

**MINUTES OF THE PROCEEDINGS
OF THE
COMMON COUNCIL**

CITY OF TERRE HAUTE, INDIANA

REGULAR SESSION, THURSDAY, JANUARY 12, 2023

The City Council met in Regular Session Thursday, January 12, 2023 at 6:00 P.M. in the City Hall Courtroom with Mr. DeBaun presiding and Michelle L. Edwards in the City Clerk's desk.

**Moment of Silence and Pledge of Allegiance to the Flag
Calling Of the Roll**

PRESENT: Amy Auler, Tammy Boland, Martha Crossen, Curtis DeBaun IV, O. Earl Elliott, Neil Garrison, Cheryl Loudermilk, Todd Nation

ABSENT: George Azar

Public Comment on Items Not on the Agenda

- a. Donald Hyde concerning City Council and casino
- b. Councilperson Todd Nation concerning Mr. Hyde's comments
- c. Dwayne Malone concerning criminal justice reform, economic development, housing and jobs for people of color. He also requested a committee be formed with citizen input concerning those matters. In addition, ARPA money used for housing and repaving of streets.

**No Corrections to the Journal of the Preceding Meeting
No Communication from the Mayor**

Reports from City Officials

- a. Councilperson Todd Nation concerning Rosehill's previous request for an alley vacating and a meeting with the neighbors.

No Reports from Board of Public Works and Safety

Reports from Standing Committees

- a. Councilperson Tammy Boland concerning ARPA committee update.
- b. Councilperson Earl Ellioitt commented on the ARPA committee.
- c. Councilperson Todd Nation commented on the ARPA committee.
- d. Council President Curtis DeBaun IV concerning a draft ARPA plan being sent out in February.
- e. Councilperson Martha Crossen commented on the length of time to create the draft plan and ample time will be needed to review.

No Reports from Non-Standing Committees

No Items Previously Tabled

No Tax Abatements for Confirmation

Items on Second Reading

Special Ordinances

SPECIAL ORDINANCE 51, 2022 – Rezoning of property located at 1361-1365 Poplar Street <Crossen>

SPECIAL ORDINANCE 51, 2022 was read by digest. Area Plan Commission certified this ordinance to the City Council with a Favorable With Conditions Recommendation on January 4, 2023. Motion was made by Councilperson Nation and seconded by Councilperson Boland to pass SPECIAL ORDINANCE 51, 2022. Motion carried.

SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 51, 2022

An Ordinance Amending Chapter 10, Article 2 of the Municipal Code designated as “Comprehensive Zoning Ordinance for Terre Haute Indiana.”

SECTION I. BE IT ORDIANED BY THE COMMON COUNCIL of the City of Terre Haute, Vigo County, State of Indiana, that Chapter 10, Article 2 of the City Code of Terre Haute, designated as the “Comprehensive Zoning Ordinance for Terre Haute” and Division 4, Section 10.121 thereof, District Maps, be, and the same is hereby amended to include as follows:

Tract I

Lot Number Three (3) and two (2) feet, six (6) inches off the West side of Lot Number Four (4) all in William Paddock’s Subdivision of One Hundred Seventy-five (175) feet off the East side of Lot Number One (1) of Nathaniel Preston’s Subdivision of the West half (1/2) of the Northeast Quarter (1/4) of Section Twenty-seven (27), Township Twelve (12) North, Range Nine (9) West.

Tract II

Lot Number Two (2) in Wm. Paddock’s Subdivision of 175 feet off the East side of Lot No. One (1) in Nathaniel Preston’s Subdivision of the West half of the North East Quarter of Section 27, in Township 12 North, of Range 9 West.

Tract III

Thirty-five (35) feet off the East side of Lot No. Four (4) in William Paddock’s Subdivision of 175 feet off the East side of Lot No. One (1) in Nathaniel Preston’s Subdivision of the West half (W ½) of the Northeast Quarter (NE ¼) of Section 27, Township 12 North, Range 9 West.

Tract IV

A part of Lot No. One (1) of Nathaniel Preston’s Subdivision of west half (1/2) of the north east quarter (1/4) of Section Twenty seven (27) in Township Twelve (12) North of Range Nine (9) West, described as follows, to wit: Commencing at the southeast corner of thirteen & one half (13 ½) and Poplar Streets as now located and established thence running east along the south line of Poplar Street, one hundred and twenty-five (125) feet more or less to the north west corner of Lot No. One (1) in William Paddocks Subdivision of One Hundred and seventy-five (175) feet off east side of Lot No. One (1) of N. Prestons Subdivision of west ½ of North East ¼ of Section 27 in Township 12 North Range 9 West; thence running South six hundred (600) feet more or less to the north line of Oak Street as now located and established thence running west along north line of Oak Street One Hundred and twenty five (125) feet more less to east line of Thirteen & one half (13 ½) Street; thence North along East line of said last named street to the place of beginning in City of Terre Haute, Ind.

EXCEPT that part thereof conveyed by Deed Records 69 page 327, 204 page 479, 206 page 500, 227 page 557, 227 page 558, 244 page 129, and by 283 page 557, all records of the Recorder’s

Office Vigo County, Indiana

Parcel No.: 84-06-27-202-007.000-002
84-06-27-202-008.000-002
84-06-27-202-009.000-002
84-06-27-202-010.000-002

Commonly known as : 1361-1365 Poplar Street, Terre Haute, IN 47807

and

TRACT I: Lot Number 1 in William Paddock's Subdivision of 175 feet off the East side of Lot Number 1 in Nathaniel Preston's Subdivision of the West Half of the Northeast Quarter of Section 27, Township 12 North, Range 9 West, as shown in the plat recorded August 11, 1880 at Plat Record 3, page 105, records of Recorder's Office of Vigo County, Indiana.

TRACT II: Commencing at a point 175 feet West of the Northeast Corner of Lot Number 1 in Nathaniel Preston's Subdivision of the West Half of the Northeast Quarter of Section 27, Township 12 North, Range 9 West; thence West 4 feet; thence South 140 feet; thence East 4 feet; thence North 140 feet to the place of beginning, as shown in the plat recorded July 26, 1852 at Plat Record 1, page 5, records of Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-27-202-006.000-002

Commonly known as: 1351 Poplar Street, Terre Haute, IN 47807

Be and the same is hereby established as a C-5 General Central Business District, together with all rights and privileges that may inure to said real estate and the owners thereof by virtue of the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise."

SECTION II. WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publication as required by law.

Presented by Council Member, Martha Crossen, Councilperson

Passed in open Council this 12th day of January, 2023.

Curtis DeBaun IV, President

ATTEST: Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this 13th day of January, 2023.

Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 13th day of January, 2023.

Duke A. Bennett, Mayor

ATTEST: Michelle Edwards, City Clerk

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.

Richard J. Shagley II

This instrument prepared by Richard J. Shagley II, Attorney-at-Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, P.O. Box 9849, Terre Haute, Indiana 47807.

NO ITEMS ON FIRST READING

Motion was made by Councilperson Auler and seconded by Councilperson Nation that the meeting be adjourned. Motion carried.

Kelley Duggins
Chief Deputy City Clerk

Curtis DeBaun IV, President

Michelle L. Edwards, City Clerk