

**ORDINANCES AND RESOLUTIONS  
UP FOR INTRODUCTION  
APRIL 27, 2010**

---

**CITY UTILITIES COMMITTEE**

*Thomas F. Didier - Chair  
Glynn A. Hines - Co-Chair  
All Council Members*

**ACTION**

---

**S-10-04-14**

**AN ORDINANCE approving construction contract Westlawn Addition Sanitary Sewer Extension Res. #2221-2009, W.O. #75406 between Fleming Excavating and the City of Fort Wayne, Indiana, in connection with the Board of Public Works  
Total cost of \$2,171,834.65**

---

**S-10-04-15**

**AN ORDINANCE approving Braun Drain Culvert Replacement Res. #2234-2009, W.O. #832301 between Pyramid Excavating, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works  
Total cost of \$190,020**

---

**S-10-04-17**

**AN ORDINANCE approving construction contract: WPCP Digester Gas Handling Improvements: Res. #2187-2009, W.O. #75388 between Thieneman Construction, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works  
Total cost of \$774,000**

---

## CITY UTILITIES COMMITTEE CONTINUED

### ACTION

---

**S-10-04-18**

**AN ORDINANCE approving amendment No. 1 (PH2) to Professional Services Agreement for Preliminary Engineering Services for the Project WPCP Combined Sewer Pump Station Improvements between Camp Dresser & McKee Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works**

**Total cost of \$424,889**

---

---

## FINANCE COMMITTEE

*Tim Pape - Chair*  
*Thomas E. Smith - Co-Chair*  
*All Council Members*

---

**R-10-04-19**

**A RESOLUTION approving the Commitment of One Million Dollars from the Rainy Day Fund for the Renovation of the City-County Building**

**Total cost of \$1,000,000**

---

---

## REGULATIONS COMMITTEE

*Karen E. Goldner – Chair  
Mitch Harper – Co-Chair  
All Council Members*

---

### **R-10-04-16**

**A RESOLUTION in support of application for the Designation of Fort Wayne as a Preserve America Community**

**This is to protect and celebrate our heritage, use our historic assets for economic development and community revitalization, and encourage people to experience and appreciate local historic resources through education and heritage tourism programs**

---

### **Z-10-04-11**

**AN ORDINANCE amending the City of Fort Wayne, Zoning Map No. H-14 (Sec. 33 of Washington Township)**

**Hillegas Road and the 3800 block of Bass Road – allow development of a gas station canopy**

---

### **Z-10-04-12**

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-27 (Sec. of 20 of Wayne Township)**

**Between the 7200 block of John Street and the 7200 block of Hanna Street – to allow the development of a two-building, 16 unit senior housing complex**

---

---

## **PUBLIC WORKS COMMITTEE**

*Elizabeth M. Brown - Chair  
John Shoaff - Co-Chair  
All Council Members*

### **ACTION**

---

#### **S-10-04-13**

**AN ORDINANCE approving Professional Services Agreement for construction management for the Ardmore Ave.: Taylor St. to Jefferson Blvd. Project between VLF and the City of fort Wayne, Indiana, in connection with the Board of Public Works  
Total cost of \$185,746**

---

---

#### **BILL NO. S-10-04-14**

SPECIAL ORDINANCE NO. S-\_\_\_\_\_

AN ORDINANCE approving CONSTRUCTION CONTRACT: WESTLAWN ADDITION SANITARY SEWER EXTENSION: RES. #2221-2009, W.O. #75406 between FLEMING EXCAVATING and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL  
OF THE CITY OF FORT WAYNE, INDIANA:**

**SECTION 1.** That the CONSTRUCTION CONTRACT: WESTLAWN ADDITION SANITARY SEWER EXTENSION: RES. #2221-2009, W.O. #75406 by and between FLEMING EXCAVATING and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, is hereby ratified, and affirmed and approved in all respects,

respectfully for:

All labor, insurance, material, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary for installation of a new sanitary sewer collection system to replace the septic tanks of the Westlawn Subdivision. The new system consists of a lift station, 1,250+/- LF of 4" forcemain, and 14,550+/-LF of 8" gravity main:

involving a total cost of TWO MILLION, ONE HUNDRED SEVENTY-ONE THOUSAND, EIGHT HUNDRED THIRTY-FOUR AND 65/100 DOLLARS - (\$2,171,834.65).

**SECTION 2.** Prior Approval has been requested from Common Council on APRIL 13, 2010. Said copy is on file in the Office of the City Clerk and made available for public inspection, according to law.

**SECTION 3.** That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

\_\_\_\_\_  
Council Member

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
Carol T. Taylor, City Attorney

**BILL NO. S-10-04-15**

SPECIAL ORDINANCE NO. S-\_\_\_\_\_

AN ORDINANCE approving BRAUN DRAIN CULVERT REPLACEMENT: RES. #2234-2009, W.O. #83201 between PYRAMID EXCAVATING, INC. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

**SECTION 1.** That the BRAUN DRAIN CULVERT REPLACEMENT: RES. #2234-2009, W.O. #83201 by and between PYRAMID EXCAVATING, INC. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, is hereby ratified, and affirmed and approved in all respects, respectfully for:

All labor, insurance, material, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary for installation of approximately 66 LF of 5'x9' RCP box culvert and 92 LF of 5' x 8' RCP box culvert. Also included is a water main adjustment and pavement restoration;

involving a total cost of ONE HUNDRED NINETY THOUSAND, TWENTY AND NO/100 DOLLARS - (\$190,020.00).

**SECTION 2.** Prior Approval has been requested from Common Council on APRIL 13, 2010. Said copy is on file in the Office of the City Clerk and made available for public inspection, according to law.

**SECTION 3.** That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

\_\_\_\_\_  
Council Member

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
Carol T. Taylor, City Attorney



**BILL NO. S-10-04-17**

SPECIAL ORDINANCE NO. S-\_\_\_\_\_

AN ORDINANCE approving CONSTRUCTION CONTRACT: WPCP DIGESTER GAS HANDLING IMPROVEMENTS: RES. #2187-2009, W.O. #75388 between THIENEMAN CONSTRUCTION, INC. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

**SECTION 1.** That the CONSTRUCTION CONTRACT: WPCP DIGESTER GAS HANDLING IMPROVEMENTS: RES. #2187-2009, W.O. #75388 by and between THIENEMAN CONSTRUCTION, INC. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, is hereby ratified, and affirmed and approved in all respects, respectfully for:

All labor, insurance, material, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary for construction of improvements to the existing digester gas handling system that includes a new digester gas piping and valve system, new combination pressure relief/vacuum breaker safety valves on existing digester covers, new condensate/sediment traps, and other digester gas handling components. Construction will also include removal of existing digester gas system piping, valves, and equipment. Construction will require shutdown and tie-in to the existing digester gas handling system. Construction will include mechanical work and some electrical and instrumentation and control work:

involving a total cost of SEVEN HUNDRED SEVENTY-FOUR THOUSAND AND NO/100 DOLLARS - (\$774,000.00). A copy said Contract is on file with

the Office of the City Clerk and made available for public inspection, according to law.

**SECTION 2.** That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

\_\_\_\_\_  
Council Member

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
Carol T. Taylor, City Attorney

**BILL NO. S-10-04-18**

SPECIAL ORDINANCE NO. S-\_\_\_\_\_

AN ORDINANCE approving AMENDMENT NO. 1 (PH2) TO PROFESSIONAL SERVICES AGREEMENT FOR PRELIMINARY ENGINEERING SERVICES FOR THE PROJECT WPCP COMBINED SEWER PUMP STATION IMPROVEMENTS between CAMP DRESSER & McKEE INC. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

**SECTION 1.** That the AMENDMENT NO. 1 (PH2) TO PROFESSIONAL SERVICES AGREEMENT FOR PRELIMINARY ENGINEERING SERVICES FOR THE PROJECT WPCP COMBINED SEWER PUMP STATION IMPROVEMENTS by and between CAMP DRESSER & McKEE INC. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, is hereby ratified, and affirmed and approved in all respects, respectfully for:

All labor, insurance, material, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary for Amendment No. 1 (PH2) will authorize Camp Dresser & McKee Inc. to perform preliminary engineering and planning with the following systems associated with the pump station: screenings, grit, residuals management, pumping system hydraulics, vibration analysis to aid in pump selection, building, site and underground planning, electrical planning, physical model support, and other associated planning:

involving a total cost of FOR HUNDRED TWENTYFOUR THOUSAND, EIGHT HUNDRED EIGHTY-NINE AND NO/100 DOLLARS - (\$424,889.00). A copy

said Contract is on file with the Office of the City Clerk and made available for public inspection, according to law.

**SECTION 2.** That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

\_\_\_\_\_  
Council Member

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
Carol T. Taylor, City Attorney

**BILL NO. R-10-04-19**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING THE COMMITMENT OF ONE MILLION DOLLARS FROM THE RAINY DAY FUND FOR THE RENOVATION OF THE CITY-COUNTY BUILDING**

WHEREAS, the City of Fort Wayne and the County of Allen participated in a co-location task force to jointly determine the future location of both city and county offices;

WHEREAS, the joint task force determined that the Fort Wayne Police Department and the Allen County Sheriff's department would be located in the City County Building and City and County Development and administrative offices would be located at 200 East Berry Street;

WHEREAS, the City will be responsible for the renovation costs at 200 East Berry Street and the County will be responsible for the renovation costs of the City County Building with each party bearing their own cost for furniture and moving expenses;

WHEREAS, the City shall collaborate with the County on space it will occupy in the City County Building and the County shall collaborate with the City on space it occupies at 200 East Berry Street;

WHEREAS, based on all of the information garnered by the co-location task force it voted unanimously to endorse this co-location plan and the County committed to seeking an appropriation of three million dollars;

WHEREAS, the one million dollar appropriation from the City will be utilized for the renovation of the City County building with the funding primarily dedicated towards the renovation of public safety spaces such as police labs; and

WHEREAS, the co-location plan unanimously endorsed by the co-location task force represents the highest and best use of the City County building and 200 East Berry Street and represents a benefit for all taxpayers in Fort Wayne and Allen County.

**NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

**SECTION 1.** That the commitment of one million dollars (\$1,000,000.00) from the Rainy Day Fund for the renovation of the City-County Building is approved and ratified.

**SECTION 2.** That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

---

Council Member

APPROVED AS TO FORM AND LEGALITY

---

Carol T. Taylor, City Attorney

**BILL NO. R-10-04-16**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION IN SUPPORT OF  
APPLICATION FOR THE DESIGNATION OF  
FORT WAYNE AS A PRESERVE AMERICA  
COMMUNITY**

**WHEREAS**, Preserve America is a White House initiative developed in cooperation with the Advisory Council on Historic Preservation, the U.S. Department of the Interior, and the U.S. Department of Commerce; and

**WHEREAS**, the goals of this initiative include a greater shared knowledge about our Nation's past, strengthened regional identities and local pride, increased local participation in preserving the country's irreplaceable cultural and natural heritage assets, and support for the economic vitality of communities; and

**WHEREAS**, this initiative is compatible with our community's interests and goals related to historic preservation; and

**WHEREAS**, designation as a Preserve America Community will improve our community's ability to protect and promote its historical resources;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA:**

**Section 1.** That the Common Council of the City of Fort Wayne, Indiana, hereby

supports the City of Fort Wayne's application for the designation of Fort Wayne as a Preserve America Community; and further resolves to protect and celebrate our heritage, use our historic assets for economic development and community revitalization, and encourage people to experience and appreciate local historic resources through education and heritage tourism programs.

---

Council Member

APPROVED AS TO FORM AND LEGALITY

---

Carol Taylor, City Attorney



#1203

BILL NO. Z-10-04-11

**ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_**

**AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. H-14 (Sec. 33 of Washington Township)**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a CM2 (Limited Retail and Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

A part of the Southwest Quarter in Section 33, Township 31 North, Range 12 East, Allen County, Indiana, and being a part of the land of or formerly owned by Harold W. and Dorothy A. Wiegman (Instrument No. 73-26577, Deed Record 514, page 141 and Deed Record 376, pages 462-463, Office of the Recorder) and being that part of the grantor's land described as follows: Commencing at the Southwest corner of said Quarter Section; thence North 0 degrees 28 minutes 00 seconds (assumed bearing) West 7.623 meters (25.01 feet) along the West line of said Quarter Section to the North boundary of Bass Road and the **point of beginning** of this description; thence North 0 degrees 28 minutes 00 seconds West 261.210 meters (856.99 feet) along the West line of said Quarter Section to the Northwest corner of the Grantor's land; thence South 12 degrees 00 minutes 22 seconds East 81.593 meters (268.88 feet); thence South 13 degrees 48 minutes 46 seconds East 100.320 meters (329.13 feet); thence South 9 degrees 14 minutes 20 seconds East 50.000 meters (164.04 feet); thence South 8 degrees 30 minutes 21 seconds West 26.249 meters (86.12 feet); thence South 66 degrees 06 minutes 27 seconds West 20.901 meters (68.57 feet) to the boundary of said Bass Road; thence North 89 degrees 37 minutes 48 seconds West 23.906 meters (78.43 feet) along said boundary to the point of beginning and containing 0.6976 hectares (1.724 acres) more or less.

**and the symbols of the City of Fort Wayne Zoning Map No. H-14 (Sec. 33 of Washington Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.**

**SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.**

\_\_\_\_\_  
Council Member

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Carol T. Taylor, City Attorney

#1204

BILL NO. Z-10-04-12

ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_

**AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. N-27 (Sec. 25 of Wayne Township)**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R3 (Multiple Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

Lots 59, 62, 65 and the easterly most 158 feet of lots 61 and 66 in Home Gardens Addition, as recorded in Plat Record 8B, page 79 in the Office of the Recorder of Allen County, Indiana, containing 3.54 acres, more or less.

**and the symbols of the City of Fort Wayne Zoning Map No. N-27 (Sec. 25 of Wayne Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.**

**SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.**

\_\_\_\_\_  
Council Member

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Carol T. Taylor, City Attorney

**BILL NO. S-10-04-13**

SPECIAL ORDINANCE NO. S-\_\_\_\_\_

AN ORDINANCE approving PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION MANAGMENT FOR THE ARDMORE AVE.: TAYLOR ST. TO JEFFERSON BLVD. PROJECT between VLF and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

**SECTION 1.** That the PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION MANAGMENT FOR THE ARDMORE AVE.: TAYLOR ST. TO JEFFERSON BLVD. PROJECT by and between VLF and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, is hereby ratified, and affirmed and approved in all respects, respectfully for:

VLF to provde construction management/inspection services for the Ardmore Ave.: Taylor St. to Jefferson Blvd.Project;

involving a cost of not to exeed ONE HUNDRED EIGHTY-FIVE THOUSAND, SEVEN HUNDRED FORTY-SIX AND NO/100 DOLLARS - (\$185,746.00).

**SECTION 2.** Prior Approval has been requested from Common Council on APRIL 13, 2010. Said copy is on file in the Office of the City Clerk and made available for public inspection, according to law.

**SECTION 3.** That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

\_\_\_\_\_  
Council Member

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
Carol T. Taylor, City Attorney



