

S-22-11-06 - Held from 11-15-22

An Ordinance establishing the Federal Seizure Fund

Councilmembers' Votes					Total Y -
ARP	CHAMBERS	DIDIER	ENSLEY	FREISTROFFER	Total N -
HINES	JEHL	PADDOCK	TUCKER		Total A -

REGULATIONS COMMITTEE

Paul Ensley, Chair
Tom Freistroffer, Co-Chair
All Council Members

Action

No Ordinance or Resolution for Discussion



REGULAR SESSION

AGENDA Fort Wayne Common Council November 22, 2022

REGULAR SESSION – 5:30 P.M.
ROOM 035 – COUNCIL CHAMBERS COURTROOM
GARDEN LEVEL – CITIZENS SQUARE

Presiding over the Standing Committee Jason Arp

of the Common Council President

Secretary of the Regular Session of the Lana Keesling Common Council City Clerk

Legal Advisor to Members of the Joseph G. Bonahoom Common Council Council Attorney

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ARP	CHAMBERS	DIDIER	
ENSLEY	FREISTROFFER	HINES	
JEHL	PADDOCK	TUCKER	

ORDER OF THE AGENDA

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	Items		Page #
1.	Presentation of National Colors	Sergeant-at-arms	
2.	Roll Call	Lana Keesling City Clerk	6
3.	Adoption of the Agenda	_	
4.	President's Report and Comments	Jason Arp Council President	
5.	Communications		
6.	Introduction of Ordinances and Resolutions		8 – 17
7.	Passage of Ordinances and Resolutions		18 – 22
8.	Miscellaneous Business		
9.	Open Comments from Citizens and Council Members		
10.	Retirement of Colors		
11.	Adjournment		

ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

PUBLIC WORKS COMMITTEE

Michelle Chambers, Chair Geoff Paddock, Co-Chair All Council Members

Action

No Ordinance or Resolution for Introduction

CITY UTILITIES COMMITTEE

Thomas Didier, Chair Glynn Hines, Co-Chair All Council Members

Action

S-22-11-25

An Ordinance approving Construction Contract – WPCP Pond 3 Bleedback Improvements – Phase II - Work Order #77031 - between Ottenweller Contracting, LLC and the City of Fort Wayne, Indiana, by and through its Board of Public Works

Involving a total cost of \$485,000.00

Councilmembers' Votes					Total Y -
ARP	CHAMBERS	DIDIER	ENSLEY	FREISTROFFER	Total N -
HINES	JEHL	PADDOCK	TUCKER		Total A -

City Utilities Committee Continued

Action

S-22-11-34

An Ordinance approving Construction Contract – Digester Gravel Area Improvements - Work Order #77064 - between Ottenweller Contracting, LLC and the City of Fort Wayne, Indiana, by and through its Board of Public Works

Involving a total cost of \$158,000.00

Councilmembers' Votes					Total Y -
ARP	CHAMBERS	DIDIER	ENSLEY	FREISTROFFER	Total N -
HINES	JEHL	PADDOCK	TUCKER		Total A -

S-22-11-35

An Ordinance approving Construction Contract – Decatur Road & Gardendale Avenue Drainage Improvements - Work Order #83830– between Bercot, INC. and the City of Fort Wayne, Indiana, by and through its Board of Public Works

Involving a total cost of \$388,775.00

Councilmembers' Votes					Total Y -
ARP	CHAMBERS	DIDIER	ENSLEY	FREISTROFFER	Total N -
HINES	JEHL	PADDOCK	TUCKER		Total A -

S-22-11-36

An Ordinance approving Construction Contract – Gulfstream Drive Stormwater Improvements - Work Order #83869 - between Krafft Water Solutions, LLC and the City of Fort Wayne, Indiana, by and through its Board of Public Works

Involving a total cost of \$168,791.56

Councilmembers' Votes					Total Y -
ARP	CHAMBERS	DIDIER	ENSLEY	FREISTROFFER	Total N -
HINES	JEHL	PADDOCK	TUCKER		Total A -

S-22-11-38

An Ordinance approving Construction Contract – Pierson Drain Improvements Phase I - Work Order #83610 – between Bunn, INC. and the City of Fort Wayne, Indiana, by and through its Board of Public Works

Involving a total cost of \$1,659,464.50

Councilmembers' Votes					Total Y -
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER				
HINES	JEHL	PADDOCK	TUCKER		Total A -

FINANCE COMMITTEE

Russ Jehl, Chair Sharon Tucker, Co-Chair All Council Members

Action

A-22-11-41

An Ordinance appropriating money into certain accounts for the 2022 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 2022

A Public Hearing will be held Tuesday December 13, 2022 at 5:30 PM

	Councilmembers' Votes					
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

A-22-11-42

An Ordinance disappropriating monies from certain accounts for the 2022 Budgets of various funds and departments of the City of Fort Wayne

A Public Hearing will be held Tuesday December 13, 2022 at 5:30 PM

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

Action

R-22-11-31

A Declaratory Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1919 W. Cook Road, Fort Wayne, Indiana 46818

Silverado Cook Properties, LLC

This was voted for Introduction in the preceding Committee session

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER 1					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

R-22-11-32

A Confirming Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1919 W. Cook Road, Fort Wayne, Indiana 46818

Silverado Cook Properties, LLC

A Public Hearing will be held Tuesday December 13, 2022 at 5:30 PM

	Councilmembers' Votes					
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER 1					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

S-22-11-22

An Ordinance approving the awarding of Renewal of Self-Funded Health Plans (Administration and Reinsurance Fees) and New Fully Insured Dental Plan and Group Life/Long and Short Term Disability Insurance Plans by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Automated Group Administration /Beam Dental /Symetra Life Insurance for the Human Resources and Benefits Department

	Councilmembers' Votes					
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER 1					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

Action

S-22-11-23

An Ordinance approving the 2023 Addendum to the Representation Agreement between the City of Fort Wayne, Indiana, and Bose Public Affairs Group

Involving an annual cost of \$84,000.00

Councilmembers' Votes					Total Y -
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER				
HINES	JEHL	PADDOCK	TUCKER		Total A -

S-22-11-24

An Ordinance approving the Amendment Number 10 to the agreement between the City of Fort Wayne, Indiana, and The Ferguson Group, L.L.C.

Involving an annual cost of \$70,000.00

	Councilmembers' Votes					
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

S-22-11-33

An Ordinance approving the awarding of #8302918 – Avenue Of Autos Renovations - by the City of Fort Wayne, Indiana, by and through its Board of Public Works and Hamilton Hunter Builders, Inc. for the Department of Property Management

Involving a total cost of not to exceed \$7,780,980.00

	Councilmembers' Votes					
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

S-22-11-37

An Ordinance approving a Construction Contract for Pontiac St. Streetscape - Resolution/Work Order #109-10-4-22-1 between Malott Contracting, INC. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Involving a total cost of \$2,850,026.54, using ARPA funds previously approved via Resolution R-80-22

	Councilmembers' Votes					
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

Action

S-22-11-39

An Ordinance approving the contract – New Radio Tower & Equipment Installation - by the City of Fort Wayne, Indiana, by and through its Purchasing Department and Motorola Solutions, INC. for the Department of Public Safety

Involving a total cost of not to exceed \$1,159,719.00

	Councilmembers' Votes				
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER				
HINES	JEHL	PADDOCK	TUCKER		Total A -

REGULATIONS COMMITTEE

Paul Ensley, Chair Tom Freistroffer, Co-Chair All Council Members

Action

G-22-11-21

An Ordinance amending Chapter 34: Police Department - § 34.03 "Eligibility for Promotion" of the City of Fort Wayne, Indiana, Code of Ordinances

	Councilmembers' Votes				
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER				
HINES	JEHL	PADDOCK	TUCKER		Total A -

G-22-11-26

An Ordinance amending Chapter 153 of the Fort Wayne, Indiana Code of Ordinances

Councilmembers' Votes					Total Y -
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER				
HINES	JEHL	PADDOCK	TUCKER		Total A -

Action

G-22-11-28

An Ordinance amending Chapter 51 of the Fort Wayne, Indiana Code of Ordinances

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER .					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

G-22-11-29

An Ordinance amending Chapter 51 of the Fort Wayne, Indiana Code of Ordinances

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

G-22-11-30

An Ordinance amending Chapter 53 of the Fort Wayne, Indiana Code of Ordinances

	Councilmembers' Votes					
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

G-22-11-40

An Ordinance amending Chapter 153 of the City of Fort Wayne, Indiana Code of Ordinances: "Planning and Development" by adding § 153.19(D)

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

G-22-11-44

An Ordinance amending Chapter 35: City of Fort Wayne Fire Department

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

Action

R-22-11-27

A Resolution approving the Adoption of the All In Allen Comprehensive Plan for the City of Fort Wayne, Indiana

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

Z-22-11-14

An Ordinance amending the City of Fort Wayne Zoning Map Nos. P-03, P-07, M-03, M-07, N-03, N-07, O-03, O-07 (Secs. 7 and 18 of Adams Township and 11, 12, 13, and 14 of Wayne Township)

To rezone approximately 2.29 acres from C3/General Commercial and I1/Limited Industrial to R2/Two Family Residential - parcels within the 300 to 1800 blocks of East Pontiac. See file for exact parcels

	Councilmembers' Votes					
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

Z-22-11-15

An Ordinance amending the City of Fort Wayne Zoning Map Nos. P-03, P-07, M-03, M-07, N-03, N-07, O-03, O-07 (Secs. 7 and 18 of Adams Township and 11, 12, 13, and 14 of Wayne Township)

To rezone approximately 3.61 acres from C2/Limited Commercial and C3/General Commercial to R3/Multiple Family Residential - parcels within the 300 to 1800 blocks of East Pontiac. See file for exact parcels

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

Action

Z-22-11-16

An Ordinance amending the City of Fort Wayne Zoning Map Nos. P-03, P-07, M-03, M-07, N-03, N-07, O-03, O-07 (Secs. 7 and 18 of Adams Township and 11, 12, 13, and 14 of Wayne Township)

To rezone approximately 15.7 acres from R1/Single Family, R2/Two Family and R3/Multiple Family Residential and C2/Limited Commercial, C3/General Commercial, and I1/Limited Industrial to UC/Urban Corridor - parcels within the 300 to 1800 blocks of East Pontiac. See file for exact parcels

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

Z-22-11-17

An Ordinance amending the City of Fort Wayne Zoning Map No. U-30 (Sec. 21 of Saint Joseph Township)

To rezone approximately 0.86 acres from RP/Planned Residential to C1/Professional Offices and Personal Services with a Written Commitment to limit certain uses at 4601 Maplecrest Road

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

Z-22-11-18

An Ordinance amending the City of Fort Wayne Zoning Map Nos. R-54 and Q-54 (Sec. 5 and 6 of Saint Joseph Township)

To rezone approximately 27.32 acres from NC/Neighborhood Center, C1/Professional Offices and Personal Services, and RP/Planned Residential to BTI/Business, Technology, and Industrial Park to develop a new corporate campus and development parcels at the west side of the 8900 block of North Clinton Street

	Councilmembers' Votes					
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

Action

Z-22-11-19

An Ordinance amending the City of Fort Wayne Zoning Map Nos. R-54 and Q-54 (Sec. 5 and 6 of Saint Joseph Township)

To rezone approximately 10.2 acres from NC/Neighborhood Center, C1/Professional Offices and Personal Services, and RP/Planned Residential to C2/Limited Commercial to develop a new corporate campus and development parcels at the west side of the 8900 block of North Clinton Street

Councilmembers' Votes						
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER :					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

Z-22-11-20

An Ordinance amending the City of Fort Wayne Zoning Map No. L-14 (Sec. 5 of Saint Joseph Township)

To rezone approximately 5 acres from R1/Single-Family Residential to NC/Neighborhood Center to allow for a mixture of commercial and residential uses at the east side of the 8900 block of North Clinton Street

Councilmembers' Votes						
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER 1					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

ORDINANCES AND RESOLUTIONS FOR PASSAGE

PUBLIC WORKS COMMITTEE

Michelle Chambers, Chair Geoff Paddock, Co-Chair All Council Members

Action

No Ordinance or Resolution for Passage

CITY UTILITIES COMMITTEE

Thomas Didier, Chair Glynn Hines, Co-Chair All Council Members

Action

S-22-11-03 Do Pass

An Ordinance approving Construction Contract – CSO 023, 024, 025 Consolidation Sewer and Utility Improvements (W. Superior St. from Jackson St. to Harrison St.) - Work Order #76694 - between Dunigan Bros., Inc. and the City of Fort Wayne, Indiana, by and through its Board of Public Works

Involving a total cost of \$7,489,416.70

Councilmembers' Votes					Total Y -
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER				
HINES	JEHL	PADDOCK	TUCKER		Total A -

FINANCE COMMITTEE

Russ Jehl, Chair Sharon Tucker, Co-Chair All Council Members

Action

R-22-11-05

A Resolution of the Common Council of the City of Fort Wayne, Indiana, approving the proposed budget of the Allen County Fort Wayne Capital Improvement Board of Managers and Visit Fort Wayne for the year 2023

	Councilmembers' Votes					
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

R-22-11-08

A Resolution approving projects and funding included in the Fort Wayne American Rescue Plan Act (ARPA) approved plan

Radio Tower for Avenue of Autos in the amount of \$1,309,720.00

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

R-22-11-09 Do Pass

A Resolution authorizing the transfer of funds between certain accounts within the 2022 budgets of certain City Departments

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

R-22-11-10 Do Pass

A Resolution approving the acquisition of a parcel of certain real estate located at 4100 Strathdon Dr (N of), Adams Township, Fort Wayne, Indiana, for the City of Fort Wayne, by and through the Board of Public Works - Resolution #109-9-20-22-3

Donated to the City of Fort Wayne by the Allen County Community Development Corporation for a purchase price of \$0.00

Councilmembers' Votes						
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER 7					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

R-22-11-11 Do Pass

A Resolution approving the acquisition of two (2) parcels of certain real estate located at 6100 Winchester Rd (Blk of) and 3320 Covington Rd (Beh), Wayne Township, Fort Wayne, Indiana, for the city of Fort Wayne, by and through the Board of Public Works - Resolution #109-9-20-22-1

Sold to the City of Fort Wayne by the Allen County Community Development Corporation for a purchase price of \$600.00

Councilmembers' Votes						
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

R-22-11-12 Do Pass

A Resolution approving the acquisition of three (3) parcels of certain real estate located at 7900 Auburn Rd, 7732 Auburn Rd and 7700 Auburn Rd, St Joseph Township, Fort Wayne, Indiana, for the City of Fort Wayne, by and through the Board of Public Works - Resolution #109-9-20-22-2.

Sold to the City of Fort Wayne by the Allen County Community Development Corporation for a purchase price of \$300.00

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

Action

R-22-11-13 Do Pass

A Resolution of the Common Council of the City of Fort Wayne, Indiana, approving the sale of land (Radio Shop Property)

Authorizing the sale of the property to Bluestone Single Tenant Properties, LLC ("Bluestone") for a purchase price of \$3,350,000.00

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

R-22-11-31

A Declaratory Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1919 W. Cook Road, Fort Wayne, Indiana 46818

Silverado Cook Properties, LLC

Councilmembers' Votes					Total Y -	
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER					
HINES	JEHL	PADDOCK	TUCKER		Total A -	

S-22-11-06

An Ordinance establishing the Federal Seizure Fund

Councilmembers' Votes					Total Y -
ARP	ARP CHAMBERS DIDIER ENSLEY FREISTROFFER				
HINES	JEHL	PADDOCK	TUCKER		Total A -

S-22-11-07 Do Pass

An Ordinance establishing the Opioid Settlement Fund

Councilmembers' Votes					Total Y -
ARP	CHAMBERS	DIDIER	ENSLEY	FREISTROFFER	Total N -
HINES	JEHL	PADDOCK	TUCKER		Total A -

REGULATIONS COMMITTEE

Paul Ensley, Chair Tom Freistroffer, Co-Chair All Council Members

Action

No Ordinance or Resolution for Passage