DECEMBER 9, 2008

FORT WAYNE COMMON COUNCIL

CITY OF FORT WAYNE

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, MET IN THE COMMON COUNCIL CHAMBERS ROOM 126, TUESDAY EVENING DECEMBER 9, 2008, IN REGULAR SESSION. PRESIDENT THOM AS F. DIDIER, IN THE CHAIR, JOSEPH BONAHOOM, ATTORNEY AND SANDRA E. KENNEDY, CITY CLERK, AT THE DESK PRESENT THE FOLLOWING NINE MEMBERS:

> BENDER, BROWN, DIDIER, GOLDNER, HARPER, HINES, PAPE, SHOAFF, SMITH

THE FOLLOWING ORDINANCES AND RESOLUTIONS WERE VOTED BY THE COMMON COUNCIL AT THE REGULAR SESSION OF DECEMBER 9, 2008

ORDINANCES AND RESOLUTIONS UP FOR PASSAGE

FINANCE COMMITTEE Thomas E. Smith - Chair Mitch Harper – Co-Chair All Council Members

ACTION

DO PASS A-08-11-29 APPROPRIATION ORDINANCE NO. A-04-08

AN ORDINANCE appropriating monies into certain accounts for the 2008 Budgets of various funds and departments to meet obligations for the remainder of 2008

SEVEN AYES - TWO NAYS (BROWN, HARPER)

DO PASS R-08-11-30 RESOLUTION NO. R-88-08

A RESOLUTION authorizing the transfer of funds between certain accounts within the 2008 budgets of certain City Departments

EIGHT AYES - ONE NAY (BROWN)

DO PASS R-08-11-09 RESOLUTION NO. R-89-08

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" property 201 West Main Street (Aptera Software, Inc.)

Total cost of 508,425 – 15 full-time jobs will be created and 25 full-time jobs will be retained

SIX AYES – THREE NAYS (BROWN, HARPER, SHOAFF)

DO PASS R-08-11-11

CONFIRMING RESOLUTION NO. R-90-08

A CONFIRMING RESOLUTION designating an "Economic Revitalization " property known as unassigned address, northeast corner of Fernhill Avenue and Wells Street (CanLan Ice Sports) Total cost of \$10,075,000 – 15 full-time and 50 part-time Jobs are expected to be created as a result of this project

EIGHT AYES - ONE ABSTAINED (PAPE)

DO PASS S-08-07-28

SPECIAL ORDINANCE NO. S-109-08

AN ORDINANCE of the Common Council of the City of Fort Wayne, Indiana authorizing the issuance and sale of additional County Economic Development Income Tax Revenue Bonds in an amount not to exceed Thirty Million and 00/100 Dollars

SEVEN AYES - TWO NAYS (HARPER, SHOAFF)

DO PASS S-08-07-29

SPECIAL ORDINANCE NO. S-110-08

AN ORDINANCE appropriating the proceeds derived from the sale of bonds to be issued and designated as "City of Fort Wayne, Indiana, County Economic Development Income Tax Revenue Bonds of 2008"

SIX AYES – THREE NAYS (BROWN, HARPER, SHOAFF)

DO PASS S-08-11-12

SPECIAL ORDINANCE NO. S-123-08

AN ORDINANCE approving increase for the 2008 Garbage and Recycling Services between National Serv-All – Board of Public Works

Total cost of \$200,000

EIGHT AYES - ONE ABSTAINED (PAPE)

DO PASS S-08-11-13

SPECIAL ORDINANCE NO. S-111-08

AN ORDINANCE approving the fourth year of a four year

contract for Garbage and Recycling Service between National Serv-All – Board of Public Works Total cost \$8,807,646 Garbage \$7,688,486 Recycling \$1,119,160

EIGHT AYES - ONE NAY (PAPE)

DO PASS S-08-11-14

SPECIAL ORDINANCE NO. S-112-08

AN ORDINANCE approving the fourth year of a four year contract for the maintenance of Garbage Containers - Board of Public Works

Total cost of \$165,673

NINE AYES

DO PASS S-08-11-15

SPECIAL ORDINANCE NO. S-113-08

AN ORDINANCE approving increase in the leaf disposal purchase order between National Serv-All – Board of Public Works Total cost increase in the Purchase Order for Leaf Disposal during 2008: (from \$90,000 to \$124,000)

EIGHT AYES - ONE NAY (HARPER)

DO PASS S-08-11-20

SPECIAL ORDINANCE NO. S-114-08

AN ORDINANCE approving the awarding of purchase of passenger vehicles for various City Departments Total cost in excess of \$100,000+

NINE AYES

DO PASS S-08-11-21

SPECIAL ORDINANCE NO. S-115-08

AN ORDINANCE awarding contract for the purchase of diesel, no-

lead and B-20 fuel through the Fort Wayne Community School System and the Cooperative Purchasing Association of Fort Wayne for the Fleet Management, WPC Plant and Park Departments Total cost of \$4,386,958

> AG Plus - \$1,624,224 Lassus \$2,762,734

> > NINE AYES

DO PASS S-08-11-22

SPECIAL ORDINANCE NO. S-116-08

AN ORDINANCE approving contract for Professional Engineering Services Consultant – Wayne Trace; Oxford to McKee STP - Board of Public Works Total cost of \$240, 693.95

NINE AYES

DO PASS S-08-11-26

SPECIAL ORDINANCE NO. S-117-08

AN ORDINANCE approving Extension of Landfill Services – National Serv-All for the Energy & Environment Services Department Total cost of in excess of \$100,000 – (\$26,32TON)

EIGHT AYES - ONE NAY (HARPER)

REGULATIONS COMMITTEE

Marty Bender – Chair Tim Pape – Co-Chair **DO PASS G-08-11-06**

GENERAL ORDINANCE NO. G-14-08

AN ORDINANCE amending Chapter 51 of the City of Fort Wayne Code of Laws Zanesville Area Capital Improvement Surcharge \$33.19 per ERU for all existing and new customers in the Area of Zanesville

NINE AYES

DO PASS G-08-08-17

GENERAL ORDINANCE NO. G-15-08

AN ORDINANCE to amend Chapter 96: "Noise Control" of the Municipal Code of Ordinances for the City of Fort Wayne, Indiana

Noise Control shall be amended to read "Noise Control And other Sensory Control"

> FIVE AYES (BENDER, GOLDNER, HINES, PAPE, SHOAFF) FOUR NAYS (BROWN, DIDIER, HARPER, SMITH)

DO PASS G-08-0-19 (AS AMENDED) GENERAL ORDINANCE NO. G-16-08

AN ORDINANCE amending Chapter 153: Planning and Development Designation of Economic Revitalization Areas and the Granting of Tax Abatements, of the Fort Wayne Municipal Code of Ordinances

NINE AYES

DO PASS R-08-10-20 A RESOLUTION approving administrative procedures for processing applications for designation of Economic Revitalization Areas

NINE AYES

PUBLIC WORKS COMMITTEE

Liz Brown – Chair Glynn A. Hines – Co-Chair All Council Members

No Ordinances or Resolutions up for passage

CITY UTILITIES COMMITTEE

Karen Goldner – Chair John Shoaff – Co-Chair All Council Members

DO PASS S-08-11-07

SPECIAL ORDINANCE NO. S-118-08

AN ORDINANCE approving agreement for Resolution #95-11-12-08-01, sale and purchase of the Sanitary Sewer System for Zanesville – Board of Public Works Total cost of \$185,500

NINE AYES

DO PASS S-08-11-16

SPECIAL ORDINANCE NO. S-119-08

AN ORDINANCE approving purchase and delivery of Powdered Activated Carbon by the City of Fort Wayne, Indiana, for the Three Rivers Filtration Plant Total cost of \$245,440

DO PASS S-08-11-17 SPECIAL ORDINANCE NO. S-120-08

AN ORDINANCE approving the awarding purchase of Liquid Ferric Sulfate for the Three Rivers Filtration Plant Total cost of \$630,000

NINE AYES

DO PASS S-08-11-18

SPECIAL ORDINANCE NO. S-121-08

AN ORDINANCE approving purchase of Pebble Lime for the Three Rivers Filtration Plant Total cost of \$1,344,000

NINE AYES

DO PASS S-08-11-19

SPECIAL ORDINANCE NO. S-122-08

AN ORDINANCE approving purchase of Sodium Chlorite for a the Three Rivers Filtration Plant Total cost of \$245,440

NINE AYES

DO PASS S-08-11-23

SPECIAL ORDINANCE NO. S-123-08

AN ORDINANCE approving extension of price agreement for the purchase of Large Water Meters – Water Maintenance & Service Department

Total cost of \$264,036

Elster

\$87,085

E.J. Prescott \$176,951

NINE AYES

DO PASS S-08-11-24 SPECIAL ORDINANCE NO. S-124-08

AN ORDINANCE approving extension of price agreement for the purchase of Positive Displacement Water Meters - Water Maintenance & Service Total cost of \$361,800

NINE AYES

DO PASS S-08-11-25

SPECIAL ORDINANCE NO. S-125-08

AN ORDINANCE approving extension of price agreement for the purchase of Fire Hydrants – Water Maintenance & Service Department Total cost of \$130,800

NINE AYES

DO PASS S-08-11-27

SPECIAL ORDINANCE NO. S-126-08

AN ORDINANCE approving the increase purchase of Liquid Carbon Dioxide for the Three Rivers Filtration Plant Total cost of \$14,000 (Total expenditure \$109,845)

NINE AYES

DO PASS S-08-11-28

SPECIAL ORDINANCE NO. S-127-08

AN ORDINANCE approving purchase of Liquid Carbon Dioxide for the Three Rivers Filtration Plant Total cost of \$105,000

NINE AYES

PREPARED BY THE OFFICE OF THE CITY CLERK SANDRA E. KENNEDY CITY CLERK

COUNCIL MEETINGS MAY BE VIEWED ON CHANNEL 58 AND CHANNEL 28 ON THE FOLLOWING DAYS:

TUESDAY WEDNESDAY THURSDAY SATURDAY SUNDAY MONDAY AFTER MEETING 9:00 P.M. 7:00 P.M. 1:00 P.M. 10:00 A.M. 7:00 P.M. 10:00 A.M.

ALSO, TAPES OF OUR COUNCIL MEETINGS MAY BE VIEWED AT THE CLERK'S OFFICE. APPOINTMENTS TO VIEW TAPES, PLEASE CALL ANGIE 427-1221