

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

CITY OF TERRE HAUTE, INDIANA

REGULAR SESSION, THURSDAY, MAY 11, 2023

The City Council met in Regular Session Thursday, May 11, 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: George Azar, Tammy Boland, Martha Crossen, Curtis DeBaun IV, O. Earl Elliott, Neil Garrison, Cheryl Loudermilk, Todd Nation

ABSENT: Amy Auler

Public Comment on Items Not on the Agenda

a. Council President Curtis DeBaun commented on the proposed Ad Hoc Committee to be created concerning changes to General Ordinance 2, 2023. He stated the councilpersons would be Tammy Boland, Martha Crossen, and Neil Garrison. President DeBaun asked City Clerk, Michelle Edwards, to contact the individuals from the prior meeting that asked to be notified. He would like those groups to recommend a member to serve on this committee. President DeBaun stated that this committee would end once a recommendation is brought to the Council. He asked if the Council would have any concerns with waiting for applicants to file for the variance. Council President DeBaun asked if a special meeting would be more helpful to inform the individuals on the purpose of General Ordinance 2, 2023 than holding a committee meeting at this point. He stated the interested individuals could be contacted with the contact information for the councilpersons.

b. Darrell Felling II, City Attorney, commented on the length of time involved in creating the recently passed General Ordinance 2, 2023. He also commented on there have not been applicants to the Board of Zoning Appeals. He suggested the Council wait until applicants have went through the process before considering any changes.

c. Councilperson Neil Garrison commented that during the meeting where General Ordinance 2, 2023 was passed, the Council had made statements that a committee would be created. He further stated he was okay to delay the creation of the committee. Mr. Garrison would like the interested individuals to be contacted to see what their ideas or concerns are. He agreed that individuals should feel comfortable bringing ideas to any councilperson.

d. Councilperson Martha Crossen commented that there are concerns about General Ordinance 2, 2023. She commented that many citizens felt the Council stated there would be a committee formed if it was passed that particular night.

e. Councilperson Tammy Boland commented that she agreed with Councilperson Martha Crossen. She also stated there may not be changes needed but discussion should occur.

f. Councilperson Todd Nation commented there is a recovery center being developed in his neighborhood now.

g. Michelle Edwards, City Clerk, commented that General Ordinance 2, 2023 could be placed on the City's Website along with a description.

h. Councilperson George Azar commented that 2-3 councilpersonss could meet with the interested individuals to discuss their concerns and ideas. Those councilpersons could bring the concerns back to the Council for further action.

No Corrections to the Journal of the Preceding Meeting
No Communication from the Mayor
No Reports from City Officials
No Reports from Board of Public Works and Safety

Reports from Standing Committees

- a. Councilperson Earl Elliott commented on the ARPA Committee and the special meeting this morning. He also commented on the upcoming 5/22/2023 special meeting and Council should communicate with Mayor Bennett.
- b. Councilperson Todd Nation commented he had requested Mayor Bennett attend tonight's regular meeting but the mayor was not available.

No Reports from Non-Standing Committees
No Items Previously Tabled
No Tax Abatements for Confirmation
No Items on Second Reading

ITEMS ON FIRST READING

Special Ordinances

SPECIAL ORDINANCE 11, 2023 – Rezoning of property located at 4355 East Wabash Avenue <Elliott>

SPECIAL ORDINANCE 11, 2023 was read by digest. No action was taken.

SPECIAL ORDINANCE 12, 2023 – Rezoning of property located at 1490 Fort Harrison Road <Loudermilk>

SPECIAL ORDINANCE 11, 2023 was read by digest. Area Plan Commission certified this ordinance to the City Council with a Favorable With Conditions Recommendation on May 3, 2023. Motion was made by Councilperson Azar and seconded by Councilperson Loudermilk to take action on SPECIAL ORDINANCE 12, 2023. Motion carried unanimously. Motion was made by Councilperson Azar and seconded by Councilperson Loudermilk to pass SPECIAL ORDINANCE 12, 2023. Motion carried.

SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 12, 2023

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:

Lot Number 1 in Plaza North Addition, being a subdivision of a part of the Southwest quarter of Section 2 and the Southeast quarter of Section 3, in Township 12 North, Range 9 West, as shown by the recorded plat thereof, recorded as Instrument No. 200213698 of the records of the Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-03-451-006.000-002

Commonly known as: 1490 Fort Harrison Road, Terre Haute, Indiana 47805

Be and the same is hereby established as a C-5 General Central Business District, together with all rights and privileges that may insure 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, Cheryl Loudermilk, Councilperson

Passed in open Council this 11th day May, 2023.

Curtis DeBaun IV, President

ATTEST: Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this 12th day of May, 2023.

Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 12th day of May, 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.

REVIEW OF CF1 FORM FILINGS

Review of Harrison Manufacturing CF1 Form for RS 27, 2015

Motion was made by Councilperson Garrison and seconded by Councilperson Crossen to find Harrison Manufacturing Resolution 27, 2015 in substantial compliance with one (1) no vote with Councilperson Elliott voting no.

Motion was made by Councilperson Azar 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